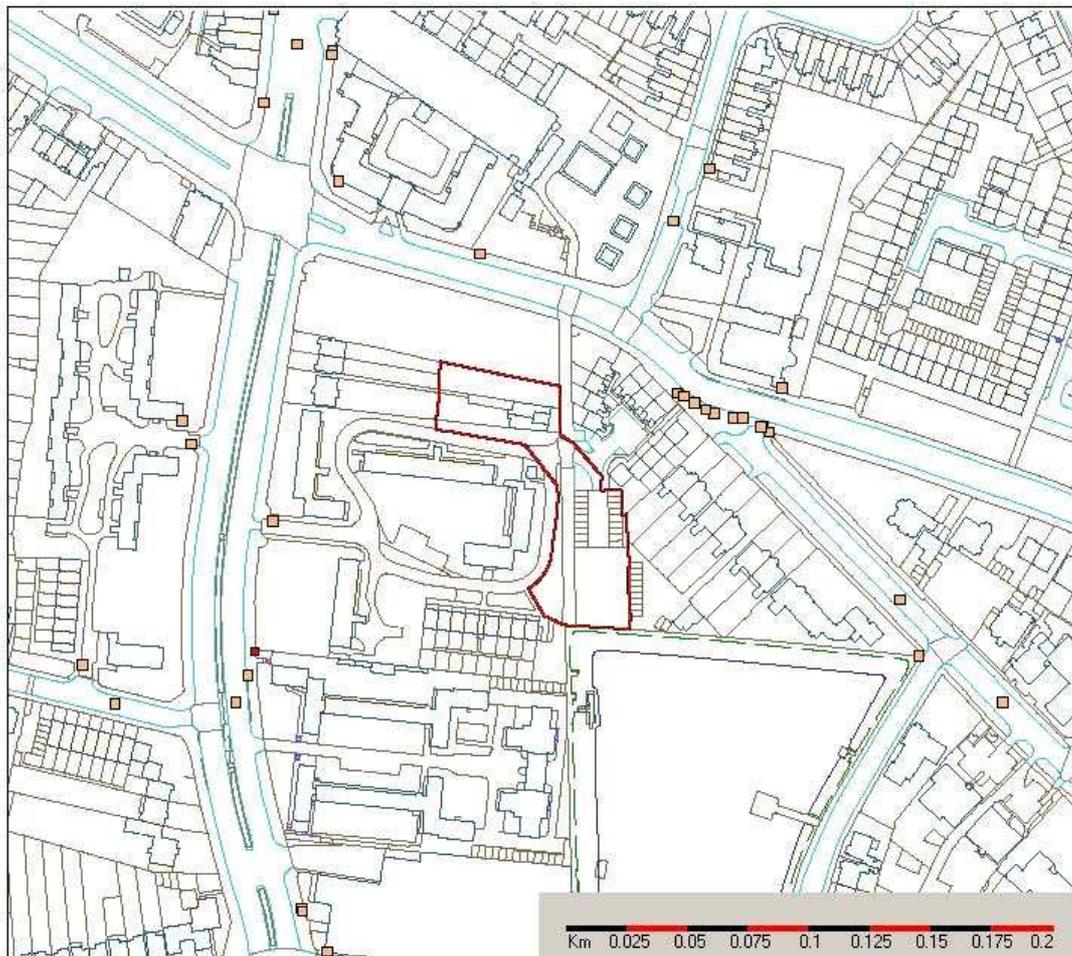


## Section 1 – Site Location Map

# LAMBETH PLANNING APPLICATIONS COMMITTEE



Case Number :	10/04147/FUL
Application Address :	Claremont East Housing Estate London



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L.B. Lambeth LA 100019338 2005

## Section 2 – Application Summary

<b>Location</b>	Claremont East Housing Estate London
<b>Ward</b>	Streatham Hill
<b>Proposal Application</b>	Redevelopment involving demolition of the existing garages and 9a and 9b Garden Lane and the erection of a part two/part four storey building (Site A) to provide 25 flats and one four storey building (Site B) to provide 16 self contained flats, comprising 41 residential units with ancillary parking and associated landscaping together with the provision of new ball court.
<b>Applicant</b>	Notting Hill Housing
<b>Agent</b>	Mr Rolfe Judd Old Church Court, Claylands Road London, SW8 1NZ
<b>Date valid</b>	20 December 2010
<b>Case Officer</b>	Miss Sarah Dickens
<b>Application Reference</b>	10/04147/FUL
<b>Recommendation(s)</b>	Grant Conditional Planning Permission Subject to the Completion of a Section 106 Agreement
<b>Drawing Numbers</b>	Site Location Plan, ASU020, AGA001, AGA002 Rev A, AGA003 Rev B, AGA004 Rev B, AGA005, AGA101 Rev B, AGA102 Rev B, AGA103, 2263-LA-01 Rev B, AEL001 Rev A, AEL002 Rev A, AEL101, ASX101 ASX001, J42.04/02 Rev A, J42.04/01, 2263-SK-03 Rev X, 2263-R E-01 Rev A, Design and Access Statement, Daylight/Sunlight Report, Energy Statement, Sustainability Report and Green Strategy October 2010, Arboricultural Implications Assessment Dated 25th October 2010, Ecological Assessment Including Bat Detector Survey, Code for Sustainable Homes Pre Assessment dated October 2010, Transport Note dated 26th October 2010 and Explanatory Planning Statement.
<b>Advert Publication Date</b>	15th January 2011
<b>Site Notice posted on</b>	12th January 2011

## **Section 3 - Planning Considerations**

### **3.1 Summary of Main Issues**

3.1.1 The main issues involved in this application are: -

- The principle of the proposed land use within this location
- The role of the development in meeting housing needs in the Borough;
- Whether the affordable housing tenure and dwelling mix is suitable for the location;
- The acceptability of the standard of internal accommodation for future occupiers;
- Whether the scale, layout, appearance and landscaping of the development shown would relate satisfactorily to site, local context and surrounding area;
- The impact of the proposal on the adjacent Grade II\* listed building
- The acceptability of the tree felling necessary to facilitate the development and other landscaping and tree implications;
- The sustainability of the development;
- The impact of the development upon the amenity of neighbouring residential properties;
- The implications of the development for the function of the surrounding road network, conditions of on-street parking, highway safety and public transport capacity;
- The ecological implications of the development;
- Planning Obligations;
- Whether the development would include suitable measures to minimise opportunities for crime.

### **3.2 Site Description**

3.2.1 Clarendon East Estate is a purpose-built post war residential development in 4-5 storey flat blocks situated on a site of 1.7ha to the east of the A23 Streatham Hill and south of its junction with Christchurch Road. The estate comprises Earlswood House, Balcombe House and Wray House to the north and Charwood House and Hartswood House to the south with a landscaped central courtyard in between. There are 2 terraces of disused garages and a hard-surfaced football play area along the eastern perimeter of the Estate. The application site includes a pair of semi-detached houses with attached garages and spacious gardens, situated to the northeast of the estate. The houses are vacant and boarded up.

- 3.2.2 The principal access into the estate is from Streatham Hill although further access is available from Christchurch Road via Garden Lane. This is an untreated roadway, which services the adjacent Claremont Close and the two dwellinghouses in Garden Lane and is closed off to estate vehicular traffic by raised bollards. The estate, including the dwellinghouses, is currently in Council ownership. It is a disposal site with the applicant in the process of buying the site.
- 3.2.3 The surrounding area is predominantly residential in character comprising purpose built flat blocks of varying height, bulk and design and domestic scale dwellinghouses in Palace Road to the east of the estate. Claremont Close is a two storey residential development, which backs onto Palace Road and adjoins the application site to the northeast. To the east are the 3 storey Edwardian dwellinghouses/flat conversions in Palace Road and to the southeast lies the Thames Water covered reservoir. Pullman Court, to the south of the estate, comprises Grade II\* Listed blocks of 3-7 storey buildings (1933-5). Across Streatham Hill to west is the Claremont West Estate.
- 3.2.4 To the north of the site and stretching between Garden Lane and Streatham Hill is a fenced piece land, which is designated as 'Other Open Space' in the Council's Unitary Development Plan and Core Strategy proposals map. This plot of open land is owned by Transport for London (TfL). There is also a pair of semi-detached and detached Victorian houses fronting onto Streatham Hill and abutting the north-western corner of the estate. These buildings are 4 storeys in height including basement. Further to the north on the opposite side of Christchurch Road where it forms a junction with Brixton Hill is the 6 Storey residential block, known as Christchurch House. This building and the adjoining Listed Orchard Centre Complex and Italianate Christ Church mark the southern perimeter of the Rush Common and Brixton Hill Conservation Area. Streatham Hill and its immediate environ including the western perimeter of the estate comprise a designated Archaeological Priority Area.

### 3.3 Planning History

- 3.3.1 Planning Application (06/02897/RG4) **Granted** conditional permission for 'Demolition of 9a & 9b Garden Lane plus garages neighbouring 22 Claremont Close and to the rear of 6 Palace Road and erection of two buildings on these sites ranging from 2 - 5 storeys to provide 43 affordable residential units comprising 20 x 1 bed, 16 x 2 bed, 6 x 3 bed and 1 x 4 bed, together with provision of 64 parking spaces, cycle stores, bin storage, landscaping and boundary treatment including the formation of a playground and new community garden between Balcombe House and Earlswood House and a new ballcourt at rear of 5 - 9 Streatham Hill' on the 1<sup>st</sup> February 2007.
- 3.3.2 Planning Application (05/01835/RG4) to 'demolish the two dwellinghouses and garages and the erection of part 3, part 4 storey and part 5 storey buildings to provide 44 affordable residential units, together with provision of 65 parking spaces, landscaping treatment including playground and associated works' was **withdrawn** on officer advice. The applicant was required to reconsider the design, form, scale, massing, height and layout of the proposed development having regard to the impact on the amenities of properties in Place Road and Claremont Close and on views from Streatham/Brixton Hill.

### Planning History 1-3 Streatham Hill

- 3.3.3 Also of relevance to this application is the decision of the Planning Inspector in an appeal against the Council's refusal of outline permission for the siting of a terrace of 7 dwellinghouses in the south-eastern corner of the designated open space to the north of the site (APP/N5660/A/05/1189800). The Council refused to grant planning permission on grounds of loss of open space, relying on the designation of the piece of land as 'Other Open Space' in the emerging Unitary Development Plan (04/03842/OUT).
- 3.3.4 The Inspector was of the opinion that the south-eastern part of the site, adjoining Garden Lane was of limited amenity value, being remote from the main road frontages. He considered that development on this part of the site while retaining the western portion of the site and a wide green margin along the frontage to Christchurch Road did not amount to unacceptable loss of open space. The Inspector accepted the principle of development on the site but dismissed the appeal on the illustrated scale of development and its impact on the setting of the listed Christ Church building.
- 3.3.5 Further to this an application (07/03541/FUL) was submitted in 2007 for three houses and four flats on the site. The LPA refused the application on the loss of open space in line with Policy 50 of the UDP and the application was appealed (APP/N5660/A/08/2075249). This appeal was dismissed by the inspector on the grounds that the development would harm both the function of the site as open space and the aims of policy 50 in protecting open space in an area where there is a significant shortfall. This differs from the 2006 decision which was not dismissed on loss or harm to open space. The 2007 UDP was adopted within the time between the two decisions and policy 50 was considered to have significant weight in the 2009 decision.

### **3.4 Scheme Details**

- 3.4.1 The application involves the redevelopment of the site involving the demolition of the existing garages and 9a and 9b Garden Lane and the erection of a part two/part four storey building (Site A) to provide 25 flats and one four storey building (Site B) to provide 16 self contained flats, comprising 41 residential units with ancillary parking and associated landscaping together with the provision of new ball court. The proposal would provide 100% affordable housing.
- 3.4.2 The proposal would result in the demolition of 9a and 9b Garden Lane and 18 garages within the site boundary and the erection of two blocks' providing a total of 41 residential units. The two blocks' (A and B) would replace the existing buildings on the site. Site A would host a part 2 part 3 part 4 storey building. This would be sited on the land of the existing garages and hardsurfaced play area. This site would be adjoined by Claremont Close to the north, the rear gardens are 6, 8, 10, 12 and 12a Palace Road to the east, Thames Water reservoir to the South and Earlswood House within the Claremont Estate to the west. Site B would be sited on the land of 9a and 9b Garden Lane and would be a part three part four storey square building. This part of the site would adjoin the area of open space fronting onto Streatham Hill and Christchurch Road to the north, the rear gardens of 5, 7 and 9 Streatham Hill to the west, Balcombe and Earlswood House to the south and Garden Lane and properties on Claremont Close to the east.

- 3.4.3 Site A would be rectangular block with a stepped footprint which would break up the overall mass of the building result in the reading of the building as three blocks. The building would provide 25 self contained units. In addition the height of the building would also be stepped, the four storey element of the building would be located to the south of the site adjacent to the boundary with the reservoir, stepping down to three and two storeys adjacent to 22 Claremont Close. The building would measure a maximum of 13.2m in height, 13.8m wide and 54.4m in length. The building would be constructed of yellow stock brick, with elements of white rendered brick work and blue engineering brick would underline a number of windows. Windows and doors would be aluminium framed, with glazed balcony railings. The flat roof would consist of a single ply roof membrane and host photovoltaic cells.
- 3.4.4 Site B would host a square block providing 16 units over four floors. The building would be part three part four storey measuring a maximum of 13.2m in height, 23.6m wide and 19.2m deep. The building would be mainly constructed of yellow London stock brick with blue engineering brick forming part of the front elevation at ground floor. Part of the elevations to the rear and sides of the block would be rendered in an off white colour. Doors and windows would be dark grey aluminium framed and balconies would have glazed railings. The flat roof would have a single ply roof membrane and host a number of photovoltaic cells.
- 3.4.5 The proposed development would provide 41 affordable residential units 100% nomination rights would be transferred to the council. The dwelling mix would consist of:
- 1 Bedroom = 13 Units
  - 2 Bedroom = 14 Units
  - 3 Bedroom = 10 Units
  - 4 Bedroom = 4 units
- 3.4.6 The proposal would also include the creation of a ball games area of approximately 20.8m in length and 14m wide. The ball court would be enclosed by 4m high mesh fencing. A five a side football pitch would be laid out on the hard surface. The applicant is providing this within the development and the management of this would be handed over to the Council for use of the entire estate. Adjacent to the ball court a number of timber seats would be provided. The whole area would benefit from hard and soft landscaping.
- 3.4.7 Environmental improvements including hard and soft landscaping would be undertaken in and around the application site in order to integrate the development within the existing estate. In addition the proposal would result in the felling of 16 trees within and surrounding the site.
- 3.4.8 The proposed development would provide 17 car parking spaces within and around the proposed development. Six spaces would be provided in front of Site B and would be accessed off Garden lane, six spaces would be provide in front of Site A adjacent to Claremont Close, which would be access off the estate road and a further five spaces would be provided adjacent to Charlwood House which would provide additional parking for the whole of Claremont East Estate. The 12 parking space provide for the new development would include 4 bays which would be accessible to the disabled. These 12 spaces would only be available to residents of the proposed development through the use of collapsible bollards. Further to this the area

of land between the estate and Garden Lane which is currently stopped up would remain as it is and further bollards would be installed to ensure that there is no vehicular access from the estate road to Garden Lane or vice versa.

3.4.9 Bin and cycle storage would be provided for each block. With bin storage being provide in front of Site A at the level of the estate road. The ground level outside of site A would be higher than the estate road, steps would be provided to combat the change in ground level. The drawings indicate five 1100 litre bins, covered by a timber pergola. The proposed cycle storage for Site A would be located to the north of the proposed building and would provide storage for 26 cycles. For Site B, bin storage would be integrated within building and cycle storage for 16 cycles would be provided in an enclosure adjacent to the car parking bays.

### 3.5 Consultation Responses

3.5.1 Letters were sent to 317 neighbouring property addresses in the vicinity of site informing them of the proposal. The following addresses were consulted:

- All addresses including flats at: 1-30 Balcombe House, Claremont Estate
- All addresses including flats at: 1-16 Charlwood House, Claremont Estate
- All addresses including flats at: 1-18 Earlwood House, Claremont Estate
- All addresses including flats at: 11-22 Claremont Close, Off Garden Lane
- All addresses including flats at: 2-18 Palace Road
- All addresses including flats at: 1-16 Hartswood House, Claremont Estate
- All addresses including flats at: 1-21 Wray House, Claremont Estate
- All addresses including flats at: 1-15, 25-82, 141-146 and 15.-218 Pullman Court, Streatham Hill
- All addresses including flats at: 9a and 9b Garden Lane
- All addresses including flats at: 5, 7 and 9 Streatham Hill
- All addresses including flats at: 3 Christchurch Road and Christchurch Church of England Primary School.

3.5.2 The application was also advertised by way of site notices which were posted on the 12<sup>th</sup> January 2011 and a press advert which was published within Lambeth Life on the 5<sup>th</sup> January 2011.

3.5.3 The following local interest groups were notified:

- The Streatham Society – No response to date

#### 3.5.4 Responses

No. Letters sent	No. of Objections	No. in support	No. of comments
317	1	0	1

3.5.4.1 One letter of objection has been received in regards to the application Details of the objection are detailed below. A further letter was received in regard to the application in regard to accessing the plans on-line, details of how to do this was forwarded by officers. No further comments were received from this local resident.

### 3.5.5 Assessment

Objections/Comments	Response
Loss of privacy to 12A Palace Road.	No.12a Palace Road is a unique site within the local area, an old coach house which is sited within a triangular shaped parcel of land. The coach house is set approximately 18m from the boundary of the application site and 21m from the proposed rear elevation of the development at Site A. Therefore this distance would result in minimal overlooking and impacts on privacy of the residential dwelling. The land to the front of the house is current open and utilised in part by a number of garages which back onto the boundary wall between the application site and 12a Palace Road and appear under used. The introduction of this development could potentially increase overlooking to this part of 12A Palace Road, however given its existing use as garages and parking and the siting of the residential dwelling it is considered that the proposed development would not harm the living conditions and residential amenity of occupiers of this property.

3.5.6 The following consultations with bodies external to the Council have been undertaken and their responses are summarised as follows:

CABE

No comments provided on the application.

Thames Water

No objections in principle to the proposed development advised applicant should contact Thames Water given close proximity to reservoir to the south of the site.

Transport for London (TfL)

No in principle objection to the proposal.

Environment Agency

No comments provided on the application

Highways Agency

No response received to date

### English Heritage

Advised the application should be assessed in regards to National, Regional and Local guidance and policies.

- 3.5.7 The following Consultees within the Council were consulted and their responses are summarised as follows:

### Crime Prevention Design Advisor

No in principle objection to the proposal subject to a number of conditions to comply with Secure by Design standards

### Conservation and Design

No in principle objection, suggested a number of conditions to ensure good design.

### Environmental Projects – Sustainability

No comments received to date

### Housing

Responded in support of the proposal suggesting the proposed dwelling tenure would be acceptable. Further comments received in regards to the cascade mechanism proposed for the section 106 legal agreement and again the Housing Officer was in support of the application.

### Implementation Team

Comments received in regards to the level of contributions detailed within the Section 106 toolkit. No objections or concerns are raised in regard to the development and the proposed mitigation measures which would be secured by the Section 106 Legal Agreement.

### Noise and Pollution

No objections to the proposal in regards to noise and disturbance

### Parks and Greenspaces

No objections to the proposed development subject to tree protection measures and other mitigation to ensure adequate landscaping and protection of local ecology and biodiversity.

### Planning Policy

No objections to the principle of the proposal, questioned the request for a cascade to allow 100% intermediate housing within the Section 106 Agreement should grant funding not be available to allow 100% social rented units.

### Transport Planning

No objections to the proposals subject to conditions and contributions for improvement to Green Lane secured by a Section 106 Legal Agreement

### Lambeth Sport

No response received to date

### Streetcare

No comments received to date.

## **3.6 RELEVANT POLICIES**

### **3.6.1 National Guidance**

Central Government advice is contained in a range of Government Circulars, Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPS). These are essentially general policies which aim to guide the local planning authority to securing good policies based on real and sound objectives and the need to provide high quality, well thought out developments which make a positive contribution to the locality and which help to protect or enhance the environment.

#### **Planning Policy Statement 1 – Delivering Sustainable Development:**

3.6.1.1 Planning Policy Statement 1 (PPS1) attempts to ensure that development and growth are sustainable. The guidance note outlines the positive role for the planning system in guiding appropriate development to the right place. The advice also states that adequate provision should be made for employment users and for the provision of new housing developments, and that local authorities should operate on the basis that applications for development should be allowed having regard to the Development Plan and all material considerations, unless the proposed development would cause demonstrable harm to the interests of acknowledged importance.

The policy statement underlines the fact that the planning system can deliver high quality, mixed use developments characterised by compactness, mixed-use and dwelling types, affordable housing, a range of employment uses, leisure and community facilities and a high standard of design. The emphasis is also on the use of planning conditions to control development and also to make the best use of brownfield sites.

#### **Planning Policy Statement 3: Housing**

3.6.1.2 Planning Policy Statement (PPS) 3 (Housing) provides advice on the role of the planning system in relation to housing policy and reiterates the principle objectives of PPG3. In particular, paragraph 69 states that in deciding planning applications, Local Planning Authorities should have regard to "...achieving high quality housing; ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups; the suitability of a site for housing, including its environmental sustainability; using land effectively and efficiently..."

### **Planning Policy Statement 5: Planning for the Historic Environment**

3.6.1.3 Planning Policy Statement (PPS) 5 (Planning for the Historic Environment) sets out the Government's planning policies on the conservation of the historic environment. The statement sets out the value of the historic environment, and the contribution it makes to our cultural, social and economic life. It states planning has a central role to play in conserving our heritage assets and utilising the historic environment in creating sustainable place

### **Planning Policy Statement 9: Biodiversity and Geological Conservation**

3.6.1.4 PPS9 sets out planning policies on protection of biodiversity and geological conservation through the planning system. These policies complement, but do not replace or override, other national planning policies and should be read in conjunction with other relevant statements of national planning policy.

### **Planning Policy Statement 10: Sustainable Waste Management**

3.6.1.5 Planning Policy Statement (PPS) 10 (Sustainable Waste Management) sets out the Government's policy to be taken into account by waste planning authorities and forms part of the national waste management plan.

### **Planning Policy Guidance 13 – Transport:**

3.6.1.6 Planning Policy Guidance Note 13 (PPG13) stresses the reliance of the past on the private car. The guidance note encourages alternative means of travel which would have less environmental impact. It suggests the location of new housing and employment uses in urban areas, and the optimum use of under-used sites and the promotion of new rail links and other improvements to public transport. One of the main objectives of this piece of Central Government thinking is to reduce the number in car movements and usage.

### **Planning Policy Guidance 17 – Planning for Open Space, Sports and Recreation**

3.6.1.7 This PPG describes the role of the planning system in assessing opportunities and needs for sport and recreation provision and safeguarding open space which has recreational value. The guidance observes that it is part of the function of the planning system to ensure that through the preparation of development plans adequate land and water resources are allocated for organised sport and informal recreation. It says that local planning authorities should take account of the community's need for recreational space, having regard to current levels of provision and deficiencies and resisting pressures for development of open space which conflict with the wider public interest.

### **Planning Policy Statement 22 - Renewable Energy**

3.6.1.8 It sets out the Government's planning policies for renewable energy, which planning authorities should have regard to when preparing local development documents and when taking planning decisions.

## **Planning Policy Guidance 24 – Planning and Noise**

3.6.1.9 Planning Policy Guidance Note 24 (PPG24) guides local authorities in England on the use of their planning powers to minimize the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise.

### **3.6.2 London Plan**

3.6.2.1 The London Plan was consolidated in February 2008 and now includes alterations that have been made since it was adopted in February 2004. The London Plan is the Mayor's development strategy for Greater London and provides strategic planning guidance for development and use of land and buildings within the London region.

3.6.2.2 It seeks to accommodate significant growth in ways that respect and improve London's diverse heritage while delivering a sustainable world city and, proposes to achieve this through sensitive intensification of development in locations well served by public transport.

3.6.2.3 All Borough plan policies are required to be in general conformity with the London Plan policies.

3.6.2.4 The following policies of the London Plan are relevant:

- 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.11 Affordable Housing Thresholds
- 3A.17 Addressing the needs of London's diverse population
- 3C.1 Integrating transport and development
- 3C.2 Matching development to transport capacity
- 3C.22 Improving Condition for Cycling
- 3C.23 Parking Strategy
- 3D.8 Realising the value of open space and green infrastructure
- 3D.13 Children and Young People's Play and Informal Recreation Strategies
- 3D.14 Biodiversity and nature conservation
- 3D.15 Trees and woodland
- 4A.1 Tackling climate change
- 4A.2 Mitigating climate change
- 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
- 4A.22 Spatial Policies for Waste Management
- 4A.33 Bringing contaminated land into beneficial use
- 4B.1 Design principles for a compact city
- 4B.2 Prompting World Class Architect and Design

- 4B.3 Enhancing the quality of the public realm
- 4B.5 Creating an inclusive environment
- 4B.6 Safety, Security and fire prevention and protection
- 4B.8 Respect local context and communities
- 4B.12 Heritage Conservation
- 6A.3 Promoting development
- 6A.5 Planning Obligations

### 3.6.3 Local Planning Policy

3.6.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan in Lambeth is the London Plan ('consolidated with Alterations since 2004' published in February 2008), the Lambeth Core Strategy (adopted 19 January 2011) and the remaining saved policies in the 'Lambeth Unitary Development Plan (UDP) 2007: Policies saved beyond 5 August 2010 and not superseded by the LDF Core Strategy January 2011'. Material considerations include national planning policy statements and planning policy guidance

3.6.3.2 The following saved Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010 are considered relevant to this application:

- |           |  |
|-----------|--|
| Policy 7  | Protection of Residential Amenity;                         |
| Policy 9  | Transport Impact;  |
| Policy 14 | Parking and Traffic Restraint;                             |
| Policy 15 | Additional Housing;  |
| Policy 16 | Affordable Housing;  |
| Policy 31 | Street, character and Layout                               |
| Policy 32 | Community Safety/Designing Out Crime;                      |
| Policy 33 | Building Scale and Design;                                 |
| Policy 35 | Sustainable Design and Construction;                       |
| Policy 38 | Design in Existing Residential/Mixed Use Areas             |
| Policy 39 | Streetscape, Landscape and Public Realm Design;            |
| Policy 45 | Listed Buildings;  |
| Policy 50 | Open Space and Sport Facilities                            |
| Policy 52 | Protection and Enhancement of the Natural Environment; and |
| Policy 56 | Waste;   |

3.6.3.3 The following Local Development Framework Core Strategy Policies (January 2011) are also considered relevant:

- Policy S1 – Delivering the Vision and Objectives
- Policy S2 – Housing
- Policy S4 – Transport
- Policy S5 – Open Space
- Policy S7 – Sustainable Design and Construction
- Policy S8 – Sustainable Waste Management
- Policy S9 – Quality of the Built Environment
- Policy S10 – Planning Obligations
- Policy PN4 – Streatham

### **3.6.4 Supplementary Planning Documents (SPDs)**

3.6.4.1 The following adopted SPDs are relevant:

- SPD: Safer Built Environments
- SPD: Sustainable Design and Construction
- SPD: Guidance and Standards for Housing Developments and House Conversions

3.6.4.2 The Council's 'Waste & Recycling Storage and Collection Requirements: Guidance for Architects and Developers' (2006) is also considered relevant.

### **3.7 PLANNING CONSIDERATIONS**

#### **3.8 Land Use Implications**

3.8.1 Planning Policy Statement 3 specifically relates to housing and seeks to achieve high quality housing that is well-designed and built to a high standard and a mix of housing, both market and affordable, particularly in terms of tenure and price to support a wide variety of households in all areas, both urban and rural.

3.8.2 London Plan Policy 3A.2 set out borough housing targets, and in line with this policy LDF Core Strategy Policy S2 states '*The Council will meet the borough's housing needs to 2025 by the provision of at least 7,700 net additional dwelling across the borough between 2010/2011 and 2016/2017 in line with London Plan targets*'

3.8.3 The proposal would provide 41 new units within the borough in an existing Lambeth owned housing estate Claremont East Estate. The proposal would provide 100% affordable housing and provide Lambeth Council with 100% nomination rights. The tenure of the proposed units would be 100% socially rented in the first instance but it is proposed by the applicant that there be a cascade mechanism whereby the housing tenure could transfer to 100% intermediate (shared ownership) housing should grant funding not be available.

3.8.4 The proposed development would help achieve the borough housing targets, by creating 41 additional units with a net gain of 39 units (the proposal would result in the loss of 9a and 9b Garden Lane currently vacant housing) and provide affordable housing for Lambeth residents. In this regard the proposal is considered to be acceptable and in line with Policy S2 (a) of the Core Strategy.

3.8.5 The proposal would result in the loss of existing garages on the application site. From details provided by the applicant, and from the planning history, it would appear that the garages have been disused for a number of years. As such there would be no objections to their loss. This is further discussed within the transport sections of the report.

#### Suitability of the site to accommodate an additional housing

3.8.6 Planning Policy Statement (PPS) 1 promotes sustainable development throughout the planning system. The re-use of brownfield sites is considered to be a sustainable way of reusing previously developed land. PPS 3 further

add to this idea and states *'The priority for development should be previously developed land, in particular vacant and derelict sites and buildings.'*

- 3.8.7 The application site is considered to be previously developed land, given the existing derelict and vacant built form which currently exists on the site. The Council's Planning Policy Team has been consulted on the application and have provided the following comments:

*'Both sites A and B would be considered to be previously developed land and the principle of developing these sites would therefore be in accordance with national guidance contained in PPS1'*

- 3.8.8 The application site is within an existing housing estate which is owned and managed by Lambeth Council. The provision of additional housing would add to the housing stock of the borough. The site is currently disused with 9a and 9b Garden Lane derelict vacant buildings and under used garages. Therefore the application site is ideal for redevelopment to provide additional housing within the borough.

- 3.8.9 The existing estate hosts 101 residential units of 1, 2 and 3 bedrooms; the proposal would increase the number of units to 142.

#### Affordable Housing

- 3.8.10 PPS 3 states *'Proposals for affordable housing should reflect the size and type of affordable housing required.'* London Plan Policy 3A.8 defines affordable housing as *'...housing designed to meet the needs of households whose incomes are not sufficient to allow them to access decent and appropriate housing in their borough. Affordable housing comprises social and intermediate housing.'*

- 3.8.10 LDF Core Strategy Policy S2 states that on sites capable of accommodating 10 or more homes the provision of affordable housing should be sought. Further to this the policy states that at least 50% of housing should be affordable housing where public subsidy is available and 40% if not. The proposal would be 100% affordable with all nomination rights given to Lambeth Council by the housing association. This would increase the levels of affordable housing for residents within the borough.

- 3.8.11 The provision of 100% affordable housing is considered to be in line with Policy S2 of the Core Strategy and saved policy 16 of the Unitary Development Plan. The tenure and dwelling mix will be discussed below.

#### The acceptability of the dwelling mix and tenure of the proposed affordable housing

- 3.8.12 CS Policy S2 (d) seeks a mix of housing sizes and types to meet the needs of the community including through applying Lifetimes Homes and Building for Life Standards and providing wheelchair accessible housing.

- 3.8.13 Saved policy 16 of the UDP states a range of unit sizes of affordable housing should be provided having regard for local circumstances, site characteristics and the aims of the boroughs annual Housing Strategy.

3.8.14 The dwelling mix proposed would reflect the local housing need and would provide a high percentage of larger family sized units. The mix is as follows:

1 Bedroom = 13 Units  
2 Bedroom = 14 Units  
3 Bedroom = 10 Units  
4 Bedroom = 4 units

3.8.15 The Council's Housing department have provided some comments on this aspect of the development and supports the mix and unit sizes proposed as affordable housing. The provision of large family sized units within this scheme is considered to reflect the local housing need. The Council's Housing Need Assessment Update 2007 set out that there is a shortfall of affordable housing in the borough. The following is an extract from the Housing Need Assessment Update 2007(p.41 section 6.16) with specific reference to the boroughs need in terms of the size of affordable housing:

*'.... The smallest shortfall is for four bedroom properties, and the largest for two bedroom properties. The largest gross need is for one bedroom accommodation, however the supply for this dwelling size is also the largest, this creates a net need for about a quarter of all dwellings to be one bedroom. It is of interest to note that despite the lower level of total need, the shortage relative to supply is greatest for three and four bedroom properties, where only 27% and 17% of need respectively can be met.'*

3.8.16 The proposal would provide 14 three and four bedroom units which is 34% of the total units which is considered to reflect the needs of the borough. Further to this the proposal also provides 14 two bedroom units which are also considered to be family sized and in need. Therefore 68% of the proposed units within the scheme would be family sized and this is considered to meet the needs of the borough creating a mixed and balance community. The proposed dwelling mix differs from the previously approved application (06/02897/FUL) which gained permission for 43 units. This development would have provided mainly one and two bedroom units. The current application has noted the local housing need and tailored the development to provide a large proportion of family sized units.

3.8.17 The proposal seeks to provide 100% of the units as socially rented in the first instance and would be subject to a cascade mechanism which would allow 100% of the units to be intermediate (Shared Ownership) housing should no grant funding be available. Policy S2 of the Core Strategy states the tenure mix of housing should be 70% social rent and 30% intermediate. Whilst the proposal does not comply with this element of the proposal by providing 100% social rent units, the tenure of the whole estate would need to be considered. Of the 101 existing units within Claremont East Estate 48 units have been sold to leaseholders and 53 are currently tenanted, this roughly equates to half of the Estate being in leasehold. Therefore the introduction of an additional (41) social rented units is considered acceptable within this location and would not undermine a sustainable and balanced community. The Council's Housing Officer has commented in support of this and provided the following comments:

*'The Estate has almost an equal balance between social tenants and leaseholders. The site is ideally located for large residential units, and is well served with schools, health facilities, shopping and public transport.'*

*The schemes also provide much needed large family homes. Given these 3 factors, the Department supports the proposal for a 100% social / affordable rent scheme, as it is unlikely to undermine the balanced and sustainable community in that neighbourhood.'*

- 3.8.18 Further to this the applicants have requested that the section 106 agreement includes a cascade of the affordable housing tenure to allow the development to provide 100% intermediate housing should no grant funding be available for the social rented units within this development. Policy S2 of the Core Strategy states: *'At least 50% of housing should be should be affordable where public subsidy is available, or 40% without public subsidy, subject to housing priorities and, where relevant to independently validated evidence of viability.....'* (emphasis added).
- 3.8.19 The applicant states that should grant funding not be available the only other way of providing 100% affordable housing on this site is through intermediate (shared ownership) housing. The applicant has to provide 100% affordable housing on this site which is part of the contract of sale. The land is currently in the ownership of the Council. In support of this proposal the applicant submitted a financial viability assessment completed by Savills indicating that the only financially viable way to provide 100% affordable housing on the site without grant funding would be through intermediate shared ownership units.
- 3.8.20 The report has been independently validated by BNP Paribas who act on behalf of the Council in regards to the assessment of financial viability. The findings of this independent assessment indicate that this assertion by the applicant is correct and the only way to financially provide 100% affordable housing on the application site without grant funding would be through intermediate, shared ownership dwellings.
- 3.8.21 The development would result in additional affordable housing for Lambeth residents (100% nomination rights will be given to Lambeth). The development would provide 100% affordable housing, which is over and above what Policy S2 sets out. The provision of 100% intermediate housing would not be ideal, but given the need for affordable housing within the borough and, if grant funding is not available this is the only way to develop this site. It is officers opinion that the cascade mechanism within the section 106 to allow the development to revert to providing 100% shared ownership units would be acceptable as a last resort. The section 106 legal agreement would set out that the development can only revert to intermediate housing should no funding be available. Further to this if no development take place within 6 months of the decision a further financial viability assessment would need to be provided to take account for market changes. Then every six months that development does not take place, a further assessment would need to be submitted to the council to ensure the development is in line with market changes. This cascade is supported by the Council's Housing Department.
- 3.8.22 In conclusion it is considered that the proposed development would be suitably located on previously developed land, providing 100% affordable housing and much need larger family sized units which meets the local housing need. The provision of 100% social rented units is considered appropriate within the context of the existing estate. The proposed cascade of affordable housing to be secured within the section 106 agreement is

considered acceptable as a last resort should grant funding not be available and to ensure additional affordable housing within the borough. As such it is considered that the proposal would comply with Core Strategy Policy S2, Saved Policy 15, London Plan Policies and PPS1 and PPS3.

### 3.9 Standard of Residential Accommodation

3.9.1 Policy S2 of the Core Strategy (2011) seeks a mix of housing sizes and types to meet the needs of different sections of the community. Saved Policy 33 of the UDP states that all development should be of a high design quality that makes efficient use of land and meets the amenity needs of potential residents. In terms of the quality of residential units to be provided, saved Policies 15 and 33 are also supplemented by the Council's SPD: Guidance and Standards for Housing Development and House Conversions.

3.9.2 The SPD advises on requirements such as minimum unit and room sizes and space standards, amenity space requirements, daylight/sunlight provision, privacy and spacing between buildings and lifetimes homes standards.

#### Size and layout

3.9.3 Proposed accommodation should comply with the room size standards and ceiling heights as laid out in Supplementary Planning Document - Guidance and Standards for Housing Development and House Conversions. All the proposed units have been considered against the Standards of the Supplementary Planning Document (SPD).

**Table 2: SPD Room and Unit Size recommendations**

	1-Bed, 2	2-Bed, 3	3-Bed, 4	4-Bed, 5
<b>Main Bedroom</b>	12	12	12	12
<b>Bedroom 2</b>	N/a	7.0	7.0	7.0
<b>Bedroom 3</b>	N/a	N/a	7.0	7.0
<b>Bedroom 4</b>	N/a	N/a	N/a	7.0
<b>Living Room</b>	12	13	14	15
<b>Dining Room</b>	5	6	6	7
<b>Living / Dining</b>	15.5	17.5	18.5	18.5
<b>Kitchen</b>	6	8	8	8
<b>Kitchen/Diner</b>	10.5	12.5	12.5	13
<b>Living / dining / kitchen</b>	None (21.5 generally accepted)	None (25.5 generally accepted)	None (26.5 generally accepted)	None (26.5 generally accepted)
<b>Bathroom</b>	3.5	3.5	3.5	3.5
<b>Overall</b>	<b>45</b>	<b>60</b>	<b>70</b>	<b>80</b>

3.9.4 The proposal provides 41 additional units, within the existing Claremont Estate. The units would all meet the minimum overall floor areas as set out in the SPD. With the large three and four bedroom units exceeding the minimum's at 86m<sup>2</sup> and 102m<sup>2</sup> respectively. The generous floor areas within the units are considered to reflect well designed internal layout. This is further identified by each unit being provided with an adequate degree of circulation space and storage space.

- 3.9.5 The living/kitchen/dining rooms within four of units within block A would fall short of the SPD minimums. For example flat AC5 at second floor would fall short on the living/kitchen/dining by 1.5m<sup>2</sup>; Flat AB5 would have a 0.5m<sup>2</sup> shortfall on the same room. The overall unit size of all these four units exceeds the minimum set out in the SPD. It is officer consideration that whilst these shortfalls are regrettable, they do not unacceptably impact upon the functionality of these primary living spaces. Each of the rooms would be regular in shape and layout, contains sufficient circulation space and natural lighting, with private amenity space and have sufficient internal space for occupier. As such the shortfalls are not considered to be of sufficient scale to justify a refusal on the grounds of failure to comply with Adopted Policy.

#### Daylight/Sunlight, Privacy and Outlook

- 3.9.6 The majority of the units within Site A except for the one bedroom units would have a dual aspect and would be orientated east to west. All habitable rooms would be provided with windows, this is considered to provide a good level of outlook. The layout of the units is considered adequate in order to provide sufficient levels of light within the proposed units.
- 3.9.7 Within Site B the units are orientated north to south. The layout of the units has been designed to ensure that none of the units bar one has only a north facing aspect. On the northern side of the proposed block, the larger three bedroom units have been sited to ensure that there are additional windows within the western elevation. At ground floor a one bedroom unit would be sited within the north eastern corner of the building and would have a solely north facing aspect. The extent of the proposal and its position adjacent to an area of open space indicates that light levels would not be restricted by built form, this results in the conclusion that the layout of site B would provide adequate levels of light for future occupiers as synonymous with an urban environment. Outlook within all the units is considered to be acceptable.
- 3.9.8 In terms of privacy 36 of the proposed units would be provided with balconies or outdoor privacy amenity space. On Site A the balconies would be located on the front (west) and rear (east) elevations and within Site B they would be located on the side elevations north and south. Given the distance of 21m between Site A and Earlswood House it is considered that levels of overlooking would not be detrimental to the living conditions of future occupiers. Further to this the southern elevation of Site B would be located 20m from the side of Earlswood House and given the siting of Balcombe House at 12m again the level of overlooking would not be detrimental to the privacy of future occupiers.
- 3.9.9 All of the ground floor units within both blocks as would have outdoor amenity space. From the applicant's landscaping and site plans, defensible space would be provided in the form of shrub planting around the front ground floor amenity space of Site A. 1.8m high boundary fencing would be provided to enclose the amenity space around Site B, further to this adjacent to the south elevation of the block, bollards will be provided to enclose the amenity space and ensure no vehicles can drive through to the estate road. Given this it is considered that the ground floor units of Site A and B would not experience undue overlooking given the areas of defensible space which would exist between the ground floor windows and public areas.

### Lifetime Homes/Wheelchair Accessible Housing

- 3.9.10 Policy 3A.4 (Housing Choice), Policy 33 of the UDP and Policy S2 (d) of the Core Strategy provide guidance on Lifetime Homes and wheelchair accessible housing. This is further expanded on in Section 7 of the SPD 'Guidance and standards for housing development and house conversions'. This requires Lambeth to ensure that all new housing is built to Lifetime Homes. In addition, within a development, ten per cent of all new homes should be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 3.9.11 The applicant submitted Design and Access Statement indicates that lifetime home standards have been taken into consideration when designing the proposed development. In addition to this four units within Block A would be wheelchair accessible. This is in accordance with saved Policy 33 of the UDP, Policy S2 (d) of the Core Strategy and the SPD on Housing Development and House Conversions. A condition of consent is attached to secure this commitment.

### Amenity Space

- 3.9.12 The requirement for amenity space provision as part of new residential developments is detailed both in the London Plan and the Council's Local Plan policies within the Core Strategy and Saved Unitary Development Plan policies. Saved Policy 33 of the UDP and Policy S2(h) of the Core Strategy requires that development should protect the residential amenity of existing and future residents by, where appropriate, having sufficient outdoor amenity space.
- 3.9.13 This is expanded on in section 2 of the Council's SPD (Guidance and Standards for Housing Developments and House Conversions) which seeks to ensure that new housing developments provide an appropriate standard of useable amenity space for occupiers, both private and communal space.
- 3.9.14 With respect to amenity space the SPD on Housing Development and House Conversions sets out that for new flatted developments, shared amenity space of at least 50sqm per scheme should be provided. A further 10 sqm per flat should also be provided, either as a balcony/terrace/private garden or consolidated with the communal space. Communal gardens should comply with the following standards: (i) receive natural light; (ii) be screened from parking areas; (iii) be easily accessible to all occupants; (iv) be overlooked by habitable rooms to ensure safety and surveillance; and (v) have a landscape, management and maintenance plan. Therefore the minimum requirement for this proposal would be 460sqm.
- 3.9.15 Thirty seven of the proposed units would be provided with balconies or some area of external amenity space. However, within Block A, units AB6, AC5, AB9 and AC9 would not be provided with any private amenity space. All ground floor units would be provided with front and rear outdoor amenity space. Within Block B all the units at ground floor would be provided outdoor amenity space and all other units within the block would have balconies.

3.9.16 The following sets out the private amenity space to be provided for each unit.

<b>Unit number</b>	<b>Floor Level</b>	<b>Amount of Private Amenity</b>
AA1	Ground Floor	48.2m <sup>2</sup>
AA2	Ground Floor	15m <sup>2</sup>
AB1	Ground Floor	37.6m <sup>2</sup>
AB2	Ground Floor	19m <sup>2</sup>
AC1	Ground Floor	39.6m <sup>2</sup>
AC2	Ground Floor	33m <sup>2</sup>
AA3	First Floor	7m <sup>2</sup>
AA4	First Floor	4.5m <sup>2</sup>
AB3	First Floor	7m <sup>2</sup>
AB4	First Floor	4.5m <sup>2</sup>
AC3	First Floor	6.3m <sup>2</sup>
AC4	First Floor	2.6m <sup>2</sup>
AA5	Second Floor	4.5m <sup>2</sup>
AB5	Second Floor	7m <sup>2</sup>
AB6	Second Floor	none
AB7	Second Floor	4.5m <sup>2</sup>
AC5	Second Floor	6.3m <sup>2</sup>
AC6	Second Floor	none
AC7	Second Floor	2.6m <sup>2</sup>
AB8	Third Floor	7m <sup>2</sup>
AB9	Third Floor	None
AB10	Third Floor	4.5m <sup>2</sup>
AC8	Third Floor	6.3m <sup>2</sup>
AC9	Third Floor	None

AC10	Third Floor	2.6m <sup>2</sup>
GSouthEast	Ground Floor	6.75m <sup>2</sup>
GSouthWest	Ground Floor	7.5m <sup>2</sup>
GNorthWest	Ground Floor	8.5m <sup>2</sup>
GNorthEast	Ground Floor	None
FSouthEast	First Floor	6.75m <sup>2</sup>
FSouthWest	First Floor	3.75m <sup>2</sup>
FNorthWest	First Floor	8.5m <sup>2</sup>
FNorthEast	First Floor	3.75m <sup>2</sup>
FMiddle	First Floor	3.75m <sup>2</sup>
SSouthEast	Second Floor	6.75m <sup>2</sup>
SSouthWest	Second Floor	3.75m <sup>2</sup>
SNorthWest	Second Floor	8.5m <sup>2</sup>
SNorthEast	Second Floor	3.75m <sup>2</sup>
FMiddle	Second Floor	3.75m <sup>2</sup>
North	Third Floor	3.6m <sup>2</sup>
South	Third Floor	6.75m <sup>2</sup>
	Total	355.7m <sup>2</sup>

3.9.17 The landscaping design shows an area of communal amenity as part of the development adjacent to Block A and the boundary with the Thames Water Reservoir. This area of amenity space would be approximately 80m<sup>2</sup>, this would exceed the 50m<sup>2</sup> required for communal amenity space within the SPD. As shown in the table above, bar the ground floor units of Block A none of the units would meet the 10m<sup>2</sup> and therefore this should be included within the communal amenity space provision. The total amount of private amenity space provided within the development would be approximately 356m<sup>2</sup> combined with the 80m<sup>2</sup> communal space and 300m<sup>2</sup> of play space provided by the MUGA, this results in a total of approximately 736m<sup>2</sup> of amenity space provision within the development. This would exceed the 460m<sup>2</sup> that should be provided in line with the SPD guidance.

### Children and Young Peoples Play Space

- 3.9.16 PPS 3 states *'Particularly where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space. These should be well designed, safe, secure and stimulating areas with safe pedestrian access.*
- 3.9.18 In respect to Children's Play space, Saved UDP Policy 50 (i) and the SPD relating to Housing Development set out that the provision of suitable play areas for pre-school and junior children will be sought, where appropriate, in residential developments of 10 or more units, or on sites of 0.1 Ha or more, or in large mixed use developments. Play areas should be easily accessible, overlooked by habitable rooms and enclosed either through fencing, railings or other safety features. Further guidance on the amount of provision is provided in the GLA's Supplementary Planning Guidance *Providing for Children and Young People's Play and Informal Recreation* (adopted March 2008). This indicates that new residential development generating more than 10 children (as determined by the application of child occupancy assessments) should provide suitable play space as part of the development scheme. It states that provision should be based on 10sqm per child and that the provision should be considered as part of the overall open space provision rather than 'over and above' the requirements for private or shared amenity space as set out above.
- 3.9.19 The expected child yield for this 41 unit scheme has been calculated at 27, which would amount to an expected 270 sq.m provision in accordance with the requirements set out in the GLA's SPG and the Council's SPD requirements. The actual floor area of play space, shown on the drawings amounts to approximately 300sqm. The proposed on-site play space would be in the form of a Multi Use Games Area (MUGA) which would be built by the Housing Association and handed over to the Council to manage once the development is complete and will be for the use of the whole estate. Further details of the play space would be required and secured by way of condition should permission be granted. This would ensure that appropriate provision of either railings, fencing or other safety features as required by the SPD. In addition to this the ball court specification is to be secured by Section 106 to ensure compliance with Council Play Space Standards.
- 3.9.20 Play space for pre-school children would not be provided within the application site. The proposed MUGA would serve the older children of the estate, however full environmental improvements would be carried out within Claremont Estate subject to Section 106 contributions for open space. Details of these works have been submitted with the application for information (but do not form part of this application) and indicate an area of play space for under 12. This space would be within the estate located on communal open space in the court yard area between Earlswood House and Balcombe House. This area would be located approximately 70m from Site A and 50m from Site B and would be in walking distance from the application site. Given the nature of this development, which would provide additional residential units within an existing estate the provision of play space within the extended estate (but not within the development site) for pre-school and young children is considered to be acceptable, given the proximity to the development within the Claremont Estate. This is deemed to be in line with the principle of Saved Policy 50 of the UDP, the SPD and the GLA's SPG.

With reference to this off-site provision of play space for younger children (0-12), and in order to mitigate the impact of the development, a contribution of £55,389 is sought towards open space to be specifically used for appropriate environmental improvements to the Claremont East Estate. This would be secured as part of the S106 which is detailed in Section 7.10 of this report.

- 3.9.21 In summary the level and nature of amenity space is considered acceptable and would not prejudice the aims of the SPD. In line with Policy requirements officers advise that a landscape management and maintenance plan for the communal amenity space should be secured by condition should planning approval be granted.

### **3.10 Conservation and Urban Design Considerations**

- 3.10.1 PPS1 states that '*Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning.*'

- 3.10.2 Saved Policy 33 of the UDP is relevant in as far as it sets out that all development should be of a high quality design and contribute positively to its surrounding area. Saved policy 33 goes further to state that Major development should relate satisfactorily to adjacent townscape taking into account its scale, character, historic street layout and uses; improve the sense of place and legibility, and define edges by retaining characterful buildings, appropriate building lines and extending frontages; and provide servicing and parking that is sensitively sited and designed.

- 3.10.3 Saved Policy 31 of the UDP adds to this further by stating development should respond to and enhance the architectural character of the area, having regard to its overall urban or suburban characteristics, particularly in conversation areas and other areas of townscape of significant quality.

#### Siting/Layout

- 3.10.4 The siting and layout of the proposed development is very similar to the previously approved scheme (06/02897/RG4). The proposal has been amended slightly since this approval and the number and mix of units has altered, in addition the design of the proposed buildings has been revised. The principle of the siting of the proposed building is considered to be acceptable. Given the nature of the site as an existing estate the position and siting of both blocks is considered to be acceptable and would reflect the character of the application site and surrounding area.

- 3.10.5 The layout of the proposed blocks would reflect the context of the existing estate and allow the development to assimilate within the local environment. The proposed buildings in terms of their siting and layout and would reflect the character and nature of the existing buildings within the Claremont Estates.

- 3.10.6 The proposed building on Site A would be slightly staggered in its layout presenting a continuous rhythm of design elements, thereby giving relief to its appearance with the 'street'. The height has been designed to tier away from the two storey buildings in Claremont Close. The staggered layout and stepped elevations assist to break up the bulk and visual appearance of the

building, resulting in an emphasis in its vertical rather than the horizontal elements.

#### Scale/Bulk/Height

- 3.10.7 The proposal would result in a part four part three part two storey building on Site A, and a part three part four storey building on Site B. In contrast the previously approved scheme (06/02897/RG4) proposed a five storey building on Site B. Site A was in line with what is currently proposed at a maximum of four storeys.
- 3.10.8 Claremont Estate consists of housing blocks of four storeys, therefore the introduction of a maximum of four storeys within the proposed development is considered to be acceptable. The proposed Block B has been reduced by a story and a half from the previous approved scheme and this is welcomed given the proximity to the adjacent housing development, Claremont Close. This part three part four storey building would be inline with the four storeys' of Balcombe and Earlswood Houses adjacent. The massing of the building is broken up by the stepping down of the building; the building would read as four storeys from Balcombe House and three storeys on the elevation when viewed from Christchurch Road or Garden Lane. The use of contrasting materials, brick and render is considered to reduce the overall mass of the proposed building, and the varying heights would allow the building to integrate well within the local area.
- 3.10.9 Site A would host a part four part three part two storey building, again this is an attempt at reflecting the local urban environment, with four storey estate blocks located to the south and west of this site and two/three storey houses located north and east. The building would read as four storey at the point adjacent to the Thames Water Reservoir stepping down to three storey opposite Earlswood house and down to two storey adjacent to 22 Claremont Close. Again the mass of this building would be broken up by the use of contrasting materials and the formation of blocks within the building which gives the appearance of a reduced overall mass.
- 3.10.10 Given the location of the application site within an existing estate it should be noted that the proposed buildings would only be visible within the estate. The proposed building would not be visible from the public realm outside of Claremont Estate.
- 3.10.11 The proposed development is considered to be an improvement in regard to the previous approved scheme, the height, scale; bulk and massing of the proposed buildings are considered to be acceptable and would reflect to the streetscape. Officers are of the opinion that the proposal would reflect the character and appearance of the existing estate and the development would integrate well within the locale.

#### Form and Appearance

- 3.10.12 The Council's Urban Design Officer has been consulted on the application and has provided comments in regards to the detailed design of the proposal and does not have any in principle objections to the proposal.
- 3.10.13 The elevations of both blocks are broken up by using a staggered building line and alternating materials, primarily yellow London stock brick and off-

white render, which are very similar to the existing Claremont Estate buildings. Vertical rows of blue engineering brick aligning with window openings, as well as vertical coloured infill cladding panels marking the entrances are considered to break up the elevations.

- 3.10.14 The detailed design and external appearance of the proposed blocks would provide buildings which would reflect the character and appearance of the existing estate. It is officer opinion that the proposal would enhance the local environment and the detailed design would be appropriate to the context of the existing site.
- 3.10.15 The Council's Urban Design Officer has raised some concerns in regards to the external appearance of the rear elevation of Block A. This elevation would appear less characterful than the frontage elevation. This elevation is located to the rear of the building and would not be highly visible from the properties on Palace Road adjoining the site. The external appearance of this elevation is not ideal but would not cause significant harm to warrant a reason for refusal.
- 3.10.16 Overall, the proposed development is considered an appropriate response to the constraints of the site. The building would add to the existing variety in built form in the immediate and wider townscape, without harming the character and appearance of the adjacent Conservation Area.

#### Environmental improvements including proposed ball court

- 3.10.17 The provision of a Multi Use Games Area (MGUA) is proposed within development. This would be provided to the rear of Block B. The ball court would consist of play surfacing with a laid out football pitch and would be enclosed by 4m high green mesh fencing.
- 3.10.18 The provision of this level of development within the existing residential estate is considered to be appropriate. This provision would be a replacement of the existing ball court on Site A. Around the ballcourt area a soft landscaping scheme is proposed to help form the boundaries of the site, this is considered to provide environmental improvements to the site and the wider estate.
- 3.10.19 The proposal would have limited visual impacts and would assimilate within the existing estate. The proposed ball court is an appropriate addition to the Claremont Estate and would help improve visual amenity within the locality.

#### Impact on the Pullman Court a Grade II\* Listed Building

- 3.10.20 Saved Policy 41 of the UDP states that permission will not be granted for developments which detract from important views, backdrops or settings of listed building. Saved Policy 45 of the UDP stated that development which adversely affects the setting of a listed building or significant views of listed building will be refused.
- 3.10.21 The application site is located approximately 36m from Pullman Court a residential development and a Grade II\* listed building. The proposed development given its sitting within the existing Claremont East Estate would not impact on the setting of listed building. Charlwood House an existing building within Claremont Estate is located between the proposed application site of Site A and Pullman Court.

3.10.22 Officers are of the view that the proposed development would not harm the setting of Pullman Court or views to this building, which is located adjacent to Claremont Estate and is a Grade II\* listed building. In this regard the proposal is deemed compliant with saved policies 41 and 45 of the UDP.

### **3.11 Landscaping/Trees**

3.11.1 Saved Policy 39 of the UDP sets out that as much attention should be paid to the design of the areas between buildings as to buildings themselves. Development should provide or enhance an uncluttered, consistent, simple, accessible and co-ordinated public realm, with robust and appropriate materials and landscape design which enhances the setting, connections and spaces between buildings. Trees of high amenity value will be protected.

3.11.2 The proposal involves the removal of the sixteen (16) trees within the site. The Council's Parks and Green Spaces Department have been consulted on the application and have provided the following comments:

*'The applicant proposes removal of a number of substantive trees. In principle there are no objections to these proposals if it is felt by the council's arboricultural officers that the grounds for tree removals/reductions are acceptable in order to permit proposed use of the redeveloped site and ensure its safety.'*

3.11.3 The loss of trees to facilitate the development is accepted by officers however it is felt that the applicant should compensate for this loss. In this regard a condition would be added should the application be granted approval requiring replacement trees or alternative acceptable forms of site landscaping which have biodiversity and landscape value.

3.11.4 Further to this it has been recommended by the Council's Parks and Greenspace Department that all trees to be retained on site should be subject to tree protection measures for the duration of the construction of the development. If permission is granted a condition would require further details to be submitted in regard to the tree protection measures that would be undertaken on site.

3.11.5 Subject to compliance with the suggested conditions it is considered that the proposal would comply with saved Policy 39 of the UDP and further landscaping and replacement trees would add to the visual amenity of the local area.

### **3.12 Sustainability**

3.12.1 PPS1 states that one of the key objectives of planning should be to provide developments that *'.....are sustainable, durable and adaptable (including taking account of natural hazards such as flooding) and make efficient and prudent use of resources'*

3.12.2 Saved Policy 35 of the UDP sets out that all development proposals should show, by means of a Sustainability Assessment, how they incorporate sustainable design and construction principles. LDF Core Strategy Policy S7 Sustainable Design and Construction requires all major development to achieve a reduction in carbon dioxide emission in line with the London Plan targets.

- 3.12.3 London Plan Policy 4A.7 sets a presumption that development will achieve a reduction in carbon emission of 20% from on site renewable energy generation unless it can be demonstrated that such a provision is not feasible.
- 3.12.4 The applicant has submitted with the application, an Energy Statement and an assessment in regards to the Code for Sustainable Homes. The Council's SPD 'Sustainable Design and Construction' sets out that housing developments should aspire to meet Level 4 of the code for sustainable homes and at least meet a minimum of Level 3.
- 3.12.5 The submitted report carries out a pre-assessment of the development and indicates that the development would achieve a Code Level 3. This would be in line with the SPD guidance and saved Policy 35 and Core Strategy Policy S7. Should the application be granted permission post construction assessments and certificates indicating the achievement of at least code level 3 would be secured by condition.
- 3.12.6 The proposal has been developed using energy efficient design ideas, the provision of a dual aspect units is considered to help ventilation and increase daylight level.
- 3.12.7 In addition to this the proposal would need to comply with policy require the reduction of carbon emissions through on site renewable energy generation. The London Plan Policy 4A.7 and Core Strategy Policy S7 require 20% reduction in carbon emission through renewable energy generation. The Energy Assessment submitted by the applicant indicates 12% reduction in carbon emission through the use of Solar Photovoltaic Cell located on the upper roof areas of both blocks of 198m<sup>2</sup>. This does not meet the London Plan target of 20%. Further details in line with the London Plan target could be secured by way of condition to ensure the development provides a 20% reduction in carbon emission through the use of on site renewable energy generation.

### **3.13 Impact on Neighbouring Residential Amenity**

- 3.13.1 Saved Policies 33 and 38 of the UDP are relevant with regards to the impact of the development upon residential amenity.
- 3.13.2 Saved Policy 33 of the UDP sets out that building scale and design should protect the residential amenity of existing and future residents by having an acceptable standard of privacy; having an acceptable impact on levels of, daylight and sunlight; not creating unacceptable overlooking; not creating an undue sense of enclosure; and where appropriate, having sufficient outdoor amenity space.
- 3.13.3 The application site is located within a residential housing estate. The nearest residential properties are other housing blocks within the Claremont Estate, Earlswood and Charlwood House, residential houses on Claremont Close and residential properties on Palace Road and Streatham Hill.
- 3.13.4 The two proposed residential blocks, given the layout of the proposed development would have differing impacts on the surrounding residential area. Each block is discussed separately below. With regard to site A, this block would be located within close proximity to 22 Claremont Close a two storey residential dwelling of at least a distance of 4.2m to the north of the

site. To the west of the site Earlswood House would be located opposite the proposed block A at a distance of at least 22m. Charlwood House would be located southwest of the proposed block on site A at a distance of at least 22m. To the east of the site are 2/3 storey residential properties on Palace Road. 12A Palace Road would adjoin Site A to the rear and the dwelling would be located approximately 21m from the rear elevation of the proposed building. The rear garden of 6 Palace Road would also adjoin the rear of the site and the dwelling would be located 18m from the rear elevation. 8 Palace Road would be approximately 27m from the rear elevation of the proposed building.

- 3.13.5 Site B is located within the north part of the application site adjacent to an area of open space to the north of the site. To the east of site B would be Claremont Close, two storey residential dwellings, Site B would face onto the rear of no.'s 11-14 and would be located approximately 18m away. To the south of the site Earlswood House would be located 21m from Site B, and 12m from Balcombe House. To the west No's. 5, 7 and 9 Streatham Hill would be located approximately 60m from the proposed rear elevation of Block B.

#### Daylight/Sunlight

- 3.13.6 Saved Policy 33 of the UDP seeks to protect residential amenity which includes levels of daylight and sunlight received in existing and proposed residential units. The supporting paragraphs to this policy states in addressing daylight and sunlight regards will be had to the BRE (British Research Establishments) guide to good practice.
- 3.13.7 The applicant has submitted with the application a daylight and sunlight report in accordance with the British Research Establishment Guidance detailed within the document 'Site Layout Planning for Daylight and Sunlight A Guide to Good Practice'.
- 3.13.8 The report has identified a number of local residential properties which could be affected by the proposed development. These are as follows:

- 1-30 Balcombe House
- 1-18 Earlswood House
- 11 Claremont Close
- 12 Claremont Close
- 14 Claremont Close
- 22 Claremont Close
- 6 Palace Road
- 8 Place Road
- 10 Palace Road
- 12 Palace Road
- 14 Palace Road
- 12A Palace Road

It has not been considered necessary to conduct a detailed study in relation to the proposed impact to Charlwood House given its distance (approximately 22m) and orientation to site A.

## **Site A**

- 3.13.9 The proposed building would be a maximum of 13.2m high and a minimum of 3m from the rear boundary with 12a Place Road. The submitted report follows BRE guidance and assesses the Vertical Sky Component of windows which may be affected; the Vertical Sky Component (VSC) is the amount of skylight falling on a vertical wall or window. The optimum value for the VSC is 27% and any reduction below this level should be at a minimum. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, then it is considered that the occupants of the existing building will notice the reduction in the amount of daylight.
- 3.13.10 The report indicates that the development of site A would not affect light levels of properties on Palace Road, Claremont Close and Earlswood House. The report shows that all the windows, within properties noted above, would have a VSC value of 27% or more which would not be reduced by less than 0.8 times its former value.
- 3.13.11 Therefore given the finding of the submitted report it is considered that the development of site A would not harm light levels of any neighbouring properties i.e. dwellings on residential Palace Road, Claremont Close and Earlswood House.

## **Site B**

- 3.13.12 The development as site B would a maximum of 13.4m high at 4 storeys. The proposed development on this site would be located approximately 11.4m from Balcombe House. The Daylight/Sunlight report indicates that seven windows within the northern elevation of this block (Balcombe House) would have their VSC reduced to below 27% and reduced by more than 0.8 times their former values. The seven windows would be located at ground and first floor. The report labels all of the windows and the seven which would fail the VSC are detailed below:

### **Ground Floor**

W1/10 Kitchen  
W2/10 Bathroom  
W3/10 Hall  
W5/10 Bedroom

### **First Floor**

W2/11 Bathroom  
W3/11 Hall  
W5/11 Bedroom

The room uses indicated here show that only two of the rooms would be habitable W5/10 and W5/11 which are both bedrooms.

- 3.13.13 Following the failing of the VSC, the BRE guidance suggests further tests. The Average Daylight Factor is one of these tests, which has been completed within the submitted report. For the windows that fail the VSC the report assesses the ADF and indicates that there would be a decrease in ADF for these windows. The BRE guidance suggest that bedroom's should have an ADF of 1%, however it should be noted that the ADF for the two bedroom windows which fail the VSC are already below 1% at 0.56% (W5/10) and

0.58% (W5/11). The results of the daylight sunlight report indicate that the development would reduce the ADF of these two windows to 0.46% (W5/10) and 0.47% (W5/11).

- 3.13.14 The two windows which are of main concern are the bedroom windows (W5/11 and W5/10) and these are located within the north elevation of Balcombe House, one at ground and one at first floor level. The design of Balcombe House includes overhanging balconies which affect light levels within the windows within the elevations below. Both these windows (W5/10 and W5/11) are sited underneath an overhanging balcony and daylight levels are currently significantly affected by the design flaw within the existing building. Whilst the proposed development would impact on the light levels received within these two windows, it is considered that given the existing situation any development within this location would affect the light levels received within these windows.
- 3.13.15 The BRE guidance sets out that the guidelines should be interpreted flexibly. The proposal would fail to meet the BRE guidance in relation to windows W5/10 and W5/11, however given the existing situation and inherent design flaws within the existing building (Balcombe House), it is considered that the proposal would not result in significant harm to light levels over and above the conditions that currently exist so far as to warrant a reason for refusal.

#### Privacy and overlooking

- 3.13.16 The development of the application site will increase the density of the built form within the locale, which in turn would increase the opportunities for overlooking and impacts on privacy. Saved policy 33 of the UDP seeks to protect the privacy and minimise overlooking for existing residential dwellings.

#### **Site A**

- 3.13.17 The development at Site A would be located approximately 22m from Earlswood House and would face onto this housing block. The proposed development would include the provision of balconies and balconies currently exist within the front elevation of Earlswood House. The distance between the two housing blocks is considered to be sufficient to ensure that overlooking is at a minimum. It is noted that the development will result in a degree of perceived mutual overlooking, however this would not be significant enough to warrant a reason for refusal.
- 3.13.18 Claremont Close is located to the north of the site; the closest dwelling would be no. 22 Claremont Close. The proposed building has been designed in order to minimise the impact on this property which would be located approximately 4m from the north elevation of the proposed building. The side elevation of 22 Claremont Close does not have any windows and the proposed building has been designed within out any windows within its northern elevation fronting onto no.22. Given this it is considered that the proposed development on Site A would not result in overlooking to 22 Claremont Close to the detriment of future occupiers.
- 3.13.19 To the rear of Site A are residential properties on Palace Road. Nos.6, 8, 10 and 12 are sited at progressively greater distances from the proposed building. The rear elevation of No. 6 would be located 18m from rear elevation of the proposed building, no.8 at 27m, no.10 at 35m and no.12 approximately

40m. Nos.8, 10 and 12 have the land of 12a Palace Road between them and the application site. Given the distance and this buffer of 12A Palace Road it is considered that the development would not unacceptable impact on privacy through overlooking to no. 8, 10 and 12 Palace Road.

- 3.13.20 No. 6 Palace Road would be located 18m from the rear elevation of the proposed development; this is considered to be sufficient distance within an urban environment in order to mitigate potential overlooking and impact on privacy. There are large mature trees which would be retained that sit on this boundary which would further mitigate overlooking into the rear garden.
- 3.13.21 No.12a Palace Road is a unique site within the local area, an old coach house which is sited within a triangular shaped parcel of land. The coach house is set approximately 18m from the boundary of the application site and 21m from the proposed rear elevation of the development at Site A. Therefore this distance would result in minimal overlooking and impacts on privacy of the residential dwelling. The land to the front of the house is current open and utilised in part by a number of garages which back onto the boundary wall between the application site and 12a Palace Road and appear under used. The introduction of this development would potentially increase overlooking to this part of 12A Palace Road, however given it existing use it is not considered that this would harm the living conditions and residential amenity of occupiers of this site.

#### **Site B**

- 3.13.22 The proposed residential block at Site B would face onto the rear of 11-14 Claremont Close, the distance between the proposed block and these properties would be 18m this is considered to be a sufficient distance as not to impact on privacy and would be acceptable within an urban environment.
- 3.13.23 Balcombe House is located approximately 11.4m from the side elevation of Block B. The siting of Balcombe House and Site B would not result in any direct overlooking between the two residential blocks. This indicates that the proposal would not impact on privacy or result in undue overlooking for the residents of this block.

#### Sense of enclosure and overbearing impact

- 3.13.24 As discussed above the distance between the proposed development and the majority of surrounding residential development is at least 18m or more. However the side elevation of block on Site A would be within 4m of Claremont Close and the rear elevation would be 4m from the boundary with 12A Palace Road.
- 3.13.25 Block A would replace existing single storey garages which are currently sited approximately 3m from the side elevation of 22 Claremont Close. The proposed development would increase the height of development adjacent to this residential dwelling to two storeys. However the proposed building would not be sited as close at a minimum of 4.4m away. In addition there are no windows located on the side elevation of no.22 facing onto the proposed development and given this it is considered that the proposed building would not result in an undue sense of enclosure or create a development which would be overbearing.

- 3.13.26 With regard to 12a Palace Road the proposed development would be located within 3m of the boundary wall with this site. The stepped nature of the height of the development reducing down from four to two storeys is considered to reduce its overall impact. The dwelling is located approximately 18m from the boundary and the land in front of the site is used to access a number of garages which sit on the boundary. As such it is considered that the development would increase the sense of enclosure to this property given the introduction of a built form on a previously underdeveloped piece of land however this is would not be to an unacceptable level which would be detrimental to the living conditions of the residents of this site.
- 3.13.25 Block B would be located at suitable distances at least 11.4m from all surrounding residential properties and would therefore not create an undue sense of enclosure nor create a development which would appear overbearing.

#### Noise and Disturbance

- 3.13.26 The development of blocks A and B would result in additional residential units within an existing residential estate. The proposal would therefore not create any additional undue noise and disturbance which would be detrimental to existing residential amenity.
- 3.13.27 The provision of a ball court within the development would introduce a non residential element within the estate. However the siting of the proposed ball court is considered to be a suitable location given its distance from residential dwellings, approximately 11m from Balcombe House the closest existing residential development and approximately 6m from the proposed block B. In addition to this the hours of use of the ball court would be conditioned to ensure that it is used at suitable times and would not result in unacceptable noise and disturbance.

#### Amenity Conclusion

- 3.13.28 In summary it is considered that the development proposed would not detrimentally impact on neighbouring residential properties to such a degree that would contradict the objectives of saved policies 7 and 33 of the UDP.

### **3.14 Transport Matters**

- 3.14.1 Saved Policy 9 of the UDP states that planning applications will be assessed for their transport impact, including cumulative impacts on highway safety; on the environment and the road network; and on all transport modes, including public transport (in particular, the impact on demand for and the operation of public transport), walking and cycling. The policy goes on to state that any increase in traffic generated by development, should not increase levels of traffic congestion, lead to a situation where the condition of highway safety is reduced, cause material harm to the speed and/or reliability of bus and other public transport services or undermine traffic reduction and/or management measures.
- 3.14.2 Development should, where possible, be located and designed to be accessible by the whole community and promote social inclusion. Development with an unacceptable transport impact (including in particular significant traffic generation), and/or contributing to a transport capacity

shortfall, or leading to a compromise in the condition of highway safety will be refused, unless measures are secured as part of the application to make this acceptable.

3.14.3 Both PPG13 (Transport), the London Plan Policy 3C.2 (Matching development to transport capacity) and Policy 3C.23 (Parking Strategy) and Policy S4 of the Core Strategy seek to ensure that on-site car parking at new developments is the minimum necessary and that there is no over-provision that could undermine the use of more sustainable non-car modes of travel. The London Plan Annex 4 set out Maximum parking standards which are as follows:

### 3.14.4 Table 1: London Plan Maximum Car Parking Standards

table A4.2 Maximum Residential Car Parking Standards

Predominant housing type	4+ bed units	3 bed units	1 – 2 bed units
Car parking provision	2 – 1.5 spaces per unit	1.5 – 1 space per unit space	1 to less than 1 per unit*

\* All developments in areas of good public transport accessibility and/or town centres should aim for less than 1 space per unit. The needs of disabled residents will need to be taken into account in developments with low car parking provision, so that adequate spaces, either on site or convenient dedicated on-street spaces, are identified for occupants.

3.14.5 The Council's Transport Planner has undertaken an assessment of the planning application having regard to the information contained within the submitted Transport Assessment and to the objectives of saved Policies 9 and 14 of the UDP and Policy S4 of the LDF Core Strategy. Transport for London (TfL) have also provided comments. Neither party has raised any 'in-principle' objections to the development.

3.14.6 The application site is located within an existing housing estate and would be serviced by internal estate roads. In addition Garden Lane is a private road which feeds off Christchurch Road and serves Claremont Estate would run past the northern part of the application site. The site has a PTAL score of 5-6, which is considered 'very good' to 'excellent'. Increased housing density is encouraged within areas of good public transport accessibility. The site is located some 50m to the south of the A205 South Circular Christchurch Road, and 100m to the east of the A23 Streatham Hill. Both roads form part of the Transport for London Road Network (TLRN) and are red routes. The site is in close proximity of a number of bus routes on the A23 and the A205, and Streatham Hill station is approximately 600m to the south.

3.14.7 Transport for London have been consulted on the site given the proximity of the site Transport For London Road Network and have not raised any in-principle objection to the proposed development.

#### Access

3.14.8 There are two access routes to the proposed buildings, and it is proposed to provide associated car parking. Garden Lane, which is a private road, provides access from the north, at its junction with the A205 Christchurch Road. The internal estate road within Claremont Estate provides access from

the west, at its junction with the A23 Streatham Hill. All parts of the proposed buildings appear to be within 45m of existing vehicular access routes and therefore adequate emergency access routes would be provided.

- 3.14.9 The proposal would create 17 new car parking spaces. 12 of the bays would be for the use of future residents of the proposed development. 6 would be accessed off Garden Lane and the remaining six, plus the five for Claremont Estate, would be accessed from the Claremont Estate road. TfL raised safety concerns over the previous application ref 06/02897/RG4, regarding the Garden Lane access from Christchurch Road, and it is understood that the number of parking spaces served by this route was reduced in response to TfL's concerns.
- 3.14.10 Bollards are shown on the site plan, preventing vehicular access from Garden Lane to the Claremont Estate. These are welcomed, and further detail on their location would be secured via condition should permission be granted. Pedestrian access to the site would be proposed via either Garden Lane or from the estate. Garden Lane is in a very poor state of repair and given that the proposals would generate larger numbers of pedestrians using the route a contribution towards improvements to the quality of the pedestrian environment is requested and would be secured by a Section 106 Agreement should the application gain permission.

### **Car Parking**

- 3.14.11 The site is not located within a CPZ, but parking in the vicinity of the site is restricted by red route restrictions on the A23 and A205, and by residents parking restrictions on surrounding estate roads.
- 3.14.12 Twelve car parking spaces are proposed to serve the residential units, of which four are proposed to be designated as disabled parking bays, to be associated with the four wheelchair accessible units. Given the proposed unit mix, and the 100% affordable tenure, a maximum of 12 spaces is permissible according to the London Plan parking standards. It is understood that residents of the new units will be able to apply for one of the 12 bays, and their abuse would be prevented through the use of lockable collapsible bollards. Further detail on the proposed allocation, and control, of the parking spaces should be provided in a Parking Management Plan, to be secured via condition should permission be granted.
- 3.14.13 The Council's Transport Planner has provided the following information:

*Using Census 2001 data on car ownership for the Streatham Hill ward the approximate number of vehicles associated with the proposals has been estimated at 13 cars, see below. Potential overspill parking associated with the new units is therefore expected to be limited to just one vehicle, and the impact on local levels of parking stress would therefore be limited.*

- *13 x 1bed at 0.25 cars per social rented flat = 3.25 cars*
- *14 x 2bed at 0.31 cars per social rented flat = 4.34 cars*
- *10 x 3bed at 0.33 cars per social rented flat = 3.33 cars*
- *4 x 4bed at 0.42 cars per social rented flat = 1.68 cars*

- *Total 12.6 cars*

*On recent site visit a large number of cars were observed to be parked in Claremont Close, and three cars spilled out onto areas of the application site. The opportunity to park in these positions would be lost as a result of the proposals, leading to greater demand for parking elsewhere.*

- 3.14.14 The proposal would involve the demolition of 18 garages. These garages appear to have been out of use for some time, but it is assumed that they may have previously been allocated to residents of the Claremont Estate. On a recent site visit many vehicles were observed to park informally on estate roads, including along the boundary of this application site. 12 vehicles were seen parked on the estate roads to the west of site A, and to the south of site B. Much of this informal parking for the residents of the estate will be lost as a result of the proposals (due to the location of the new private parking bays, pedestrian entrances and bin stores etc). However, spare capacity on the estate roads was observed, and in addition 5 extra spaces are to be proposed for residents of the Claremont Estate, which will go some way to replacing the loss of informal parking.

#### **Cycle Parking**

- 3.14.15 Forty Four cycle parking spaces are proposed within two secure covered cycle storage facilities. The location of these stores is considered appropriate but the limited size of the stores suggests that the facility will be very tight, with 18 cycles shown in a store some 5m long. With average cycle handlebars at 65cm wide, it is considered unlikely that 18 cycles could be accommodated. Cycle parking provision should be secured via condition, and further detail on the exact specification of the facility should be provided.

#### **Travel Plan/Car Club Membership**

- 3.14.16 Given the number of residential units proposed, TfL guidelines do not require a Travel Plan to be submitted for a residential development of the proposed size. However, there are a number of car club bays within the vicinity of the site, and to encourage residents to use sustainable means of transport, car club membership should be secured for all residents for a minimum of two years. This is a means of encouraging residents to use sustainable means of transport. A development of 41 dwellings, with 12 parking spaces on site, could create potential for an overspill of demand for car parking on surrounding streets. Car club membership is known to reduce car ownership, which in turn can reduce parking pressure on surrounding streets, this would be secured by S106 should the application be granted approval.
- 3.14.17 In conclusion it is considered that the proposal would not significantly impact on the local highway network and highway and pedestrian safety. The mitigation measures proposed in the form of conditions and contribution secured by a Section 106 Agreement are considered to allow the proposal to be considered acceptable and in compliance with London Plan Policies 3C.2 and 3C.23, Core Strategy Policy S4 and saved Policies 9 and 14 of the Unitary Development Plan.

### **3.15 Biodiversity and Ecology**

- 3.15.1 Saved Policy 39 of the UDP sets out that landscape design will be expected to include, amongst other things, the protection of valuable existing habitats and should maximise opportunities to create or add to wildlife habitats. PPS9 states that all proposals should be assessed in terms of their impact on nature conservation and biodiversity. The application site includes a number of large mature trees.
- 3.15.2 London Plan Policy 3D.14 Biodiversity and Nature Conversation states the planning of new developments and regeneration should have regard to nature conservation and biodiversity.
- 3.15.3 The application is accompanied by an Ecological Assessment including Bat Detector Survey. This states that the proposal would not impact on any statutory or non statutory designated wildlife sites. The assessment through a Bat Detector Survey also identifies that the bats do commute across the site but no evidence was found of foraging activity or that bats currently use buildings on the site as roosts.
- 3.15.4 The assessment sets out that a Phase I Habitat Survey was carried out on the site in line with PPS9. The survey identified a number of habitat types within the application site including amenity grassland, dense scrub, introduced shrub including Japanese Knotwood, tall ruderal, trees and semi improved grassland. The survey sets out a number of recommendations in terms of ecology and biodiversity, and it is considered that should the application be recommended for approved a condition will require compliance with these recommendations.
- 3.15.5 The Council's Ecology Officer has been consulted on the application and has responded in support of the development. A number of conditions and informative have been suggested in order to mitigate any potential harm to the local ecology and biodiversity of the area.
- 3.15.6 In summary the proposal in terms of ecology and biodiversity is considered to be acceptable subject to compliance with a number of conditions. The development is considered to be in line with PPS 9, London Plan Policy 3D.14 and Saved Policy 39 of the UDP.

### **3.16 Crime**

- 3.16.1 Saved Policy 32 of the UDP sets out that development should enhance community safety. Development will not be permitted where opportunities for crime are created or where it results in an increased risk of public disorder.
- 3.16.2 The Crime Prevention Design Advisor was consulted on the scheme at pre-application stage prior to its submission and the current proposal. The CPDA has not objected in principle to the development and has required that Secure by Design Standards for New Homes are met, this would be conditioned should the application be granted approval. On this basis no in-principle objection has been raised and the development is considered to accord with saved Policy 32 of the UDP.

### **3.17 Waste**

- 3.17.1 Core Strategy Policy S8 and PPS10 seeks to achieve sustainable waste management. The Council's 'Waste & Recycling Storage and Collection Requirements: Guidance for Architects and Developers' (2006) supplements Policy S8 and sets out that for development of more than 10 households 60 liters of refuse storage should be provided per bedroom and in addition 50% of this should storage capacity should be provided for recyclable materials.
- 3.17.2 The drawings indicate that refuse and recycling areas would be provided for each building, Site A would have a storage area in front of the building opposite Earlswood House and Site B would have a storage area which would be integrated within the building. Notwithstanding this further detail in regards to refuse and recycling storage and sustainable waste management would be required, these details would be secured by way of condition should the application be granted permission.

### **3.18 Infrastructure implications/S.106 requirements**

- 3.18.2 Saved Policy 16 of the UDP and Policy S10 of the Core Strategy (January 2011), supplemented by the other policies of the Core Strategy (January 2011) and UDP and the SPD on s106 planning obligations, sets out the circumstances in which the Council will seek planning obligations from a developer to mitigate against the potential impacts of a scheme.
- 3.18.3 As already stated, the scheme proposes 100% affordable housing all of which would be socially rented. Such matters would need to be secured by way of s.106 legal agreement. Further to this, it is considered that financial contributions should be secured by way of s.106 to mitigate against its impact:
- Libraries - £2,031.25
  - Parks & Open Spaces - £55,389.60
  - Revenue Contribution - £5,538.96
  - A contribution of £6000 towards local public realm improvements required for improvements to the local pedestrian environment. In particular partly resurfacing Garden Lane.
  - A further contribution of 2.5% of the overall financial contribution (£1,724) should be required to enable the Local Planning Authority to suitably meet the costs of monitoring the planning contributions.
- 3.18.4 The above contributions come to a total of £70,683.81 (£1,724 per individual dwelling).
- 3.18.5 Further commitment should be required by way of the s106 legal agreement for the following measures:
- Provision of membership to a car club for all of the residential units for a minimum period of 2 years.
  - The provision of the ball court area to the council's specification and dealing of hand over to council's management

- Cascade of affordable housing to allow the development to revert to 100% intermediate (Shared Ownership) housing should grant funding not become available

3.18.6 In summary it is considered that the above provisions, once secured under s.106 of the Act, would appropriately mitigate against any potentially harmful impacts of the development in accordance with saved Policies 9, 14, 16 and 50 of the UDP, Policies S2 and S10 of the Core Strategy (January 2011), and with the Council's associated SPD on s106 obligations

#### **4.0 CONCLUSION:**

4.1 The development as proposed makes efficient use of previously developed land and the provision of a 100% affordable housing scheme would be a substantial planning benefit.

4.2 The proposed redevelopment of the site is acceptable in that it would be of an appropriate design; it would provide an acceptable living environment for future occupiers; it would not prejudice the amenity of neighbouring properties; it would not harm conditions of on-street parking or prejudice conditions of the free flow of traffic and highway safety; and, would not unacceptably impact upon local infrastructure.

4.3 The development shows sufficient commitment to sustainable design and construction, the provision of renewable energy technologies, promoting more sustainable modes of transport, the achievement of Lifetime Homes Standards and the achievement of 'Designing Out Crime' Standards. Provisions are to be secured under s.106 of the Act to secure contributions towards parking and highway conditions, pressure on libraries and parks and open spaces.

4.4 It is therefore considered that the development is compliant with the planning policies of the development plan and that no other material planning considerations of sufficient weight exist that would dictate that the application should nevertheless be refused.

#### **5.0 Recommendation**

- A. Grant planning permission subject to the satisfactory completion of a Section 106 Obligation (Heads of Terms set out in section 3.18 of this report) and the attached conditions; or
- B. In the event that a legal agreement under section 106 of the Town and Country Planning Act, 1990 (as amended) is not signed by the 21<sup>st</sup> March 2011, the Head of Development Control is given the authority to refuse the application on the grounds of lack of mitigation for the following reasons.

In the absence of an appropriate planning obligation under s106 of the Act, the application fails to provide the affordable housing proposed in perpetuity; fails to include commitments to a car share club, fails to secure a financial contribution to the provision of park and open spaces, fails to secure a financial contribution to libraries within the borough, fails to provide play space for children and young people and fails to secure a financial contribution towards public realm improvements in the area. In the circumstances the development would be contrary to policies 9, 14, 16, 23,

31, and 50 of the London Borough of Lambeth's Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010, Policies S2, S4, S5 and S10 of the Local Development Framework Core Strategy (January 2011) and the Council's associated Supplementary Planning Document on s106 obligations (2008).

### **Summary of Reasons**

In deciding to grant planning permission, the Council has had regard to the relevant Policies of the Development Plan and all other relevant material considerations. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following Policies were relevant:

Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010

Policy 7	Protection of Residential Amenity
Policy 9	Transport Impact;
Policy 14	Parking and Traffic Restraint;
Policy 15	Additional Housing;
Policy 16	Affordable Housing;
Policy 31	Street, character and Layout
Policy 32	Community Safety/Designing Out Crime;
Policy 33	Building Scale and Design;
Policy 35	Sustainable Design and Construction;
Policy 38	Design in Existing Residential/Mixed Use Areas
Policy 39	Streetscape, Landscape and Public Realm Design;
Policy 45	Listed Buildings;
Policy 50	Open Space and Sport Facilities
Policy 52	Protection and Enhancement of the Natural Environment; and
Policy 56	Waste;

Local Development Framework Core Strategy Policies (January 2011):

Policy S1 – Delivering the Vision and Objectives  
Policy S2 – Housing  
Policy S4 – Transport  
Policy S5 – Open Space  
Policy S7 – Sustainable Design and Construction  
Policy S8 – Sustainable Waste Management  
Policy S9 – Quality of the Built Environment  
Policy S10 – Planning Obligations  
Policy PN4 – Streatham

### **Conditions**

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice.

Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in this notice.

Reason: For the avoidance of doubt and in the interests of proper planning. of Lambeth's Unitary Development Plan: Policies as saved beyond the 5th August 2010

### **Design**

- 3 No development works shall take place until detailed drawings, samples and a schedule of materials to be used in the elevations within the scheme hereby permitted are submitted to and approved in writing by the Local Planning Authority and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure a high quality standard of development and to safeguard and enhance the visual amenities of the locality in accordance with saved Policies 31, 33, 38 and 39 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2011 and Policy S9 of the Local Development Framework Core Strategy (January 2011)

- 4 No development works shall take place until detailed drawings (scale of 1:20) and samples to confirm the detailed design and materials of the:

- i) Detailed drawing at 1:20 of doors and windows
- ii) Details and location of water drain pipes,
- iii) Details of screens to balconies, including louvre doors at 1:10

are submitted to and approved in writing by the Local Planning Authority and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure a high quality standard of development and to safeguard and enhance the visual amenities of the locality in accordance with Policies 31, 33, 38 and 39 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010 and Policy S9 of the Local Development Framework Core Strategy (January 2011).

- 5 Details of the siting and design of all walls and/or fencing at the site shall be submitted to and approved by the Local Planning Authority in writing before any part of the development hereby approved is first brought into use. Such walls or fencing as may be approved shall be erected before the initial occupation of the new building unless the prior written approval of the Local Planning Authority to any variation has been obtained.

Reason: To ensure a satisfactory resultant appearance and standard of amenity of the site, to prevent unacceptable harm to the amenity of neighbouring properties and to minimise the opportunities for crime in accordance with policies 7, 32, 33 and 39 of the London Borough of

Lambeth's Unitary Development Plan: Policies as saved beyond the 5th August 2010 and Policy S9 of the Local Development Framework Core Strategy (January 2011).

- 6 Notwithstanding the application drawings details of the refuse/recycling store (details at 1:20) shall be submitted to and approved by in writing by the Local Planning Authority prior to the commencement of development. The development shall thereafter be completed in accordance with the approved details and permanently retained as such unless the prior written approval of the Local Planning Authority has been obtained for any variation.

Reason: In order to preserve and enhance the character and appearance of the local area in accordance with policy 32, 33 and 24 of the Lambeth Unitary Development Plan: Policies as saved beyond the 5th August 2010 and Policy S9 of the Local Development Framework Core Strategy (January 2011).

- 7 Prior to the commencement of the development hereby permitted samples and a specification of all finishing materials to be used in any hardsurfacing of the application site, including the paving to parking areas and paving to pathways and the treatment of all other parts not covered by new and existing buildings including any external lighting shall be submitted to and approved by the Local Planning Authority in writing. All hard-surfacing on the site shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure a high quality standard of development and to safeguard and enhance the visual amenities of the locality in accordance with Policies 31, 33, 38 and 39 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010 and Policy S9 of the Local Development Framework Core Strategy (January 2011).

### **Transport**

- 8 Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To minimise danger and inconvenience to highway users in accordance with Policies 9 and 39 of the London Borough of Lambeth's Unitary Development Plan: Policies as saved beyond the 5th August 2010.

- 9 No development shall take place until a 'Method of Construction Statement' has been submitted to and approved in writing by the Local Planning Authority and construction works, including parking, deliveries and storage, shall take place solely in accordance with the approved details.

Reason: To avoid hazard and obstruction being caused to users of the public highway and in the interest of public safety in accordance with Policies 9 and 35 of the London Borough of Lambeth's Unitary Development Plan: Policies as saved beyond the 5th August 2010 and Policy S1 and S7 of the Local Development Framework Core Strategy (2011).

- 10 Notwithstanding the approved drawings and prior to the occupation of the residential units hereby permitted, details of the provision to be made for cycle parking shall be submitted to and approved in writing by the Local

Planning Authority. The cycle parking shall be provided in accordance with the approved details and shall thereafter be retained and maintained solely for its designated use.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport in accordance with Policies 9 and 14 of the London Borough of Lambeth Unitary Development Plan: Policies as saved beyond the 5th August 2010 and Policy S4 of the Local Development Framework Core Strategy.

- 11 Details of parking, manoeuvring and the loading and unloading of vehicles shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The parking, manoeuvring and loading/unloading area shall be laid out and made available for use in accordance with the approved scheme before the development hereby permitted is occupied and that area shall not thereafter be used for any other purpose, or obstructed in any way.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with Policies 9 and 14 of the London Borough of Lambeth Unitary Development Plan: Policies as saved beyond the 5th August 2010 and Policy S4 of the Local Development Framework Core Strategy.

- 12 Prior to the commencement of the development, details of the boundary treatment between Garden Lane and the internal estate road including any barriers to prevent vehicle access taking place between Garden Lane and the estate roads, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the intensification of use of Garden Lane and in order to minimise danger, obstruction and inconvenience to users of the adjoining in accordance with Policies 9 and 14 of the London Borough of Lambeth Unitary Development Plan: Policies as saved beyond the 5th August 2010 and Policy S4 of the Local Development Framework Core Strategy.

- 13 Prior to the commencement of the development hereby permitted, a Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The measures approved in the Parking Management Strategy shall be implemented prior to the first occupation of the dwellings hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is obtained to any variation.

Reason: To ensure that the parking arrangements in the Estate are appropriate and adequate, to limit the effects of the increase in traffic movements and in order to encourage use sustainable modes of transport in accordance with Policies 9 and 14 of the London Borough of Lambeth Unitary Development Plan: Policies as saved beyond the 5th August 2010 and Policy S4 of the Local Development Framework Core Strategy.

#### **Ball court**

- 14 The ballcourt hereby approved shall not be used other than between the hours of 9.00am and 7.00pm during the summer months and 9.00am and

5.00pm during the winter months, Monday to Saturday and between 11.00am and 4.00pm on Sundays and Bank Holidays.

Reason: To safeguard the amenities of residential properties and of the area generally in accordance with Policies 7, 26, 33, 32 and 50 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010 and Policy S6 of the Local Development Framework Core Strategy (2011).

- 15 Notwithstanding the drawings already submitted details of the ballcourt shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on the site. The details shall relate to:

- a) the surfacing, fencing, gate and layout of the play areas; and
- b) the size, design and location of equipment

Reason: To ensure their satisfactory appearance and that they are safe to use and to safeguard the amenities of neighbouring residents in accordance with Policies 31, 32, 33, 39 and 50 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010 and Policies S6 and S9 of the Local Development Framework Core Strategy (2011).

#### **Secure by Design**

- 16 The development shall be constructed and thereafter operated so as to achieve 'Secured by Design; accreditation. Evidence of such shall be submitted to and approved in writing by the Local Planning Authority within 3 months from the commencement of occupation of any of the buildings hereby approved, or within any other timetable agreed by the Local Planning Authority.

Reason: To reduce opportunities for crime as far as is reasonable in accordance with Policy 32 of the London Borough of Lambeth's Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010.

- 17 Full details of the lighting of all external areas, including the lighting proposed to Garden Lane, shall be submitted to and approved by the Local Planning Authority before the use of the site commence. The details shall include a specification of the lighting, location, lux values, hours of operation, details of light spillage and details of shielding to neighbouring properties. Light from the illuminaires shall not exceed 10 EV (lux) when measured at any window of a neighbouring residential premise and all luminaires shall be oriented and designed in such a way to minimise light spillage beyond the boundary of the site and to prevent glare into the windows of residential properties. The details of lighting for all external areas of the development site as approved shall be provided prior to the commencement of use of the relevant parts of the development and operated thereafter for the duration of the permitted use, unless the written approval is received from the Local Planning authority for any variation.

Reason: So as to ensure a safe environment for future users and to reduce opportunities for crime, and in the interests of the design quality of the development; the character and appearance of the street scene; and/or the residential amenity of neighbouring properties in accordance with Policies 32 and 33 of the London Borough of Lambeth's Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010.

## Nature Conservation

- 18 Prior to commencement of any works on site, detailed proposals for the replacement of or compensating actions for any trees to be felled and removed on site shall be submitted to and approved in writing by the Local Planning Authority. Where trees are to be replaced, the proposals should specify the species, ages and size of replacement trees, along with an appropriate planting and maintenance schedule. Where alternative compensatory measures are proposed, such as additional landscape planting (e.g. hedges, shrubs or ground cover) these should be clearly specified and included in the landscaping and site planting proposals and schedules described in Condition 19 below.

Reason: To minimise adverse impact upon existing habitats of value and to promote and enhance the bio-diversity of the application site in accordance with Planning Policy Statement 9, London Plan Policy 3D.14 and Policy 39 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010.

- 19 Prior to the commencement of the development shall take place until a specification of all proposed soft landscaping and tree planting has been submitted to and approved in writing by the Local Planning Authority. The specification shall include details of the quantity, size, species, position and the proposed time of planting of all trees and shrubs to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance and protection. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape shall be similarly specified. All tree, shrub and hedge planting included within the above specification shall accord with BS3936:1992, BS4043:1989 and BS4428:1989 and current Arboricultural best practice.

Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity in accordance with Policy 39 London Borough of Lambeth Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010.

- 20 The development shall not be undertaken other than in accordance with the ecological recommendations set out in the approved 'Ecological Assessment Including Bat Detector Survey' (MLM: October 2010:Sections 5/6 Paragraphs 5.4.1, 5.4.2, and 6.2), unless the written approval is received from the Local Planning Authority for any variations.

Reason: To minimise adverse impact upon existing habitats of value and to promote and enhance the bio-diversity of the application site in accordance with Planning Policy Statement 9, London Plan Policy 3D.14 and Policy 39 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010

- 21 Prior to commencement of any works on site, a suitable protocol for the continued protection of legally protected species present on site, or identified at demolition and construction phases, shall be submitted to and approved in writing by the Local Planning Authority. This must include: a) works relating to tree management or removal undertaken outside the annual bird nesting season (March - July) unless otherwise agreed in writing; and b) a watching

brief as to any evidence of bat activity or roosting. Should any active bird nests, bats or bat roosts be found in buildings or trees, appropriate advice and remedial action must be sought and undertaken in full to prevent disturbance of nests, roosts or feeding sites, or mitigate for any avoidable disturbance.

Reason: To minimise adverse impact upon existing habitats of value and to promote and enhance the bio-diversity of the application site in accordance with Planning Policy Statement 9, London Plan Policy 3D.14 and Policy 39 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010

### **Waste Management**

- 22 Prior to the occupation of the residential units as approved as part of the development, full details of a waste management plan (including arrangements for the collection, storage and disposal of general refuse, recyclables', litter and food waste) shall be submitted to and approved in writing by the Local Planning Authority. All provision associated with the waste management plan shall be provided prior to the commencement of the relevant uses, and the use of the site shall not thereafter be operated other than in strict accordance with the details of the approved waste management plan, unless written approval is obtained from the Local Planning Authority for any variations.

Reason: To ensure that adequate provision is made for the storage, disposal, and recycling of waste on the site in the interests of the amenities of the area, in the interests of the provision of sustainable waste management and in the interests of minimising the impact of the development upon the function of the highway network and conditions of highway and pedestrian safety in accordance with Policies 9, 14, 33 and 39 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010 and Policy S8 of the Local Development Framework Core Strategy.

### **Sustainability**

- 23 The solar photovoltaic cells to be installed on the upper roofs of the building approved as described in the applicant's Energy Statement, Sustainability Report and Green Servicing Strategy Dated October 2010 shall be installed prior to the occupation of the development and shall be permanently retained for the duration of the use hereby approved.

Reason: In the interests of sustainable development in accordance with Policy 35 of the Unitary Development: Policies as saved beyond the 5<sup>th</sup> August 2010 and Local Development Framework Core Strategy Policy S7 (2011).

- 24 Prior to first occupation of the development a scheme showing the siting, size, number and design of the photovoltaic cells including cross sections of the roof of each building showing the panels in-situ shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be sited so as to minimise its visual impact upon the external appearance of the buildings. The development shall thereafter be completed in strict accordance with the approved details and permanently retained as such for the duration of use.

Reason: In the interests of securing a more sustainable development and in order to protect the amenities of future residents in accordance with Policies 31, 33 and 35 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010, Policies S1 and S7 of the Local Development Framework Core Strategy (2011) and the Council's associated Supplementary Planning Document: 'Sustainable Design and Construction' (2008).

- 25 Within 4 months of first occupation of the development evidence to demonstrate that the solar panels hereby approved have been installed on the development and confirmation of the amount of energy the system is generating shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of securing a more sustainable development in accordance with Policies S1 and S7 of the Local Development Framework Core Strategy (2011) and the Council's associated Supplementary Planning Document: 'Sustainable Design and Construction' (2008)).

- 26 Notwithstanding the Energy Statement (October 2010 Upton McGougan) the development hereby permitted shall incorporate equipment for renewable power generation so as to comply with the London Plan target to achieve a reduction in carbon emissions through on site renewable energy generation. The equipment for renewable power generation shall be provided before first occupation of the development and permanently retained as such unless the written approval is obtained from the Local Planning Authority for any variation.

Reason: In the interests of securing a more sustainable development and in order to control the overall design standard of the development in accordance with Policy 35 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010, Policies S1, S7 and S9 of the Local Development Framework Core Strategy (2011) and the Council's associated Supplementary Planning Document: 'Sustainable Design and Construction' (2008).

- 27 The development hereby approved shall achieve a Final BREEAM minimum of Level 3 in accordance with the requirements of the relevant BREEAM scheme (Code for Sustainable Homes) or subsequent superseding equivalent BREEAM scheme. No development shall take place until a relevant BREEAM Certificate demonstrating the proposal's achievement of the minimum Level 3 rating has been submitted to and approved by the Council. Within 4 months of the first occupation of any part of the development hereby approved, an issued Final BREEAM Certificate stating the BREEAM Level achieved (minimum Level 3) shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of securing a more sustainable development in accordance with Policy 35 of the Unitary Development Plan: policies as saved beyond the 5<sup>th</sup> August 2010, Policies S1 and S7 of the Local Development Framework Core Strategy (2011) and the Council's associated Supplementary Planning Document: 'Sustainable Design and Construction' (2008).

- 28 All residential units hereby approved shall be constructed to Lifetime Homes Standards, unless otherwise agreed by the Local Planning Authority, details of which shall be submitted to and approved by the Local Planning Authority prior to commencement of works. The approved details shall be implemented prior to first occupation and permanently retained.

Reason: In order that the development is made more accessible to all in accordance with Policy 33 of the Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010, Policy S2(d) of the Local Development Framework Core Strategy (2011) and the related Supplementary Planning Document: Guidance and Standards for Housing Development and House Conversions (2008).

**Trees**

- 29 No trees other than the 16 trees identified within the Arboricultural Implication Assessment dated 25<sup>th</sup> October 2010 shall be felled, pruned, uprooted, damaged or otherwise disturbed without the prior written agreement of the Local Planning Authority.

Reason: To ensure the retention of, and avoid damage to, the retained trees on or adjacent to the site that represents an important visual amenity to the locality and wider area in accordance with Policy 39 of the Lambeth Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010.

- 30 No works or development shall take place until a specification of all proposed tree planting has been approved in writing by the Local Planning Authority. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with that specification and in accordance with BS 3936 (1992).

Reason: To ensure the retention of, and avoid damage to, the retained trees on or adjacent to the site that represents an important visual amenity to the locality and wider area in accordance with Policy 39 of the Lambeth Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010.

- 31 Prior to the commencement of the development hereby approved a Tree Protection Plan that accords with Section 7 of BS5837:2005 and relates to all retained trees on the site shall be submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan shall be implemented in strict accordance with the approved details and put in place before any machinery, demolition, materials storage or development commences on the site.

Reason: To ensure the retention of, and avoid damage to, the retained trees on or adjacent to the site which represent an important visual amenity to the surrounding area in accordance with Policy 39 of the Lambeth Unitary Development Plan: Policies as saved beyond the 5<sup>th</sup> August 2010.

- 32 Prior to the commencement of the development hereby approved, details of all proposed Tree Surgery Work required to facilitate development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved works shall be carried out in accordance with

BS3998:1989. The development shall thereafter be implemented in strict accordance with the approved details.

Reason: To ensure the retention of, and avoid damage to, the retained trees on or adjacent to the site that represents an important visual amenity to the locality and the wider surrounding area in accordance with Policy 39 of the Council's Unitary Development Plan: Policies as saved beyond the 5th August 2010.

- 33 Prior to the commencement of the development hereby approved, details of all Arboricultural Site Supervision shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in strict accordance with the approved details.

Reason: To ensure the retention of, and avoid damage to, the retained trees on or adjacent to the site that represents an important visual amenity to the locality, and the wider surrounding area in accordance with Policy 39 of the Council's Unitary Development Plan: Policies as saved beyond the 5th August 2010.

- 34 If within a period of 5 years from the date of planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree of the same species and size as originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

Reason: To ensure the retention of, and avoid damage to, the retained trees on or adjacent to the site that represents an important visual amenity to the locality, and the wider surrounding area in accordance with Policy 39 of the Council's Unitary Development Plan: Policies as saved beyond the 5th August 2010.

### **Living Conditions**

- 35 The residential accommodation hereby approved shall be constructed to include at least 4 of the units as wheelchair accessible or easily adaptable for residents who are wheelchair users and permanently retained as such for the duration of the use.

Reason: To ensure that an adequate proportion of units are wheelchair accessible or adaptable for wheelchair use in compliance with Policy 3A.4 of The London Plan, Policy 33 of the Unitary Development Plan: policies as saved beyond the 5<sup>th</sup> August 2010, Policy S2 of the Local Development Framework Core Strategy (2011), and the Council's Adopted Supplementary Planning Document 'Guidance and Standards for Housing Development and House Conversions' (2008).

### **Site Contamination**

- 36 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development

begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.

Reason: In order to ensure that the development does not pose an unacceptable contamination risk in accordance with Policy 4A.33 of the London Plan (2008).

## **Informatives**

1 This decision letter does not convey an approval or consent which may be required under any enactment, by-law, order or regulation, other than Section 57 of the Town and Country Planning Act 1990.

2 Your attention is drawn to the provisions of the Building Regulations, and related legislation which must be complied with to the satisfaction of the Council's Building Control Officer.

3 You are advised of the necessity to consult the Council's Highways team prior to the commencement of construction on 020 7926 9000 in order to obtain necessary approvals and licences prior to undertaking any works within the Public Highway including Scaffolding, Temporary/Permanent Crossovers, Oversailing/Undersailing of the Highway, Drainage/Sewer Connections, Hoarding, Excavations (including adjacent to the highway such as basements, etc), Temporary Full/Part Road Closures, Craneage Licences etc.

4 You are advised of the necessity to consult the Council's Streetcare team within the Public Protection Division with regard to the provision of refuse storage and collection facilities

5 You are advised that this permission does not authorise the display of advertisements at the premises and separate consent may be required from the Local Planning Authority under the Town and Country Planning (Control of Advertisements) Regulations 1992.

6 You are advised to contact Thames Water Utilities regarding mains/supply pipe connections for the development at Network Services Waterloo District, Thames Water Utilities Ltd, Waterworks Road, Brixton Hill, London SW2 1SB. Contact Mr D Kirk on 0645 200800 for details.

7 In regard to condition 10, the location of the cycle storage is considered appropriate but the limited size of the stores suggests that the facility will be very tight, with 18 cycles shown in a store some 5m long for Site B. With average cycle handlebars at 65cm wide, it is considered unlikely that 18 cycles could be accommodated within this storage area. The details submitted to discharge this condition would need to show how the cycle parking area would hold this number of cycles.

8 As soon as building work starts on the development, you must contact the Street Naming and Numbering Officer if you need to do the following:

- name a new street
- name a new or existing building
- apply new street numbers to a new or existing building

This will ensure that any changes are agreed with Lambeth Council before use, in accordance with the London Buildings Acts (Amendment) Act 1939 and the Local Government Act 1985. Although it is not essential, we also advise you to contact the Street Naming and Numbering Officer before applying new names or numbers to internal flats or units. Contact details are listed below.

Street Naming and Numbering Officer

e-mail: [streetnn@lambeth.gov.uk](mailto:streetnn@lambeth.gov.uk)

tel: 020 7926 2283

fax: 020 7926 9104

9 It is the view of Lambeth Council that the proposed development has scope for the provision of recycling and/or composting facilities. For advice on incorporation of such facilities please contact:

Jason Searles/ Dean Parry  
3rd Floor, Blue Star House  
234-244 Stockwell Rd  
London SW9 9SP  
0207 926 2624  
[Dparry@lambeth.gov.uk](mailto:Dparry@lambeth.gov.uk)

10 You are advised of the necessity to consult the Council's Highways team prior to the commencement of construction on 020 7926 9000 in order to obtain necessary approvals and licences prior to undertaking any works within the Public Highway including Scaffolding, Temporary/Permanent Crossovers, Oversailing/Undersailing of the Highway, Drainage/Sewer Connections, Hoarding, Excavations (including adjacent to the highway such as basements, etc), Temporary Full/Part Road Closures, Craneage Licences etc.

11 You are advised that there is a Thames Water Main crossing the development site, which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on telephone 08458502777 for further information.