

<b>Planning Board</b>  <b>17 December 2019</b>	<b>Agenda Item: 4</b> <b>Reference No: 19/1367/F &amp; 19/1495/L</b>
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**Applicant: LHG Greenwich Ltd, C/O Agent**  
**Agent: Richard Quelch, Q Square – Kemp House, 152 - 160 City Road, London EC1V 2NX**

<b>Site Address:</b> Site at former Greenwich Magistrates Court (including rear car park), 7-9 Blackheath Road, & 2 Greenwich High Road, Greenwich, SE10 8PE	<b>Ward:</b> Greenwich West  <b>Application Type:</b> Full Planning Permission and Listed Building Consent
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**I. Recommendation**

I.1 The Board is requested to grant planning permission for application reference 19/1367/F as outlined below:

- Redevelopment of the site, including the refurbishment of the existing Grade II Listed Magistrates Court and part demolition of existing structures, for a new hotel including ancillary facilities, flexible Class A1 / A2 / A3 / A4 / D1 / D2 / ancillary C1 floorspace, a publicly accessible square with associated soft and hard landscaping, ancillary refuse and recycling storage, cycle parking, wheelchair parking, coach and taxi drop off bays and servicing arrangements.

I.2 Subject to:

- (i) Referral of the application to the Mayor of London as required under the terms of The Town and Country Planning (Mayor of London) Order 2008;
- (ii) To resolve to grant conditional planning permission subject to the prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) containing the planning obligations as summarised in the heads of terms set out in this report and its addendums.
- (iii) To authorise the Assistant Director of Planning & Building Control to:
  - a. make any minor changes to the detailed wording of the recommended conditions as set out in this report and its addendums, where the Assistant Director of Planning & Building

Control considers it appropriate, before issuing the decision notice; and

- b. finalise the detailed terms of the planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended), as set out in this report and its addendums.

- (iv) In the event that the Section 106 Agreement is not completed within three (3) months of the date of this Planning Board meeting, to authorise the Assistant Director of Planning & Building Control to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured, and if so, to determine the application with reasons for refusal which will include the following:

- In the absence of a legal agreement to secure financial and non-financial contributions including for Employment, Skills and Training, Highways, and Energy, the development is contrary to policies IM1 and EA(c) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (Adopted July 2014) and the Planning obligations (s106) Guidance SPD (adopted July 2015).

1.3 Together with recommendation in section 1.1 the Board is also requested to grant Listed Building Consent for application reference 19/1495/L for the same description stated in section 1.1 subject to:

- (i) The conditions set out in Appendix 2, subject to the Assistant Director of Planning & Building Control being authorised to make any appropriate amendments arising following negotiations or in the light of legal advice;

## 2. **Summary**

2.1 Detailed below is a summary of the application:

<b>The Site -</b>	
Site Area	0.42Ha
Local Plan Allocation	N/A
Heritage Assets	<ul style="list-style-type: none"><li>• Grade II Listed Building (Greenwich Magistrates Court)</li><li>• Ashburnham Triangle Conservation Area</li><li>• Within setting of 2 Burgos Grove</li></ul>
Tree Preservation Order	Yes (Conservation Area)
Flood Risk Zone	Zones 2 and 3

<b>Proposed Building</b>	
Building height (metres)	Maximum: 26.4m
No. of storeys	2 - 7
Floor area (m <sup>2</sup> )	17,207 (GEA)

<b>Non-Residential Uses</b>		
Existing Use(s)	Existing use (Classes) / Operator	D1 – Magistrates Court
	m <sup>2</sup>	3,178 m <sup>2</sup>
Proposed Use(s)	Proposed use(s) (Classes) / Operator	C1 – Hotel Flexible Class A1 / A2 / A3 / A4 / D1 / D2 / C1 ancillary floorspace
	m <sup>2</sup>	14,997
Employment	Existing Number of Jobs	0 (Vacant)
	Proposed number of jobs	107 – 157 FTE jobs.

<b>Transportation</b>		
Car Parking	No. existing car parking spaces for general use	45
	No. Proposed Car Parking Spaces	14 (blue badge only)
	Proposed Parking Ratio	4.8%
Cycle Parking	No. Proposed Cycle Parking	16 long-stay spaces and 10 short-stay spaces
	Complies with policy	Yes
Public Transport	PTAL Rating	5 - 6

<b>Sustainability / Energy</b>	
BREEAM Rating	Excellent
Renewable Energy Source (%)	35.1%

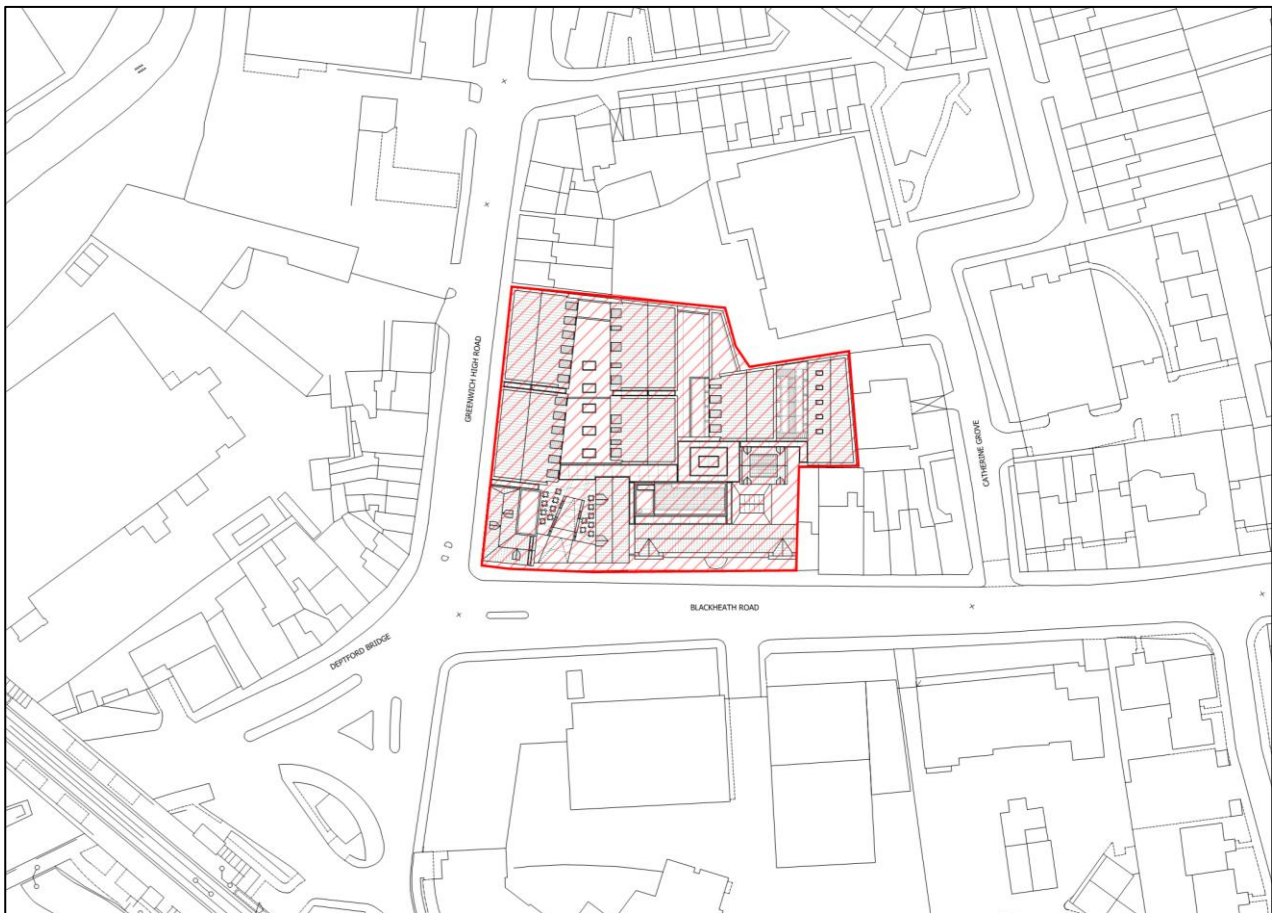
<b>Public Consultation</b>	
Number in support	14
Number of objections	23
Main issues raised	Objections: <ul style="list-style-type: none"> <li>• Concentration of hotels in the area / insufficient demand for more hotels.</li> <li>• Overdevelopment of site in terms of height,</li> </ul>

	<p>scale, massing and siting.</p> <ul style="list-style-type: none"> <li>• Impacts to the amenity of the neighbouring properties in terms of daylight / sunlight, overlooking, overbearing impacts.</li> <li>• Noise generated by hotel guests arriving / departing and events will disturb neighbours and leave litter.</li> <li>• Plant room extraction will create noise, vibration and air quality issues.</li> <li>• Increased traffic and taxi use.</li> <li>• Highways and pedestrian safety concerns at the junction.</li> <li>• Coach management issues.</li> <li>• Risk from unexploded ordinance during basement works</li> </ul> <p><u>Comments in Support:</u></p> <ul style="list-style-type: none"> <li>• Support the vacant land being put into use through development.</li> <li>• Quality of design.</li> <li>• The proposal will benefit local businesses by encouraging tourism and spending.</li> <li>• Support the improvements and re-use of the existing buildings.</li> <li>• The concentration of like uses would further establish the area's identity as a hotel hub.</li> </ul>
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2.2 The report details all relevant national, regional and local policy implications of the scheme, including supplementary planning guidance.

2.3 The applications are considered acceptable and are recommended for approval, subject to that set out in Section 1.

## Site Plan



### **3. Site and Surroundings (in detail)**

- 3.1 The subject site is the former Greenwich Magistrates Court, which is located on the eastern corner of the junction of Blackheath Road and Greenwich High Road. The former Magistrates Court building itself is located on the Blackheath Rd frontage. The site encompasses an area of approximately 4,190sqm and also contains disused former London School Board buildings to the east of the Magistrates Court building and vehicle parking to the rear.
- 3.2 The Greenwich Magistrate's Court is a grade II listed building and the site is located within the Ashburnham Triangle Conservation Area.
- 3.3 The site's main vehicular access point is on the Greenwich High Road frontage; however the site also benefits from an access easement shared with Double Tree (the Hilton) hotel, which adjoins to the north-east of the site and provides access to Catherine Grove. The site has excellent access to public transport with a PTAL of 5 – 6, which includes several bus routes and a DLR station within close proximity. Both road frontages are Transport for London Road Network designated roads.

- 3.4 The Double Tree hotel, including its car park to the rear, adjoins the site to the north / north-east and consists of a 2 storey podium with a 9-storey tower above and is easily the tallest building within the Ashburnham Triangle Conservation Area. The properties adjoining to the north of the site with frontage to Greenwich High Rd, which were completed within the last 5 years, are 3-storey + roof level terraced residential buildings and are contemporary interpretations of traditional terraced dwellings. Adjoining to the east with frontage to Blackheath Rd are 3-storey plus roof level terraced properties of traditional design with ground level commercial uses with residential above. These buildings are all within the Conservation Area.
- 3.5 Opposite the site to the south across Blackheath Road is the Travel Lodge hotel, which is of contemporary design and is 5 – 7 storeys in height. The properties opposite to the west across Greenwich High Rd are 3-storeys in height and consist of a variety of age and design. However, turning the corner towards the DLR station there is a new development, which steps up in height to 7 storeys where adjoining the station.

#### **4. Relevant Planning History**

##### **4.1 Greenwich Magistrates Court**

- 4.1.1 Ref: 89/1235/G - Redevelopment to form new Magistrates Court complex (Circular 18/84 Procedure). Decision: Local Authority raised no objections (25<sup>th</sup> February 1987).
- 4.1.2 Ref: 92/1281/G - Formation of new car-park, formation of new access and crossovers onto Greenwich High Road. Erection of new boundary wall. Demolition of No. 8 Greenwich High Road and small ancillary buildings, and erection of a new court house. Demolition to warehouse at 44 Catherine Grove. Decision: Local Authority raised no objections (7<sup>th</sup> May 1993).
- 4.1.3 Ref: 95/0597/G - Installation of external flue sited on the rear elevation of the Court. Circular 18/84. Decision: Approved (6<sup>th</sup> July 1995)
- 4.1.4 Ref: 99/0701/G - The erection of a boundary wall security fence, sliding gate, cameras and car park lighting. Decision: Approved (12<sup>th</sup> May 1999).

## 4.2 Double Tree Hotel

- 4.2.1 Ref: 11/0900/F - Construction of an additional two storeys and change of use to 168 bed hotel with associated restaurant, gym facilities, landscaping, car and cycle parking. Decision: Approved (23<sup>rd</sup> June 2011)
- 4.2.2 Ref: 13/0693/F – Construction of a single storey glass rooftop "Winter Garden". Decision: Approved (15th May 2013)
- 4.2.3 Ref: 14/0577/F - Construction of a single storey extension on the 2nd floor to provide 2 additional hotel suites. Decision: Approved (8<sup>th</sup> July 2014)
- 4.2.4 Ref: 14/0578/F - Construction of a 2-storey extension on the 1st floor to provide ancillary office space and the formation of an external door at ground floor. Decision: Approved (8<sup>th</sup> July 2014)
- 4.2.5 Ref: 15/3775/F - Construction of a single storey extension on the 2nd floor and minor internal alterations to provide 2 additional hotel rooms. Allowed on appeal (21<sup>st</sup> December 2016).

Original Decision: Refused (27<sup>th</sup> January 2016). Reason: The proposed 2nd floor extension to the front of the building when considered with the other approved extensions would result in a cluttered appearance which would over dominate the host building, impacting detrimentally on the character and appearance of the host building and the Ashburnham Triangle Conservation Area. As such the proposed development fails to respect the scale and character of the host building and appearing as an afterthought. Consequently, the proposed development is contrary to Policies 7.4, 7.6 and 7.8 of the London Plan (2015) and Policies DH1, DH3 and, DH(h) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014).

- 4.2.6 Ref: 17/0954/F - Construction of a 2-storey extension to be used as additional housekeeping facilities. Decision: Approved (22<sup>nd</sup> February 2018).
- 4.2.7 Ref: 18/2181/O - Outline application (Landscaping reserved) for the construction of a five-storey extension to west elevation of existing hotel to provide a net additional 42 bedrooms above associated undercroft parking at ground floor level. (The development may affect the setting of the Grade II Listed Greenwich Magistrates Court and the Grade II Listed 2 Burgos Grove). Refused under delegated powers (6th November 2018).

### 4.3 Terraced Houses on Greenwich High Street

4.3.1 Ref: 12/0464/F - Demolition of existing buildings and construction of 4x4-storey terrace houses with basements and associated amenity space, cycle parking, refuse and recycling storage. Withdrawn (16<sup>th</sup> April 2012)

4.3.2 Ref: 12/1413/F - Demolition of existing buildings and construction of 4x4-storey terrace houses with basements and associated amenity space, cycle parking, refuse and recycling storage (Resubmission). Decision: Approved (10<sup>th</sup> December 2012)

### 4.4 Development near DLR Station

4.4.1 Ref: 15/2262/F - Construction of part 4 and part 8 storey buildings accommodating 26 dwellings (5 x 1 bed, 17 x 2 bed and 4 x 3 bed) over 421m<sup>2</sup> of ground floor commercial space. Planning Board resolved to approve subject to successful completion of s106 agreement on 11<sup>th</sup> October 2016.

4.4.2 Ref: 11/2229/F - Demolition of existing buildings at Nos. 33 - 49 Deptford Bridge, and construction of part 7/part 4/part 3-storey buildings comprising 23 dwellings (3x1-bed, 17x2-bed, 3x3-bed) over ground floor commercial space. Decision: Approved: (29<sup>th</sup> March 2012).

4.4.3 Ref: 09/0094/F - Demolition of existing buildings and construction of a part 7/part 11 storey building comprising 36 x 2-bedroom units, 18 x 3-bedroom units, ground floor commercial unit (353 Square metres), associated landscaping, cycle parking and two disability car parking spaces. Withdrawn (25<sup>th</sup> March 2009).

## 5. Proposal

5.1 The proposal seeks to repurpose the site by converting it from use class D1 (magistrate's court) to use class C1 (hotel) and construct a 293 bedroom hotel with associated bar, restaurant, café, spa, meeting / conference rooms, parking, coach and taxi drop off bays, servicing arrangements, publicly accessible square and landscaping. The proposal also includes a commercial unit of 147m<sup>2</sup> with a flexible use class, including A1 / A2 / A3 / A4 / D1 / D2/ancillary C1.

5.2 The existing courthouse building and adjoining former London School Board (LSB) building would be repaired and restored to become a restaurant and bar at ground level, which would be ancillary to the main hotel use, whilst the



upper floors would contain hotel accommodation. The former LSB building located at the corner of the site is proposed to be retained as well and incorporated into the development by providing an associated ground level flexible commercial use and hotel rooms in the upper levels, which would connect to the new development via a glazed link.

- 5.3 The main entrance to the proposed hotel is set within a courtyard off Blackheath Road that would be created between the two retained former school buildings, which would allow for external seating for the new restaurant and café. The entrance to the listed courthouse building would continue to serve as access to this building, which would lead directly to the hotel bar and restaurant facilities.
- 5.4 The bulk of the proposed development is laid out into linear blocks that run parallel to Greenwich High Road and follow the building lines created by the retained former school buildings. The blocks vary in height, between 2 to 7 storeys, and are designed with gable ends and pitched roof forms. The building proposed as Block 1, which is the block fronting Greenwich High Road and adjoins the retained corner building, is 6-storeys in height and steps down to 5-storeys where adjoining the terraced row to the north. Block 2, which is the large central block, would be 7-storeys in height and is located behind part of the listed courthouse and the retained adjoining LSB building. Block 3 is the smaller central block with a height of 5-storeys that would also be located behind the listed courthouse. Block 4 is a 2-storey block and is proposed at the eastern side of the site. It is also proposed to construct a 3-storey structure attached to the rear of the listed courthouse via a glazed link to replace the later ancillary extensions in this location, which are proposed to be removed.
- 5.5 The hotel lobby would be located within a 2-storey tall podium section that links the block fronting Greenwich High Road and the large central block. This would contain large sections of glazed roofing for internal light and landscaping on the roof for passive amenity space. A glazed link would wrap around the large central block leading to a glass covered courtyard that would adjoin the retained and refurbished main courtroom, which is proposed to become a bar. The glazed link is proposed to continue to the 2-storey block at the eastern end to provide covered access. A solid podium would also link the small and large central blocks to provide back-of-house facilities and would also contain landscaping on its roof.
- 5.6 The vehicular access continues to be proposed in a similar location to the existing site access and would provide a 2-way vehicular entrance / exit, which would lead to underground car parking and a ground level servicing and

deliveries bay. This area would also serve as a coach drop off area that leads directly into the hotel lobby and reception and would be covered by the podium, which steps down in height closer to the north property boundary. It is also proposed to include a taxi drop-off on the Blackheath Road frontage in front of the entrance courtyard. This drop-off point is within the highway and outside of the site boundary.

- 5.7 The proposal seeks to create a 2-storey basement that would comprise of additional hotel rooms and plant rooms along with parking, staff facilities and a sunken courtyard at the 1<sup>st</sup> basement level, and a gym, spa, and ballroom / conference room at the 2<sup>nd</sup> basement level.
- 5.8 Finally, the two conference rooms are included at ground level adjoining the hotel lobby, which the applicant proposed to be made available for local community groups to use for 15-20 hours a week and would be offered free of charge.

### **Revised Development Proposal**

- 5.9 The proposed development was revised due to comments received. The following changes were made:
- The 6<sup>th</sup> floor of Block 1 was set back from the Greenwich High Road frontage by 30cm;
  - Introduced stone and brick band / coursing between 2<sup>nd</sup> floor and 3<sup>rd</sup> floor levels. Stone / brick band compliments the stone / brick coursing to the existing LSB building;
  - Introduced stone banding / coursing between 4<sup>th</sup> and 5<sup>th</sup> floors to group floors together and differentiate between the top floor / rest of floors;
  - Floor plan re-arrangements to address accessible design standards;
  - Bollards to vehicle entrance installed, set 9m into the site, and a Vehicle Recognition System.
  - The bin store within the loading bay / delivery area has been amended to reflect RBG guidance, and based on a weekly collection.
  - External screening to the western elevation of Block 2 to prevent overlooking to the adjoining residential properties;

## **6. Consultation**

- 6.1 The application since being submitted in April 2019 has been subject of public consultation, comprising of a press notice, site notice, and 380 individual letters sent to individual occupiers in the vicinity of the application site. This also included consultation with statutory bodies and local amenity groups.

6.2 Due to subsequent amendments described in 5.9 above, re-consultation on the application was undertaken in September 2019.

### 6.3 Statutory Consultees

A summary of the consultation responses received along with the officer comments are set out in table below:

<b>Details of Representation</b>	<b>Summary of Comments</b>	<b>Officers comments</b>
<b>Greater London Authority (GLA)</b>	<ul style="list-style-type: none"> <li>• Principle of development: The proposal to bring these historic buildings back into use as a hotel, on this long vacant site in an Opportunity Area, is supported in line with the London Plan and the draft London Plan. The proposed element of flexible community space should be appropriately secured with any planning permission.</li> <li>• Historic environment and urban design: The proposed changes and demolitions to the buildings on the site are considered to be sensitive, and the additions are of a high quality. No harm would be caused to heritage assets.</li> <li>• Transport: Transport details are supported following amendments to original details submitted.</li> <li>• Climate change: All details agreed.</li> <li>• Recommendation: The application is supported following original comments and amended details.</li> </ul>	Noted and all addressed in the report.
<b>Environment Agency</b>	<ul style="list-style-type: none"> <li>• No objection to the proposal but given that flood modelling is not infallible, that the site is not defended against fluvial risk and that it is also affected by residual tidal risk, risks should be clearly set-out to ensure that you are fully informed when making your decision.</li> </ul>	Conditions relating to implementation of flood mitigation measures and standard contamination and foundations

	<ul style="list-style-type: none"> <li>• Original comments provided highlighted that if flooding was to affect the site, it is likely to be severe and the rate of inundation would be rapid, and as such the Environment Agency cannot recommend allowing bedrooms at basement level at this location.</li> <li>• Following further flood modelling undertaken by the applicant the Environment Agency confirmed it has been demonstrated through detailed modelling that the development can be safe, and the model is considered adequate.</li> <li>• The EA recommend a planning condition to secure the implementation of the mitigation measures.</li> <li>• The EA recommend standard contamination and foundation conditions.</li> </ul>	<p>has been included (Refer to Appendix 2)</p>
<p><b>Historic England</b></p>	<ul style="list-style-type: none"> <li>• Desire to see the Greenwich High Road frontage reduced in height and set back from the building line of the LBS Divisional Office do not appear to have been addressed.</li> <li>• Prefer to see number of original features retained including a timber staircase, ceramic staircase and chimney breasts, which could be an asset to any future commercial tenant.</li> <li>• The areas of historic fabric to be demolished should be subject to a building recording condition.</li> <li>• A condition should also be attached to the listed building consent regarding the removal, relocation, and reuse of significant furniture and partitioning within the Court Room</li> </ul>	<p>Issues relating to heritage assets are assessed in section 10 of this report.</p> <p>Relevant conditions have been included in Appendix 2.</p>

	to accommodate bar use. We would be happy to be involved in the discharging of this condition as appropriate.	
<b>Greater London Archaeological Advisory Service (GLAAS)</b>	<ul style="list-style-type: none"> <li>• Advise that the development could cause harm to archaeological remains. However the significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition.</li> </ul>	A relevant condition has been included in Appendix 2.
<b>Met Police (Secure by Design)</b>	<ul style="list-style-type: none"> <li>• It would be possible for the scheme to achieve SBD with extra measures. It is recommended a Secure By Design condition is attached to the permission.</li> <li>• No objection to vehicle access point subject to conditions.</li> </ul>	The relevant conditions have been included in Appendix 2.
<b>Transport for London (TfL)</b>	<ul style="list-style-type: none"> <li>• The access proposals involve the shortening of a bus stop, which is acceptable in this location; however, funding this should be secured through an appropriate legal agreement.</li> <li>• The site is proposed to be car-free except for Blue Badge parking, which is acceptable to TfL and in line with London Plan Policy 6.13 and draft London Plan Policy T6 'Parking'. TfL would support the Council in securing section 106 contributions to help fund a controlled parking zone in the area if considered necessary.</li> <li>• Insufficient information was originally provided regarding cycle parking in the Transport Assessment, with further detail required on long-stay provision, including location and types of stands, which should be designed in line with the London Cycle Design Standards. Further details were provided and were considered acceptable.</li> </ul>	The relevant conditions have been included in Appendix 2.

	<ul style="list-style-type: none"> <li>• The short-stay cycle parking is well located.</li> <li>• The applicant has submitted a Coach Management Plan, as well as a Delivery and Servicing Plan, which are generally sound. Full versions should be secured by planning condition, to be submitted for approval within six months of occupation.</li> <li>• The Travel Plan is acceptable, with sufficiently ambitious targets and a comprehensive monitoring plan. A full travel plan should be secured by planning condition, to be submitted within six months of occupation.</li> <li>• The Construction Logistics Plan is generally in line with TfL Guidance, London Plan Policy 6.14, draft London Plan Policies T4 and T7, and the Mayor's Vision Zero.</li> </ul>	
<b>Thames Water</b>	<ul style="list-style-type: none"> <li>• Identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Request that a condition be added to any planning permission.</li> <li>• Standard conditions and informatives also recommended.</li> </ul>	Relevant conditions have been included in Appendix 2.

### 6.3 Council Departments

A summary of the consultation responses received along with the officer comments are set out in table below:

<b>Details of Representation and date received</b>	<b>Summary of Comments</b>	<b>Officers comments</b>
<b>Building Control</b>	<ul style="list-style-type: none"> <li>• No objection.</li> </ul>	Duly noted.
<b>Conservation Officer</b>	<ul style="list-style-type: none"> <li>• The only concern raised for the scheme was limited to the west</li> </ul>	Issues relating to impacts to

	<p>elevation. The proposed building is significantly taller than the existing terrace facing Greenwich South Street. It is noted that the site comes with its own complexities and given the sensitive urban setting together with the heritage asset and the Conservation Area boundary, if the height of the building could not be reduced, it should be at a very least set back to the set flush with the existing terrace providing a glimpse of the former LBS building. The set back of the new building at this location is considered to be significant.</p> <ul style="list-style-type: none"> <li>• Following additional information submitted to clarify this issue the concern was withdrawn by the Conservation Officer, and no objection to the proposal is raised.</li> </ul>	<p>the design and heritage are assessed in section 10 of this report.</p>
<b>Environmental Health (air, noise / odour)</b>	<ul style="list-style-type: none"> <li>• No objection subject to conditions.</li> </ul>	<p>Relevant conditions have been included in Appendix 2.</p>
<b>Environmental Health (contaminated land)</b>	<ul style="list-style-type: none"> <li>• No objection subject to standard conditions.</li> <li>• Standard condition relating to unexploded ordinance recommended.</li> </ul>	<p>Relevant conditions have been included in Appendix 2.</p>
<b>Environmental Health (Asbestos)</b>	<ul style="list-style-type: none"> <li>• Appropriate asbestos R&amp;D survey reports should be carried out and then be acted upon by the responsible person in order to deal with any asbestos issues.</li> </ul>	<p>Relevant conditions have been included in Appendix 2.</p>
<b>Flood Risk</b>	<ul style="list-style-type: none"> <li>• Original comments provided a strong objection to sleeping accommodation below flood level. The modelling was only undertaken to the 35% climate change limit, and</li> </ul>	<p>Issues relating to flood risk are assessed in section 15 of this report.</p>

	<p>the 70% climate change limit has not been considered. In terms of the surface water drainage proposal, the reality of storage volume below the 2<sup>nd</sup> level basement as approximately -2m AoD cannot be supported.</p> <ul style="list-style-type: none"> <li>• Based on the extensive flood risk modelling and the acceptable emergency evacuation plan undertaken and submitted following original comments, no objection is raised as the development has been shown as not being affected by the worst climate change scenario of 70%.</li> </ul>	
<b>Highways</b>	<ul style="list-style-type: none"> <li>• No objections subject to conditions and obligations secured through s106.</li> <li>• Recommends the taxi bay be changed to a loading bay allowing short stays up to 15-20min.</li> <li>• Financial contribution towards the Council's parking enforcement costs on local roads around the site.</li> <li>• Improvements to the pedestrian crossings including kerb alignment and surfacing on Greenwich High Road and Blackheath Road to be secured through s106 highways works.</li> <li>• The parking layout is considered adequate although it is recommended that at least 20% of all spaces should have electric charging points.</li> <li>• Condition to carry out the coach management plan submitted and other standard conditions.</li> </ul>	Relevant conditions have been included in Appendix 2.
<b>Occupational Therapist</b>	<ul style="list-style-type: none"> <li>• Following amendments requested no objections are raised subject to</li> </ul>	Relevant condition has



	an appropriate condition.	been included in Appendix 2.
<b>Planning Policy</b>	<ul style="list-style-type: none"> <li>• Raised concern that the correct methodology was originally undertaken based on the sites location, and the test is not proportionate or appropriate to the proposed development. Furthermore the assessments carried out within the Sequential Test do not appear to be thorough or realistic assessments.</li> <li>• Following two revisions by the applicant, Officers consider the methodology and individual site assessments sound.</li> </ul>	Noted, please refer to Section 9 (Principle).
<b>Public health</b>	<ul style="list-style-type: none"> <li>• No objections.</li> </ul>	Duly noted.
<b>Sustainability</b>	<ul style="list-style-type: none"> <li>• No issues raised subject to conditions requested relating to sustainable design and construction standards, BREEAM Non-residential Standards, Ultra-Low NOx Boilers, Overheating and Cooling, Energy Strategy, on-site renewable energy technologies, energy centre – district hot water, bird / bat boxes, and landscape and ecological management plan.</li> </ul>	Relevant conditions have been included in Appendix 2.
<b>Trees</b>	<ul style="list-style-type: none"> <li>• No objection subject to landscaping condition.</li> </ul>	Relevant conditions have been included in Appendix 2.
<b>Waste</b>	<p>Original comments from the waste officer requested weekly collections rather than daily to reduce vehicle movements, and requested swept path analysis.</p> <p>Following the submission of additional details, no objection was raised.</p>	Noted, please refer to Section 15.

## 6.4 Amenity Groups

A summary of the consultation responses received from Amenity Groups, along with the officer comments are set out in table below:

<b>Details of Representation and date received</b>	<b>Summary of Comments</b>	<b>Officers comments</b>
<b>Greenwich Society</b>	<ul style="list-style-type: none"> <li>• Welcome the retention of all the main historic buildings.</li> <li>• The distribution of the bedroom accommodation between 4 separate blocks and the stepping down of two of them at the eastern end of the site is a positive change.</li> <li>• The stepping down of the block on Greenwich High Road, which is clearly marked, provides a more varied streetscape and takes account of the predominantly 4-story buildings further up the road.</li> <li>• The scheme would be even better if the aim of securing 300 beds was reduced so that the one or both of the taller blocks could be reduced by a floor.</li> <li>• The massing on Greenwich High Road is still extremely overbearing, as evidenced from Verified view 5.7 in the DAS.</li> <li>• Goods deliveries and coach setting down will need to be managed very carefully to avoid highway disruptions.</li> <li>• Welcome the concealment of the ramp down to the disabled parking from Greenwich High Road.</li> <li>• Support the widening of the pavements on both sides of Greenwich High Road in order to ease pedestrian access to the hotel from the DLR station.</li> </ul>	<p>Issues relating to design, and highways, are assessed in section 10 and 14 of this report.</p>

<p><b>The Victorian Society</b></p>	<ul style="list-style-type: none"> <li>• The current proposal is more positive than previous versions. However still have concerns with the proposed design of the new buildings as well as the proposed treatment of the historic buildings.</li> <li>• The proposed extension to the rear of the original Magistrates Court building would not preserve its integrity given its proposed height of three storeys and its massing.</li> <li>• The treatment of the historic fabric of No. 2 Greenwich High Road shows a disregard for the significance of the buildings.</li> <li>• Support the proposed courtyard in between No. 5 and No. 2 which allows both buildings to be viewed side by side.</li> <li>• Design of the proposed new buildings fronting Greenwich High Road shows little regard for the building heights of adjacent buildings.</li> <li>• In regard to the Magistrates Court, harm would come from the proposed extension will deliver significant public benefits which will outweigh the harm of placing such a large structure to the rear of the building.</li> <li>• Harm to the Ashburnham Triangle Conservation Area would result from the proposed alterations to the school buildings and the significant amount of proposed demolition would render them as just facades and involve a significant loss of historic fabric.</li> <li>• Harm would be caused by the disruption of the street line on Greenwich High Road. The small group of historic buildings to the</li> </ul>	<p>Issues relating to design, and heritage, are assessed in section 10 of this report.</p>
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	<p>North of the proposed buildings would be dwarfed in comparison.</p> <ul style="list-style-type: none"> <li>• It has not been adequately demonstrated that the development will deliver significant public benefits to outweigh the harm to the heritage assets.</li> </ul>	
<p><b>Ashburnham Triangle Association</b></p>	<ul style="list-style-type: none"> <li>• Support the sympathetic refurbishment of existing buildings.</li> <li>• Object overall as the proposed use and over development of the remainder of the site is of serious concern.</li> <li>• Sequential test documentation lacks a focus on the market/need for hotel rooms in this specific location, which is not in a town centre.</li> <li>• There is a saturation of hotels in the area and there is no need for another one.</li> <li>• Part of this site is in Flood risk zone 2 and any works to create a basement seem ridiculous.</li> <li>• Adverse effect on the residential amenity of neighbours by reason of overlooking, loss of privacy, and over overshadowing</li> <li>• Proposed development would provide for further unacceptable high density / overdevelopment / overall height of the site in a predominantly residential conservation area.</li> <li>• Concerns over the highway safety of road users and pedestrians as the proposed taxi bays impede on the narrow footpath.</li> <li>• No adequate road crossings for pedestrians approaching from Deptford Bridge Station.</li> <li>• Additional traffic created by the development will add to existing traffic issues and pollution.</li> </ul>	<p>Issues relating to the sequential test, design, highways, neighbouring amenity, flood risk, and coach management are assessed in section 9, 10, 11, 14, and 15 of this report.</p>

	<ul style="list-style-type: none"> <li>• Concerns regarding the management of coaches.</li> <li>• Doubtful that there is any benefit from 295 hotel rooms to any of our local businesses and residents.</li> </ul>	
<b>Greenwich Conservation Group</b>	<ul style="list-style-type: none"> <li>• No comments received.</li> </ul>	

## 6.5 Local Residents and Businesses

A summary of the consultation responses received from residents, along with the officer comments are set out in table below:

<b>Summary of Comments</b>	<b>Officers comments</b>
<p><b><u>Objections (23):</u></b></p> <p><u>Principle</u></p> <ul style="list-style-type: none"> <li>• This part of Greenwich does not need substantial additional hotel space.</li> <li>• Overconcentration of hotels in the area / insufficient demand for more hotels.</li> </ul> <p><u>Design</u></p> <ul style="list-style-type: none"> <li>• The proposal is representative of overdevelopment in terms of height, scale, massing and siting.</li> <li>• Proposal represents an excessive scale and massing on Greenwich High Road.</li> <li>• The rising and falling of heights is incongruous along Greenwich High Road.</li> <li>• The height of the central tower dominates the streetscape.</li> </ul> <p><u>Neighbour amenity</u></p> <ul style="list-style-type: none"> <li>• Daylight and sunlight impacts to adjoining residential properties and their amenity space areas.</li> <li>• The Daylight and Sunlight Report relies on assumptions of the site's urban location to demonstrate compliance.</li> <li>• Events at the hotel will cause disruption to local residents.</li> <li>• Plant room extraction will create noise, vibration and air quality issues for adjoining</li> </ul>	<p>Issues relating to principle of development, design, neighbouring amenity, and highways are assessed in section 10, 11, 15 of this report.</p>

properties.

- Overlooking of neighbouring properties.
- Overbearing to neighbouring properties.
- Noise generated by hotel guests arriving / departing will disturb neighbours and leave rubbish in the street.

#### Highways

- Highways and pedestrian safety concerns due to the danger imposed by increased passenger use of the bus stop on Greenwich High Road.
- Coach management will create disruption if not properly enforced.
- The loading bay will lead to increased traffic along Greenwich High Road and the junction, which will worsen air quality levels.
- Increased traffic to neighbouring roads as a result of the development.
- Taxi parking on Blackheath Road will cause accidents.
- The junction needs improved pedestrian crossings.

#### Other

- The basement excavation increases costs that aren't offset by more rooms.
- Risk from unexploded ordinance during basement works
- Compromised ability of the neighbouring hotel to reach its development potential.

#### **Comments in Support (14):**

- Support the vacant land being put into use through development.
- Current design is an improvement in comparison to previous designs shown during community engagement events.
- The proposal will benefit local businesses.
- Support the improvements and re-use of the existing buildings.
- The concentration of like uses would further establish the area's identity as a hotel hub, which in turn supports the visitor economy in Greenwich.

## **7. Planning Context**

7.1 This application needs to be considered in the context of a range of national, regional and local planning policies and Supplementary Planning Guidance / Documents.

- **National Planning Policy Framework (NPPF - 2019)**
- **The London Plan (2016)** - Full details of relevant policies refer to appendix 3.
- **The Royal Greenwich Local Plan: Core Strategy with Detailed Policies (“Core Strategy” - 2014)** - Full details of relevant policies refer to appendix 3.
- Full details of relevant SPD / Documents refer to appendix 3.

7.2 The Draft London Plan (August 2019) has been through the required consultation process, and Examination in Public (EiP), and is due to be adopted by the GLA in February 2020. Whilst this does not have any formal weight in consideration of the application, due to the amount of consultation that has happened and it is in the final stages to adoption, relevant draft policies will be referenced, and referred to.

## **8. Material Planning Considerations**

8.1 This section of the report provides an analysis of the specific aspects of the proposed development and the principal issues that need to be considered in the determination of the planning application (Ref: 19/1367/F and Ref: 19/1495/L).

- Principle of development;
  - Loss of the DI Use
  - Proposed use of the site as a hotel (Use Class C1)
  - Proposed flexible commercial use (Use Class A1 / A2 / A3 / A4 / D1 / D2)
- Design, Townscape and Heritage;
- Impact on the amenity of adjoining properties;
  - Sunlight, daylight and overshadowing;
  - Outlook, privacy and sense of enclosure;
- Pollution
  - Noise and Air Quality;
- Land contamination;
- Transport and Parking;
- Waste;

- Flood Risk;
- Sustainability and Energy;
- Community Infrastructure Levy (CIL);
- RBG CIL;
- Legal Agreement; and
- Implications for Disadvantaged Groups.

## 9. **Principle of Development**

### 9.1 **Loss of DI Use**

9.1.1 London Plan Policy 3.16 protection and enhancement of social infrastructure states that Development proposals which provide high quality social infrastructure will be supported in light of local and strategic social infrastructure needs assessments. Proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for reprovision should be resisted. The suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered.

9.1.2 Policy CH(a) of the Royal Borough's Core Strategy with Detailed Policies (2014) seeks to protect existing social and community facilities or find a suitable replacement. The last lawful use of the property was for a Magistrates Court, which is classed as a DI use, and therefore the proposed change of use of the site to a hotel (Use Class CI) would need to demonstrate compliance with this policy. The policy specifically states:

*Planning permission that would result in the loss of community facilities through change of use or redevelopment will only be granted where:*

- i. there is evidence that the loss would not create or add to a short fall in provision for the specific community use and*
- ii. alternative community facilities of a similar nature are provided locally in the area which that facility serves ; or*
- iii. it would enable the implementation of the Royal Borough's strategy for the provision of community facilities.*
- iv. the site is demonstrably unsuitable for continued use as a community facility.*

9.1.3 It is understood that the property is no longer required to be used as a magistrate's court by the Ministry of Justice (MOJ) due to the changing nature of court proceedings and that the service has moved to Bromley Magistrates' Court, which will continue to provide access to justice for the area. For this reason parts (i) and (ii) of policy CH(a) are considered to be satisfied and



therefore part (iii) does not apply; however the proposal would still require to demonstrate compliance with part (iv).

- 9.1.4 It is acknowledged that the building has been specifically designed for use as a courthouse, which is distinct from other DI uses that serve the local community. Unlike other DI uses, members of the public generally don't visit a court house unless it's absolutely necessary. In addition to this, the property is a grade II listed building, which is in need of repair works to bring it up to an operational standard, and there are limited opportunities to alter its layout without causing harm to the significance of the designated heritage asset. As such, it is acknowledged that there are limited opportunities to repurpose the building for an alternative DI use; however this does not necessarily prevent any re-provision of a community facility on the site.
- 9.1.5 The submitted Social / Community Infrastructure Assessment indicates that there is adequate provision of most types of social and community infrastructure in the area. It finds that there is likely to be a future demand for youth facilities and community/meeting space, and primary healthcare (GPs and Dentists). Each option has been assessed against the following criteria: evidence of demand; potential reach; economic impact; deliverability and costs.
- 9.1.6 The options were scored as follows:
- *Dentist – this scores well in terms of evidence of demand (3) and potential reach (5) but less well in terms of the economic impact (2) and deliverability and costs (2). Generating a total score of 12/20.*
  - *Primary Care – scores well in terms of evidence of demand (3) and potential reach (5), however, given the confines of the space available on Site this would result in a lesser economic impact (2) and deliverability and costs (1) are unlikely to be supported by the CCG. Generating a total score of 11/20.*
  - *Community and Youth Facility – scores less well, notably in terms of economic impacts (1) but also in terms of potential reach, (2). Generating a total score of 9/20.*
- 9.1.7 The Assessment concludes that the Site has the potential to accommodate a range of SCl uses should demand arise in the future. However, the deliverability and costs of these uses are likely to prove challenging in terms of viability. Space that could be used flexibly by a range of community groups would help to improve the deliverability of such a facility.
- 9.1.8 Paragraph 5.5 of the Planning Statement states: “*The proposed development will provide an element of flexible floorspace for use by local community groups at a peppercorn rent level. The applicant has been in discussion with a number of*

*community groups to date, with many showing interest in using the hotels facilities once it is operating. The amount of floorspace, regularity of use and level of fee for using the space is still being discussed between the community groups and the applicant. This is set out in the supporting Community Group Management Strategy”.*

- 9.1.9 The submitted SCI Assessment concludes that there are challenges in delivering SCI uses within the space; however a space that could be used flexibly by a range of community groups would help to improve the deliverability of such a facility. As such it is proposed to provide 2 conference rooms totalling 58sqm (capable of being combined into one to contain 20 people) that will be available for use by local community groups’ 15-20hrs a week. The floorspace will be advertised to local community groups through RB Greenwich’s website, the hotel website and regular newsletters and local community groups will be provided with complimentary tea and coffee.
- 9.1.10 It is considered that the justification provided in the Planning Statement in regards to the change of use of the site from use class D1 (Magistrates Court) to C1 (Hotel), in conjunction with the supporting SCI Assessment and Condition Survey Report, demonstrates that the requirements of policy CH(a) are met in the proposal and is therefore acceptable. Part of this justification includes the provision of flexible floorspace for use by local community groups at a peppercorn rent level, which will be secured in the s106 agreement.

## **9.2 Use of the site as a hotel (Use Class C1)**

- 9.2.1 The proposed use of the site as a hotel is subject to Core Strategy policy EA5, which supports the tourism industry through the development of hotels in appropriate locations *“particularly in town centres and the waterfront area”*. Supporting paragraph 4.2.22 further states that there is *“a shortage of hotel space, particularly in Greenwich which has a concentration of high profile tourist attractions.”*
- 9.2.2 Policy 4.5 of the London Plan (2016) supports the above policy, which seeks to ensure that new visitor accommodation is in appropriate locations; stating that *“beyond the Central Activities Zone (CAZ) it should be focussed in town centres and opportunity and intensification areas, where there is good public transport access to central London and international and national transport termini”*. The draft London Plan (2019) reiterates this aim by stating that *“In outer London and those parts of inner London outside the CAZ, serviced accommodation should be promoted in town centres and within Opportunity Areas where they are well-connected by public transport, particularly to central London”*. The supporting text

to the emerging policy identifies the demand for hotels in London and states “It is estimated that London will need to build an additional 58,000 bedrooms of serviced accommodation by 2041, which is an average of 2,230 bedrooms per annum”.

- 9.2.3 Hotels fall within the definition for main town centre uses under the Annex 2 (Glossary) of the NPPF (2019) and therefore policy TCI (Town Centres) of the Core Strategy also applies to the development, which directs main town centre uses towards town centre locations, followed by edge of centre sites then out of centre locations. This is supported by policy 4.7 of the London Plan (2016), which states that “*retail, commercial, culture and leisure development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport*”.
- 9.2.4 The above policies are aligned with chapter 7 of the NPPF (2019), which states at paragraph 86: “*Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered*”.
- 9.2.5 The Planning Practice Guidance (PPG) titled “Town Centres and Retail” (last updated July 2019) provides further guidance to assist in carrying out a sequential test for edge of and out of centre development. Paragraph 011 sets out how the sequential test should be used in decision making and states that the “*application of the test will need to be proportionate and appropriate for the given proposal*”. It goes on to provide a checklist that sets out the considerations that should be taken into account in determining whether a proposal complies with the sequential test:
- *With due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. It is important to set out any associated reasoning clearly.*
  - *Is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.*
  - *If there are no suitable sequentially preferable locations, the sequential test is passed.*

- 9.2.6 Paragraph 012 of the PPG is also of relevance in this case, which states that the “*use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations*”.
- 9.2.7 Due to its location outside of a town centre within the Royal Borough, and on the edge of the Deptford town centre, which is within the London Borough of Lewisham, the proposal is subject to a sequential test in accordance with the NPPF (2019). The applicant submitted a sequential test with the application, which provided an assessment of potential alternative sites around the Greenwich, Deptford, and East Greenwich town centres, which are all district centres, and found that none were suitable for the proposal.
- 9.2.8 From a review of the initial sequential test officers raised concerns that the scale of the development justified a wider search in order to satisfy the requirement for the test to be proportionate and appropriate in accordance with the PPG. Officers therefore advised that it should include sites in New Cross, Blackheath and North Greenwich, which are district centres, and Lewisham, which is a major centre. Clarification was also sought on the description of the site’s location as being edge of centre to Deptford town centre and out of centre in relation to Greenwich town centre, given that the NPPF clearly defines “edge of centre” sites as being within 300m of a town centre boundary.
- 9.2.9 A revised sequential test was subsequently submitted which followed Officers advice, and included an assessment of the additional centres requested. The sequential test of the sites identified within the selected criteria (at least 0.3 hectares and can accommodate 150 rooms with necessary supporting uses) have been assessed separately by Officers, and it is concluded that the sites assessed within town centre or edge of centre locations are either (or both) unavailable and unsuitable, and the most sequentially preferable site within the sub-region for a proposed hotel use at the proposed scale is the application site.
- 9.2.10 Policy EA5 of the Core Strategy promotes the provision of hotel developments, as it assists the local economy and creates varied employment opportunities, the proposed hotel on the application site supports this policy position. Whilst this is outside of a designated town centre location the sequential test has provided the supporting evidence that the proposed new visitor accommodation on the Greenwich Magistrates Court site is the most

appropriate location, and so the increased employment opportunities of the proposed development is supported.

- 9.2.11 Furthermore, the redevelopment of the site as a hotel use will also have a heritage benefit that will bring the Grade II Listed Building back into use, improving its current condition, and would allow for public access. The compatible hotel use provides further justification for Officers to support this application. The use of the Grade II listed magistrates court as a hotel also differentiates the setting and fabric of the proposed hotel from the surrounding hotel offer. In addition, the applicant has provided a supporting economic statement that based on occupancy rates, and average spend, an estimate of roughly £4.5m increase in spend from visitors of the hotel into Greenwich town centre and the wider London area.
- 9.2.12 It is considered by Officers that the proposal follows the guidance set-out in the Planning Practice Guidance – Town Centres and Retail and satisfies the sequential test requirements of the NPPF (2019), and is compliant with Policy TCI, and EA5 of the Core Strategy (2014), and Policy 4.5 and Policy 4.7 of the London Plan (2016).
- 9.3 Proposed flexible commercial use (Use Class A1 / A2 / A3 / A4 / D1 / D2/ C1 Ancillary)**
- 9.3.1 The proposed 147m<sup>2</sup> flexible commercial space (A1/A2/A3/A4/D1/D2/ C1 Ancillary) is located on the ground floor of the existing and vacant LSB building in the south-western corner of the site that is to be restored as part of the proposal. This area of the scheme remains flexible to ensure the specific end use and the operator will be targeted at meeting the needs of the local community.
- 9.3.2 As the proposed flexible commercial floor space is below 2,500sq.m this commercial element is not subject to a sequential test assessment. Given the amount of floor space proposed it is considered the scheme would have minimal impact on Greenwich and Deptford Town Centre, and Blackheath Local Centre. Officers also consider a commercial unit in this location would be appropriate as the hotel would generate activity and footfall, and both uses would benefit the shared location for business and user purposes. Therefore, Officers consider the proposed flexible use on the application site facilitates the development of a small business space unit which is supported by Policy EA1 of the Core Strategy (2014).
- 9.3.3 Whilst the proposed development is acceptable in principle, the scheme is subject to the further detailed considerations found in the following sections.

## **10. Design, Townscape and Heritage**

### **10.1 Policy context**

- 10.1.1 London Plan (2016) policy 7.4 'Local Character' requires developments to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.5 provides detailed requirements to inform the design of public realm in relation to movement routes. It expects development to make the public realm comprehensive at a human scale, using gateways, focal points and landmarks as appropriate.
- 10.1.2 Policy 7.6 'Architecture' states that buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architectural character.
- 10.1.3 Policy DH1 of the Core Strategy (2014), expects proposals to demonstrate an understanding of the existing context of the area and to promote local distinctiveness by providing a site-specific solution. The policy also requires developments to provide a positive relationship between the proposed and existing context, paying particular attention to the scale, height, bulk and massing of the adjacent townscape; and create attractive, manageable, well-functioning spaces within the site.
- 10.1.4 Policy D1 of the draft London Plan (2019) expects new developments to respond to the existing character of a place by identifying the special and valued features that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute to local character. Policy D2 of the draft London Plan places further weight on this process, requiring a clear understanding of the existing local context, including townscape, block pattern and urban grain, to form the basis of any proposal.
- 10.1.5 London Plan (2016) policy 7.8 requires development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Core Strategy (2014) policy DH(h) expects developments to pay special attention to preserving or enhancing the character or appearance of the Conservation Area. The local scale, the established pattern of development and landscape, building form and materials will all be taken into account. Policy DH(i) requires proposals for external or internal alterations or additions to Listed Buildings to respect the

integrity of the buildings and harmonise with their special architectural or historical character.

## 10.2 **Layout**

- 10.2.1 The application site sits at the south-western corner of the Ashburnham Triangle Conservation Area at the junction of two of the three main roads that define the boundaries of the Conservation Area, being Blackheath Road and Greenwich High Road (the third being Greenwich South Street). Given this defining feature it is considered that the movement routes through the Conservation Area are important to the way that the Conservation Area is experienced. The site therefore acts as the south-western gateway to the Conservation Area and also to the wider Greenwich Area.
- 10.2.2 The existing site contains three buildings that would all be retained as part of the proposal, which includes the grade II listed Magistrates Courthouse, and 2 former London School Board (LSB) buildings, which together form a group of institutional buildings that make a positive contribution to the character and appearance of the Conservation Area. The LSB buildings consist of the former Greenwich Divisional Office at no.2 Greenwich High Road (at the junction with Blackheath Rd) and the former Manual Training Centre at no.5 Blackheath Road. Their retention provides benefits that will be discussed later in this report; however their design, position, scale and orientation also define character and appearance of the application site.
- 10.2.3 In particular, the two former LSB buildings are aligned parallel to Greenwich High Road and the space in between forms an attractive courtyard, albeit in need of restoration. The former Greenwich Divisional Office building at the corner of the site is aligned to Greenwich High Road and ties the group of buildings to the terraced row to the north. The former Manual Training Centre and Greenwich Magistrates buildings are aligned to Blackheath Road; however the similarities in the design of the two LSB buildings provides the visual link that creates a relationship between the corner building and the listed courthouse building that strengthens their group value.
- 10.2.4 The proposed development identifies this feature of the site and its importance to the Conservation Area by providing a linear layout to the proposed development that is set to the alignment of the existing former LSB buildings. This establishes the integration between the existing and the proposed buildings in the development, which is immediately noticeable when viewed from the south-western entrance of the development, as demonstrated in views 6, 7, and 8 of the townscape analysis. Whilst the layout is perpendicular to the listed building, Officers consider it relates positively

due to the group value formed by the close relationship between the existing buildings.

- 10.2.5 The proposed layout creates a public square between the former LSB buildings, which becomes a focal point in the development by making this the main entrance to the proposed hotel. This allows the courtyard to be used as a sitting out / dining area, which gives the opportunity for guests and visitors to experience the historic significance of these buildings and demonstrates the heritage led approach to the proposed design.
- 10.2.6 The proposed layout also identifies the importance of another key space, which adjoins the historic courtroom and would be opened up by the removal of later intrusive additions. As indicated in the Design and Access Statement, the link to this space from the courtyard is an important aspect of the historic experience of the proposed development. This feature is used to shape the layout of the proposed blocks to the rear of the listed building as well as the proposed rear extension to the listed building. It is considered that this further demonstrates the heritage led approach to the proposal.
- 10.2.7 The proposed linear layout also helps to break up the bulk of the proposed development, which was found to be a barrier in the early stages of the pre-application design evolution as this created a poor relationship with the listed building, and Ashburnham Triangle Conservation Area. The north-south orientation of the blocks also allows for light to penetrate through the gaps of the buildings, which provides light access to rooms and amenity areas as well as preserving the light access to the neighbouring properties to the north of the site. Furthermore, the layout also helps to reduce the massing of the proposal when experienced from the neighbouring properties to the north, which helps to mitigate the overbearing impact this has on their amenity.
- 10.2.8 Officers also note that 14 rooms will be wheelchair accessible. Occupational Therapists have agreed the submitted layouts would generally meet the requirements of Document M Volume 2: Buildings other than dwellings (2015). To ensure full compliance a condition requiring an assessment of detailed drawings will be conditioned.
- 10.2.8 Officers consider the vehicular access to the site is challenging due to its location fronting two main busy roads, one being a Transport for London Road Network (TLRN) designated road. The existing access off Greenwich High Road is therefore proposed to be retained for the proposal and would serve as an access for the wheelchair visitor parking in the basement and the delivery, servicing and coach drop-off area at the ground floor level within an internal access route. It is considered that this integrates well with the



established layout as described above as it allows visitors to enter directly into the lobby from either the main entrance off Blackheath Road or from the coach drop-off or secondary pedestrian entrance from Greenwich High Road. The Design Review Panel advised that the arrival experience for visitors to the hotel should be a critical element of the design and it is considered that the proposed design has achieved this in its layout.

- 10.2.9 Overall it is considered that the proposed layout demonstrates a heritage led approach to the proposed development, whilst also considering the amenity of the neighbouring properties and achieving a welcome arrival experience for its guests. The proposed layout of the scheme is supported by officers and demonstrates high quality design.

### 10.3 **Scale, bulk and mass**

- 10.3.1 In addition to the policies discussed earlier in section 10.1, the draft London Plan (2019) provides more detailed policies in relation to the scale and massing of buildings. Draft Policy D1, part A(2) requires the form and layout of a proposal to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. They must also achieve outdoor environments that are comfortable and inviting for people to use.
- 10.3.2 There are a number of contributing factors in the context of the application site that affects the scale, and amount of bulk and mass, that is appropriate for its redevelopment. Firstly, the existing buildings on the site are low rise (being 2 to 3-storeys in height) and include a grade II listed building and 2 buildings that positively contribute to the character and appearance of the Conservation Area.
- 10.3.3 Secondly is its relationship with the Ashburnham Triangle Conservation Area. The adjoining properties along Greenwich High Road to the north and Blackheath Road to the east have a height of 3-storey plus roof level whilst those in Catherine Grove and Burgos Grove are 2 to 3-storeys in height. However, in the same urban block and adjoining the application site to the north-east is the Double Tree by Hilton Hotel, which is 10-storeys and is the tallest building in the Conservation Area. The terraced group across Greenwich High Road to the west are 3-storeys in height whilst the contemporary development closer to Deptford Bridge increases in height to 7-storeys and are all within the Conservation Area.

- 10.3.4 The Ashburnham Triangle Conservation Area Appraisal (2008) discusses the factors that contribute to the townscape character in the wider Conservation Area, which includes “*The relative consistency and character of the scale and height of buildings. Typically these are three floors, but often lower, and also with rooms at basement level or in the roof. Some of the 20th century Council apartment blocks rise up above this.*” The consistency of lower heights is illustrated to a degree in the figure titled Urban Grain & Building Heights in section 2.4 of the submitted Design and Access Statement, however it also highlights the taller developments to the north of the site that are within the Conservation Area and were constructed post- adoption of the Appraisal. Whilst there has been some erosion of this uniform height to an extent within the Conservation Area, there is still a predominance of low-scale height but this is concentrated more in the residential areas. Furthermore, the grade II listed Mumford Grains Silo sits within the setting of the Conservation Area and contributes to its character and appearance. It is also 10-storeys in height and acts as a local landmark and should to be considered in the context of the proposed development.
- 10.3.5 The buildings outside of the Conservation Area are the next factor in the context of the site and the most immediate of these is the 6-storey hotel opposite the site to the south. Unlike the fine grained nature of the Conservation Area, this development is set on a larger footprint and its scale reflects the location’s proximity to public transport nodes and local centres. Distillery Tower, which is located on the other side of Deptford Bridge (within the London Borough of Lewisham), is 27-storeys in height and being located only 125m from the application site also forms a consideration in the context of the proposal.
- 10.3.6 It is considered that there is a varying degree of height and scale of the built environment in the surrounding context of the site. Whilst there is a general uniformity within the Conservation Area, there are later additions and a nearby listed building that are larger. There is also an increase in height and scale towards the Deptford Bridge DRL station, and developments adjoining the DLR line. These aspects are well documented within the Design and Access Statement submitted in the application.
- 10.3.7 The proposed new building fronting Greenwich High Road (Block I) would be 6-storeys in height where the block attaches to the retained corner building and steps down to 5-storeys where it adjoins to the neighbouring terraced row to the north, which are 4-storeys in height. Whilst the elevations illustrate that Block I would be noticeably larger in scale in comparison to the adjoining buildings, when viewed along the movement corridors as demonstrated in the Townscape Assessment (views 6, 7, 8) it is considered

that the larger scale responds well with its surrounding context. The high quality elevation design assists to break up this bulk and allows the proposed building to form a positive relationship with the traditional scale and features of the existing buildings rather than compete with them. Furthermore, the scale of the proposal responds to the established increase in the scale of buildings around Deptford Bridge DLR station and the taller height of the Double Tree Hotel building and Mumford Mills buildings, which both form part of the context of the Conservation Area.

- 10.3.8 Block 2 is located behind Block 1 from Greenwich High Road, and is located behind the former Manual Training Centre from Blackheath Road. It would be 7 storeys in height, which makes it the largest in the proposal; however its location set well back from the street behind the retained buildings mitigates any overbearing impact it creates on the amenity of the public realm. Together with Block 1, Block 2 is proposed to consist of materials and features that relate well to the retained buildings; in particular the use of gable roof forms, which is present on all three of the existing buildings. The design of the three bay windows on the southern elevation of Blocks 1 and 2 also reflects the window design of the former Manual Training Centre and the use of metal cladding to the projecting part of the blocks allows the proportion of the brick element to relate better to the proportions of the gable features of the LSB and Magistrate Court buildings. Therefore whilst there is an acknowledged contrast between the scale and bulk of the proposed new and existing buildings on the site, it is considered that the design allows these new Blocks to create an aesthetically appealing backdrop that relates well to the historic character of the retained buildings. This is demonstrated in views 6, 7 and 8 of the Townscape Assessment.
- 10.3.9 The proposed location of Block 3 is to the rear of the Courthouse and whilst it would be 5-storeys in height it would only be visible from the DLR station platform which is a raised viewpoint, partially seen from Blackheath Road from the west shown in view 7, and it can be partially seen from view 12 along Catherine Grove. Its design is similar to Blocks 1 and 2, which is contextual and of a high quality which helps to mitigate its bulk and scale. Only a small section of the roof and the gable end on the top floor would be visible from the platform, which is acceptable as this relates well with the other proposed blocks and the existing buildings. The views from Catherine Grove are dominated by the existing Double Tree hotel with the 27-storey Distillery Tower rising up in the background and therefore the historic value of this view is already compromised. As such Officers perceive the bulk and scale of Block 3 from this view is considered not to be harmful.

- 10.3.10 The proposal for Block 4 is a two and a half storey height which aligns with the majority of the height of the neighbouring development at 44 Catherine Grove. It is considered that Block 4 responds to the sensitivity of the adjoining residential properties and is acceptable in bulk and scale at this location of the site. The proposed extension to the rear of the Magistrates Court building replaces existing intrusive additions and matches the eaves height of the listed building. The proposed extension would also reflect the width of the Magistrates Court and would attach to the listed building by a glazed link. Whilst it would not be externally visible, it is considered that the scale and bulk of its design respects the significance of the listed building and sits comfortably within its setting.
- 10.3.11 The stepped heights of the proposed blocks demonstrate that the development has been deliberately and carefully designed to mitigate its impact on the historic values of the site and surroundings, and adjoining residential amenity. It is acknowledged that the proposal contains blocks with heights that are larger than most of its immediate surrounds; however the surrounding context includes buildings of 10-storey heights and there is a general increase in scale around the Deptford Bridge Station, which includes the 27-storey Distillery Tower. The verified views provided in the application demonstrate that the scale of the development responds well to its surrounding context and the bulk and massing is reduced by the high quality and contextual design. Overall, it is considered that the scale, bulk and mass of the proposed development is acceptable.
- 10.4 **Architecture and materials**
- 10.4.1 As discussed in the previous section, the proposed development is designed to reflect the character and appearance of the existing buildings on site and surroundings. This is achieved through the design of its built form, façade treatment, proportions, and materials, to create a contemporary interpretation of traditional buildings found in the area.
- 10.4.2 As confirmed already within the design assessment, the proposed new buildings consist of materials and features that relate well to the retained buildings; including the use of gable roof forms, and brick facades with red brick detailing. The window designs on the gable elevation reflects that of the Manual Training Centre whilst the elevation along Greenwich High Road reflects the traditional proportions of the terraced houses that adjoin the site. These proportions are applied to all elevations creating uniformity of the design. Traditional quality materials will be employed but detailed in a contemporary manner to create a modern interpretation of traditional design.

- 10.4.3 The internal elevations of the new blocks include perforated metal cladding, which consists of a perforation pattern that reflects the details of the glass and metal skylight found in the court room. The use of glazed links creates a distinction between the historic and new parts of the development and increases the visibility of the heritage assets. The roof design also reflects the skylight of the courthouse and whilst modern still draws references from the details and patterns found in the Magistrates Court.
- 10.4.4 An issue was raised with regards to privacy and overlooking onto the Hilton DoubleTree from the north elevation of Block 2. The applicant has agreed that all windows on the north elevation of Block 2 to be non-openable, obscured by black painted glass with no light spillage. This will be conditioned which will be attached to any permission given.
- 10.4.5 It is considered that the proposed architectural design and materials successfully reflects and compliments the details and character of the existing historic buildings on the site without necessarily replicating it. As a result the proposed development responds well to the historic context of the site and surrounding properties within the Ashburnham Triangle Conservation Area.
- 10.4.6 It is considered that the choice of materials and their use in the proposal responds appropriately to the existing context and the use of different facade treatments provides variety and a distinctive style to each elevation whilst providing a unified composition across the development as a whole. The approach to the architecture and design is therefore supported and conditions will ensure that a high quality of detailing and materials will be used in the completed development and retention of the scheme architects in the construction process.

## 10.5 **Impact on Townscape**

- 10.5.1 In addition to the design related policies already highlighted, Policy 7.7 of the London Plan (2016) states that applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the following criteria:
- a) Generally be limited to sites in the Central Activity Zone, opportunity areas, and areas of intensification or town centres that have good access to public transport
  - b) Only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building

- c) Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level;
- d) Individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London
- e) Incorporate the highest standards of architecture and materials, including sustainable design and construction practices
- f) Have ground floor activities that provide a positive relationship to the surrounding streets
- g) Contribute to improving the permeability of the site and wider area, where possible
- h) Incorporate publicly accessible areas on the upper floors, where appropriate
- i) Make a significant contribution to local regeneration.

10.5.2 The same approach is set out locally by Policy DH1 of the Greenwich's Core Strategy, which states that all developments are required to achieve a high quality of design by taking into account the existing townscapes and established layout and spatial character of an area. Policy DH2 supports tall buildings in this location and, based on these policies, guidance in the Kidbrooke SPD sets out the expected urban form for the area, with the hub where the site is located acting as its landmark focal point.

10.5.3 The submission includes a Greenwich Magistrates Court – Heritage, Townscape and Visual Assessment, which has tested 12 viewpoints that would be impacted by the proposal with the use of Accurate Visual Representations (AVRs). These views allow a general mix of views which illustrate the urban relationships likely to arise between the development and surrounding heritage assets and local urban vistas.

10.5.4 The views provided along Greenwich High Road show the visual impact of the proposal on the townscape and street scene approaching the site from the north. View 3 outside of No.43 Greenwich High Road establishes views from this distance north of the height and form of Block I including the two gables and its stepped profile. The western elevation of the development fills in a gap in the streetscape, and obscures the view of the LSB building on the corner creating a continuous façade and sense of enclosure to the approach of Blackheath Road and Greenwich High Road from the north.

10.5.5 Approaching closer to the site from the north, View 4 from outside No.39 Greenwich High Road, and View 5 from No.27 Greenwich High Road, provides a more visual and detailed perspective of the scale and mass of the

part five and part six storey western elevation of Block 1. The detailing of the proposed brick within its context, and the proportion of vertical co-joining of the fenestration is clearly apparent, and reflects the Georgian and Victorian character of the conservation area. Furthermore the design includes the horizontal aligning of the fenestration with the Courtyard Terrace to the north. These views confirm the scale of Block 1 within the street scene, reflecting the size and mass of the buildings in the area such as the Travelodge along the southern side of Woolwich Road. Officers consider the design is contextual, and of good quality, which includes three distinct sections along this elevation of, lower, middle, and top, which provides a sympathetic appearance in relation to the adjoining buildings. This ensures that the immediate street scene and the conservation area are enhanced. While positive design benefits are identified, Officers do consider the scale and height of Block 1 much larger than the surrounding properties on Greenwich High Road, this concern is picked up within the Impact on heritage Assets section.

- 10.5.6 The two views provided from Catherine Grove show that the tops of the gables of Block 1, 2, and 3 can be seen between the sky gap between buildings within the vicinity such as the DoubleTree Hotel and the Grade II Listed Miller General Hospital. The form and appearance of the roofs will add interest and legibility to the general townscape, and a point of reference to the southern boundary of the conservation area.
- 10.5.7 In the three views provided from the south west of the site along Blackheath Road and the DLR Platform, the frontage of the two LSB buildings can be seen, and the front façade of blocks 1, 2, and 3 are also visible, the depth and scale of the proposed development is fully apparent. Officers consider the visual appearance of the proposed blocks reflects that of the existing character in materials and expression but with contemporary details, and the scale of the proposed blocks reflect the larger former educational buildings along Blackheath Road. From View 8, opposite the site, the proposed block 1 and 2 appear the same height and scale, Officers consider this compatible and in harmony with the three existing buildings from the street scene, with a courtyard space providing a clear entrance to the site. It is noted the listed former Magistrates Court retains its full skyline from this view, which respects the appearance of the Grade II listed building from the street scene.
- 10.5.8 View 9 from outside No.84 Blackheath Road, which is east of the site identifies that the ridgeline of the seven-storey Block 2 can be seen from this location. Officers consider that whilst the visibility of the proposed development impedes an element of the skyline it does not harm the appearance of the Ashburnham Triangle Conservation Area. It should also be

highlighted that the proposed development includes the cleaning, refurbishment, and repurposing of the three existing buildings, furthermore, a new façade will replace the existing blank gable wall of the former Divisional Office. This is fully appreciated in View 11. These changes and improvements will enhance the character and appearance of the immediate street scene, the conservation area, and improve the setting and character of the listed building.

10.5.9 Whilst there is a proposed increase of scale and mass in the northern area of the site created by the proposed blocks that impedes the skyline from views surrounding the site. Overall it is considered that the proposed development makes a positive contribution to the townscape defined within the Ashburnham Triangle Conservation Area. Furthermore, the proposed new blocks create a positive relationship with the existing buildings, providing a physically cohesive and joined up development within the street scene, and a landmark at the south western corner of the Ashburnham Triangle Conservation Area. It is also noted the continued frontage along Greenwich High Road, and the creation and access of a public square from Blackheath Road improves the site relationship with the adjoining public realm. It is therefore considered that proposed development would have an acceptable impact on the local townscape and meets the criteria for assessment of tall buildings set out in Part C of policy 7.7 of the London Plan (2016).

## 10.6 Impact on Heritage Assets

10.6.1 Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duties of Local Planning Authorities in regards to the protection of listed buildings and conservation areas. Section 66 states *“In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”* Section 72 states *“In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

10.6.2 Paragraph 192 of the National Planning Policy Framework (NPPF) (2019) states that in determining planning applications all local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Furthermore, Paragraph 189 states that when determining applications, local planning authorities (LPAs) should require an applicant to



describe the significance of any heritage assets affected, including any contribution made by their setting. This should be sufficiently detailed in order to allow the potential impact on the heritage significance and be proportionate to the heritage's importance.

- 10.6.3 Paragraph 193 advises that when planning decision makers are considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 10.6.4 Paragraph 194 sets out that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.6.5 London Plan (2016) policy 7.8 requires development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Core Strategy (2014) policy DH(h) expects developments to pay special attention to preserving or enhancing the character or appearance of the Conservation Area. The local scale, the established pattern of development and landscape, building form and materials will all be taken into account. Policy DH(i) requires proposals for external or internal alterations or additions to Listed Buildings to respect the integrity of the buildings and harmonise with their special architectural or historical character. Proposals for changes of use of Listed Buildings will only be granted planning permission if it is no longer in its original or other established historic use and the new use is beneficial to the building and is compatible with its character and features of historic interest.

### **Impact on Greenwich Magistrates Court**

- 10.6.6 The Historic England listing of the grade II listed Magistrates Court is as follows:

*'Magistrates Court with police station.*

*1909, designed by John Dixon Butler FRIBA, Architect to the Metropolitan Police, in a free Classical Style. Builders Patman and Fotheringham. Faced in Portland stone with Westmorland mansard slate roof with four stone chimneystacks. Other elevations red brick in Flemish bond.*

*EXTERIOR: Symmetrical front of two storeys and attic with eight bays to central section and remaining windows in projecting pedimented wings. Rusticated ground floor. Stone balustrading to central eight bays incorporating central semi-circular tablet with Royal Coat of Arms, carved in stone by Lawrence Turner. Central part has six flat-roofed dormers set behind the balustrading. First floor has 12-light sashes in moulded architraves with enriched keystones. Ground floor has large 18-pane sashes with similar keystones. Central portico has half-dome with urn finial supported on four Ionic columns and double doors up a flight of stone steps. Left and right side doors have bolection-moulded architraves and double doors. Projecting end wings have Ionic pilasters to two upper floors, paired 12-pane sashes with aprons to second floor, triple sash window to first floor and curved three-light bow to ground floor. Further stone balustrading at street level.*

*INTERIOR: Police station foyer to left side of main entrance has a mosaic tiled floor with MP monogram (for Metropolitan Police) laid by Messrs Diespeker. The leaded lights in the hall are glazed with coloured glass by William Morris and Sons. The door to Court 1, the principal courtroom, leads from the foyer. It is top lit with a decorative plaster frieze around the light well, a monogram of Edward VII in plaster above the bench on either side of the Royal Arms, (the plasterwork by a Mr Bankart, with the bench in a curved recess, up three steps. The Courtroom has mostly original fittings. The original main staircase is of oak with square newel post with ball finial, moulded handrail and turned balusters. There are two classical wooden fire surrounds in the principal offices on the first floor. Court 2 on the first floor was refurbished c1980. Court 3 has a separate street access and is c1960.'*

- 10.6.7 There are a few features proposed for demolition that are of architectural and historic interest, which include the removal of corner chimney breasts in the ground floor Social Services Room, Administration Officers Office, and Advocates Interview Room, and Police Liaison Office, and the ceramic tiled stairway between the Advocates Interview Room, and Police Liaison Office. Furthermore the LBS Divisional Office and the neighbouring Central School Building would be extensively demolished behind their facades. Historic England have requested that they would prefer to see a number of original features of the Grade II Listed Building proposed to be demolished should be retained, including a timber staircase, ceramic staircase and chimney breasts.
- 10.6.8 Whilst the removal of specific features of historical interest is proposed within the Grade II Listed Building, Officers consider that the proposal has attempted to retain and restore areas of high interest within the listing, including the front rooms, the entrance hall, the waiting room, and the court room, and made publicly accessible with food and beverage uses. Any removal of features of historical interest is proposed in light of the layout of the proposed hotel, and the use of areas of high interest is configured to be

enhanced within the layout. The retained public waiting room and court room will have new openings where necessary in order to support the new uses while retaining as much as possible of the original fabric and detail of the building. In addition the poorly constructed rear additions to the existing Magistrates Court will be demolished and replaced by four new blocks that have a high quality design, appearance, and form, which integrate positively with the Grade II Listed Building.

- 10.6.9 Furthermore the current poor state of repair of the Greenwich Magistrates Court means that the building could in the near future be identified on Historic England's Heritage at Risk Register. The proposed restoration and alterations to the Grade II Listed Building facilitates the change of use of the building, subsequently safeguarding its heritage value and appearance, and increasing the public access within the building.
- 10.6.10 Overall Officers consider the general restoration and removal of certain internal features of historical interest within the Greenwich Magistrates Court facilitates the building to be safeguarded as part of a compatible development and use, ultimately bring a heritage asset that has fallen into disrepair within the borough back into use, and providing enhanced public access to its key historical features and character. Officers consider the proposal has clear benefit to the setting and character of the Grade II Listed Building and is fully supported.

### **Impact on Ashburnham Triangle Conservation Area**

- 10.6.11 The proposed extension to the listed building at ground floor, and the four new blocks that range from 2 to 7 storeys are a significant external change in scale, mass, height, appearance and form on the site than what is currently existing. Whilst the design is considered to relate well to the character and setting of the conservation area, and the form and appearance detail has been taken from the Greenwich Magistrates Court and nearby London School Board buildings along Blackheath Road. It is considered that the height and scale of the proposed blocks does create an element of harm to the Ashburnham Triangle Conservation Area due to the views from the street scene surrounding the site. Historic England has reaffirmed Officers view of an impact by confirming the Greenwich High Road frontage should be reduced in height. Therefore it is considered an element of harm to the conservation area is created based on the height, scale and form proposed within the site. Officers identify this specific harm as less than substantial harm to the significance of the conservation area, as such this harm should be weighed against the public benefits of the scheme.

10.6.12 Officers consider the multiple public benefits of the scheme do significantly outweigh the harm from the proposed height and scale of the four blocks, the identified public benefits of the proposed development are as follows:

- The restoration, refurbishment, and long-term upkeep of the Grade II Listed Greenwich Magistrates Court.
- The proposed blocks are of a high quality contextual design that includes high quality materials that integrate all the existing buildings on the site.
- The Grade II Listed building can be accessed and used by the public within a compatible use.
- The operation of the hotel will provide the equivalent of 107 to 157 full-time jobs.
- The proposal removes the existing poor quality extensions that currently detract from the significance of the Listed Building.
- The restoration and refurbishment of the two LSB buildings that improve the character and appearance of the site within the Ashburnham Triangle Conservation Area.
- Accessible hotel rooms
- New public square
- Available community facility

10.6.13 As such Officers support the enhancement made to the setting and character of the Grade II Listed Building, and consider the harm identified to the character of the Ashburnham Triangle Conservation Area is far outweighed by the multiple and important public benefits of the scheme. The application is therefore compliant with NPPF (2018), Policies 7.6 and 7.8 of the London Plan (2016), Core Strategy Policies DH1, DH3, DH(h), DH(i) and H5, and the Ashburnham Triangle Conservation Area Appraisal (2010).

## **11. Impact on the amenity of adjoining properties**

11.1 Policy 7.6 'Architecture' of the London Plan 2016 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing etc. Policy DH(b) 'Protection of Amenity for Adjacent Occupiers' of the Core Strategy 2014 states that new development will only be permitted where it can be demonstrated that the proposal does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an un-neighbourly sense of enclosure.

11.2 The existing site is predominantly very open in the context of its current urban location due to the large unused car park at the rear of the site. To the south of the site is a mixture of commercial and residential properties along the southern side of Blackheath Road, to the west of the site are residential properties on the opposite side of Greenwich High Road at predominantly three stories in height. To the north of the site along Greenwich High Road are residential units that are three storey plus mansard roof, and two storey properties along Burgos Grove, although a car park creates a spatial buffer between the site and these properties. At the eastern boundary are three storey properties along Blackheath Road which include residential on the upper floors. Additionally, to the east, is a mixture of two and three storey properties that form the western side of Catherine Grove.

### 11.3 Sunlight, Daylight, and Overshadowing

11.3.1 A Daylight and Sunlight Report (March 2019) has been submitted in support of this application, with the potential effects of the proposal on the daylight and sunlight amenity on the surrounding properties. The Report states the methodology used in their analysis was undertaken in accordance with the Building Research Establishment (BRE) guidelines "Site Layout Planning for Daylight & Sunlight. A Guide to Good Practice" (referred to in this report as the BRE Guidelines). The properties highlighted below are understood to be the only residential buildings that could be affected by the proposed development as all other adjacent buildings will pass the preliminary 25-degree line test recommended by the BRE Report.

11.3.2 The BRE guidelines are accepted as the relevant guidance to assess impacts on light from development on neighbouring residential properties and are referred to in the London Housing SPG (2016). Where these guidelines are exceeded then sunlight and/or daylight may be adversely affected. The BRE Guidelines provide numerical values; however the document emphasises that the advice given is not mandatory and the guide should not be seen as an instrument of planning policy. These (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

**Daylight:** the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

- a) *The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or*
- b) *The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not*

*reduced by greater than 20% of its original value. It should be noted that the BRE guidelines suggest a 20% reduction in NSL would represent an acceptable loss of daylight within a room.*

**Sunlight:** the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

- a) *In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period; and*
- b) *In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.*

11.3.3 The Sunlight and Daylight Assessment explores the impacts to the properties surrounding the site, which includes various different locations of individual and grouped buildings. It confirms properties in the following locations would not experience any light or overshadowing impacts as a result of the proposal:

- 44 Catherine Grove
- 46-50 Catherine Grove
- 15-21 Blackheath Road
- 11 & 13 Blackheath Road
- Nevada Building
- Brooklyn Building
- Hudson Building
- 3-9 Greenwich High Road
- 30-32 Greenwich High Road
- 2 Burgos Road (Grade II Listed)
- 6 - 16 Burgos Road

The table below identifies the properties that have recorded breaches:

Relevant Properties	Total Vertical Sky Component (VSC) breaches	Total No Sky Line (NSL) breaches	Total both VSC & NSL breached	Total Annual Probable Sunlight Hours (APSH)

				breaches
11 Greenwich High Road	1	0	1	2
13-15 Greenwich High Road	3	1	4	4
17 Greenwich High Road	3	2	5	2
19 Greenwich High Road	14	7	21	6
21 Greenwich High Road	11	5	16	7
1 Courtyard Terrace	7	0	7	5
2 Courtyard Terrace	6	0	6	4
3 Courtyard Terrace	2	0	2	3
4 Courtyard Terrace	0	0	0	1
34 Greenwich High Road	1	0	1	0
4 Burgos Grove	0	1	1	0
Total	48	16	64	34

11.3.4 A number of properties identified in the table above would only experience minor breaches in VSC and NSL which are 11 Greenwich High Road, 3 and 4 Courtyard Terrace, 4 Burgos Grove, and 34 Greenwich High Road. Officers consider overall these breaches minimal, and therefore acceptable. Officers have analysed in detail two groups of properties that will be notably affected by the proposal, which is 13 – 21 Greenwich High Road to the west of the site, and 1 – 2 Courtyard Terrace to the north.

11.3.5 It is identified that 3 of the 7 rear windows at No. 1 Courtyard Terrace, in relation to VSC would experience an alteration in excess of 40 % level of effect. A further 3 of 7 rear windows would experience an alteration of 30-39.9% level of effect. The 7<sup>th</sup> window would experience alterations of 20-29.9% level of effect. All but one of the windows will retain a VSC of between 16% and 23%. This can be considered an acceptable level of daylight in the context of the urban environment. The exception is a window/patio door serving the basement room has a lower VSC of 11.2%, in part due to its basement location. The existing VSC level achieves 15.7% therefore the absolute reduction is relatively small (4.5%). Furthermore the space the

window serves will retain an annual daylight factor (ADF) of 1.5% which is the BRE recommended target for a living room. Given the consideration of the sites urban location and that the site directly adjacent the site is open and underdeveloped, the reductions in daylight to this property can be considered acceptable.

- 11.3.6 No.1 Courtyard Terrace will experience some noticeable reductions in sunlight, but the first floor and above will retain BRE compliant total ASPH values (above 25%). The ground floor room will retain slightly less total APSH (20%), and the basement level window will retain a lower level of sunlight again (13% of total APSH). While none of the windows will retain the recommended 5% of APSH in winter, this is not unusual in an urban location. Overall sunlight amenity to the property will remain commensurate with that for a central urban location after development.
- 11.3.7 As No.2 Courtyard Terrace, and the properties further north are a greater distance from the site the daylight and sunlight levels would be higher than No.1 and as such are acceptable for its urban location.
- 11.3.8 An analysis of the western side of Greenwich High Road, shows that 13 – 15 Greenwich High Road would have 3 breaches of VSC these are only marginal, and all three windows retain a minimum value of 23% VSC, which represents a good level of daylight for an urban location. Furthermore the NSL impact to two of the three rooms the rear windows serve is minimal and fully compliant with BRE guidance. The third room will experience an NSL reduction of 28%, but the room will continue to receive direct skylight to over 70% of its area. Therefore the retained daylight levels to this property will remain high for an urban location. Furthermore, the impact on sunlight levels is minimal, and fully complies with BRE Guidance.
- 11.3.9 The three properties of 17 – 21 Greenwich High Road are the most significantly affected with 10 of 35 windows would be in excess of 40% effect relating to the VSC, 13 of 35 windows would experience an alteration of 30-39.9% level of effect, and 4 of 35 windows would experience an alteration of 20-29.9 % level of effect. Whilst No.17 has a proportionate loss of 40% VSC value at first floor level windows, the resultant value of 20% and 21% represents a good level of daylight for its urban location. The second floor window daylight level will retain a good value of 24%. The room the window serves is also served by two roof lights. There are identified reductions in VSC at 19 & 21 Greenwich High Road but will remain largely in excess of 18% which is a good level of daylight. The exceptions are four ground level windows which will retain marginally lower VSC values of between 16.7% and 17.8%. This level of daylight is still acceptable in this location based on BRE



Guidance and GLA Daylight and Sunlight Assessment Tests, and compares favourably with the existing levels of daylight reaching parts of the ground floors of the buildings to the south of the site across Blackheath Road. The sunlight impacts (NSL levels) on all three properties as a result of the proposal are minimal and are considered to fully comply with BRE Guidance.

- 11.3.10 An overshadowing assessment has been undertaken as to the effects of the proposal on the sunlight amenity to the neighbouring gardens/amenity spaces to the north of the site, and the courtyard space to 44 Catherine Grove to the east. The assessment has been undertaken in relation to the BRE 2 hour sun on ground test.
- 11.3.11 The sunken nature of the courtyard spaces (located at basement level) at 1 – 4 Courtyard Terrace means these properties receive poor sunlight amenity in the existing situation. Predominantly all of the units within the courtyard do not have direct sunlight, as such, there cannot be any material reduction in the area that can receive 2 hours of direct sunlight on March 21st, and the proposal therefore accords with the quantitative BRE overshadowing guidance.
- 11.3.12 The large garden to the rear of 4-10 Burgos Grove will experience a minor reduction in the area that can receive 2 hours of sunlight on March 21st, with more than 50% of the area continuing to be able to do so after development. This is therefore within the BRE overshadowing guidance and is acceptable.
- 11.3.13 At 44 Catherine Grove there will be no reduction in the area of the courtyard space to this property that is able to receive at least 2 hours of direct sunlight on March 21st. Therefore this property would not be impacted by the proposal on grounds of overshadowing. Properties 30-34 Greenwich High Road would not be impacted by any overshadowing affects based on the evidence submitted.
- 11.3.14 It is concluded that overshadowing impacts from the proposal are within acceptable levels based on BRE 2 hour sun on ground test.
- 11.3.15 The Daylight and Sunlight Assessment concludes that the daylight, sunlight and overshadowing levels of the majority of properties surrounding the site are not impacted. A number of properties do have identified impacts with regard to daylight / sunlight levels, namely 17 – 21 Greenwich High Road, and 1 – 2 Courtyard Terrace are in excess of the current default BRE guidance. However it is confirmed within the assessment that existing light levels received by these properties are unusually high for this urban location as the existing site has vacant and underutilised areas. Therefore some proportional

reductions in excess of default BRE guidance will be inevitable with any scheme that optimises the full development potential of the site.

11.3.16 There will be specific neighbouring properties that will be impacted by the proposal, and will receive lower levels of daylight, these levels are not uncommon in the application sites urban location, and the proportional reduction is considered acceptable. As the levels of daylight reaching these properties would still achieve good overall amenity internally. Officers therefore consider in the context of the proposal's location, and the acceptable daylight, sunlight, and overshadowing levels confirmed at neighbouring properties, the proposal is acceptable on these amenity grounds.

#### 11.4 **Outlook, privacy and sense of enclosure;**

11.4.1 The location of the proposed development adjoins existing properties to the north and east, and adjoins the highway to the south and west. Officers consider due to the spatial buffer provided by Greenwich High Road and Blackheath Road, the properties located to the south and west would not be adversely impacted with regards to neighbouring amenity of the residential properties in this location.

##### 11.4.2 *No. 1 – 2 Courtyard Terrace*

To the north, adjoining the northern boundary of the site is No. 1 & 2 Courtyard Terrace which are three-storey plus mansard roof terrace properties. Officers have not included No.3 and No.4 due to the spatial distance of these properties from the application site. The proposal includes Block 1 an adjoining five storey structure to No.1 Courtyard Terrace, creating a building line along the western boundary that rises to six-storey closer to Blackheath Road. The main building line proposed along Greenwich High Road projects further towards the highway than No.1 Courtyard Terrace by 1.23m. Officers consider this projection is minimal and would not adversely impact the outlook, privacy, or sense of enclosure at the front elevations of No's 1 - 4 Courtyard Terrace.

11.4.3 The ground floor level along the northern boundary is built-up by a rear wall that forms the internal area at this level, with the exception of the court yard garden between Block 3 and Block 4. At first floor level Block 1 projects 3.57m beyond the rear elevation of No.1 Courtyard Terrace, a void of 7.07m is then created for the podium level of the proposed development between Block 1 and Block 2. At the end of the proposed podium is the rear façade of Block 2 which is a proposed 7-storey building, which is 15m in width. Block 2 has also been set back from the northern boundary, and is approximately 13.1m from the rear elevation of No.1 Courtyard Terrace.

- 11.4.4 It is noted that the existing garden levels of the Courtyard Terrace properties are at basement level and do have an existing level of enclosure, and restriction on outlook. Furthermore there is an existing wall and fence at the northern boundary that adjoins No.1 Courtyard Terrace this creates a physical and visual separation from the existing car park and the sunken gardens of these neighbouring properties. The design of the proposal has intentionally provided spatial breaks between the blocks along the northern boundary that reduce the cumulative bulk of the scheme on neighbouring properties, and allow daylight and sunlight through the development.
- 11.4.5 Officers consider as the proposed development adjoins No.1 Courtyard Terrace to the side of the property, the 3.57m projection of Block 1 would not create any adverse impacts relating to outlook, privacy, or sense of enclosure, due to the proportionate depth and angle from the neighbouring property. Block 2 has been intentionally distanced from Block 1 to reduce the bulk and scale of the proposal to alleviate any overbearing and sense of enclosure impacts to an acceptable level, and allows light to travel through the gap between buildings. Given the 13.1m distance from the rear elevation of No.1 Courtyard Terrace and in the context of the sites urban location, Officers consider on balance the design of the scheme has off-set any adverse impacts on outlook, privacy, and sense of enclosure from the proposed north elevation on to the Courtyard Terrace properties bulk and scale of Block 2 on the closest neighbouring properties of Courtyard Terrace.
- 11.4.6 The proposed development initially created an opportunity of overlooking from the western elevation of Block 2 onto the nearest Courtyard Terrace properties. However the applicant has mitigated this concern by proposing the inclusion of a decorative metal screen in front of the last bedroom window at second and third floor bedrooms. Officers consider there would be no adverse amenity impacts relating to overlooking of properties No. 1 to 4 Courtyard Terrace.
- 11.4.7 The DoubleTree by Hilton is also to the north of the site, but this assessment only relates to residential uses, therefore impacts on users of this building is not a consideration. Officers consider the spatial distance from the northern boundary to properties along Burgos Grove provides a sufficient buffer to mitigate any adverse impacts on amenity on the occupiers of these properties.
- 11.4.8 For the purposes of this assessment impacts on outlook, privacy, and sense of enclosure Officers consider due to the scale of development proposed along the western boundary and spatial distance from the site boundary, 15 – 19 Blackheath Road, and 46 & 48 Catherine Grove, will not be subject to any adverse impacts. It should be noted that the ground floor uses of 11- 13

Blackheath Road are of a commercial nature, and are currently an A5 unit and a vacant A4 unit. The upper floors of 13 Blackheath Road based on planning history is a bed and breakfast and will also not be assessed.

#### 11.4.9 Upper floors of 11 Blackheath Road

The upper floors of the property adjoining to the east of the site, at 11 Blackheath Road, based on its planning history is currently a HMO, and therefore as a residential use needs to be assessed in relation to outlook, privacy, and sense of enclosure.

11.4.10 At this location, the depth of Block 4 is proposed as 10.9m, and the southern elevation abuts the rear boundary of 11 Blackheath Road which is the gable end of this block. Adjoining Block 4 is a glass roof that forms the internal corridors of the proposed development which would be 4.65m in height and is of flat form, this would also adjoin 11 Blackheath Road. The eaves height of Block 4 in this location is 7.35m, and the maximum height at the ridge of the dual pitched roof is 9.6m. There are no windows proposed on the southern elevation of Block 4.

11.4.11 The rear elevation located at the existing outrigger of 11 Blackheath Road is 12.50m from the southern elevation of Block 4, and has windows on the first and second floor. As the windows that are relevant are on the upper floors of the property face the western slope of the gable end and the flat glass roof element at 4.65m in height, and there is a distance of 12.50m, Officers consider the bulk and scale of the proposed gable end of block 4 would not adversely impact the residents of the upper floors of 11 Blackheath Road by means of outlook, overbearing and privacy impacts, and a sense of enclosure.

#### 11.4.12 44 Catherine Grove

The existing residential properties that form 44 Catherine Grove adjoin the eastern boundary of the site, and the central court yard of 44 Catherine Grove faces onto Block 4 of the proposed development. Block 4 of the proposed development that adjoins the eastern boundary would be two stories in height with a dual-pitched roof, the eaves height would roughly match that of the north wing of 44 Catherine Grove at 8.65m, with a maximum height of approximately 11m and is orientated north to south in length similar to the other three blocks. The length of Block 4 is measured at 29.67m along the western boundary, but is set back by roughly 0.4m from this site boundary.

11.4.13 To assess the impacts of the individual properties, Officers consider the north and south wing properties should be assessed separately to the west facing units within 44 Catherine Grove.

11.4.14 The north and south wing properties of 44 Catherine Grove face onto the courtyard in a north or south direction. Officers consider that as the location of Block 4 is to the side of these properties, there is a separation distance, and the proposed development would be partially obstructed by the west wing of the property. There are no windows proposed on the western elevation of Block 4. Officers consider there would not be any adverse amenity impact on these properties with regard to any overbearing or privacy impacts, or a sense of enclosure.

11.4.15 The west facing properties of 44 Catherine Grove are opposite the eastern boundary and directly face on to the site and have a separation distance of 11.4m to 12.9m from the elevation of this neighbouring property to the east elevation of Block 4. Officers consider as there is a notable separation distance, and Block 4 is of two-storey height, with a pitch roof that is angled away from these neighbouring properties, Officers consider there is a change in the direct outlook due to the visibility of Block 4 but on balance this is not to an extent that adversely impacts the amenity of these neighbouring properties with regard to outlook, overbearing, and privacy impacts or a sense of enclosure.

#### 11.4.16 1-21 Greenwich High Road

Due to the orientation and distance of properties 1-7 Greenwich High Road from the street frontage of Block 1 Officers consider there would be no adverse amenity impacts on these properties. Properties 9 -21 are in clear view of the frontage of Block 1, whilst the height of the elevation is 7m and 10m higher than the existing Courtyard Terrace properties adjoining the site, the highway that forms Greenwich High Road provides a suitable distance that off-sets any potential impacts with regards to impacts on outlook, overbearing, and sense of enclosure. Furthermore the daylight / sunlight assessment has confirmed light levels internally are acceptable within these properties.

11.4.17 Officers consider that whilst it is noted the proposed development does create a much larger form of development than what is currently found on the site, the overall scale, mass, and layout, on balance does not adversely impact on the neighbouring properties that adjoin or surround the site with regard to means of outlook, overbearing and privacy impacts, and a sense of enclosure.

## **12. Pollution**

### **12.1 Noise and Air Quality**

- 12.1.1 Policy 7.14 of the London Plan (2016) requires that development proposals should minimise exposure to existing poor air quality; promote sustainable design and construction methods to reduce emissions from demolition and construction; be at least 'air quality neutral', not lead to further deterioration of existing poor air quality; and reduce emissions from a development, on-site where feasible. Policy E(c) states that development proposals with the potential to result in any significant impact on air quality will be resisted unless measures to minimise the impact of air pollutants are included.
- 12.1.2 Policy 7.15 of the London Plan (2016) requires that development proposals should manage noise by (amongst other things) avoiding significant adverse noise impacts, separating new noise sensitive development from major noise sources and mitigating noise impacts by using good acoustic design principles. Policies H5, DHI and E(a) of the Core Strategy (2014) together seek to protect new and existing residential uses from adverse noise impacts as a result of development.
- 12.1.3 The creation of a hotel use on the site will increase the number of people coming and going from the site during the day and night. However as there are hotels within the vicinity of the site, including DoubleTree by Hilton Greenwich, and Travelodge Greenwich, Officers consider the additional movements would not cause significant noise and disturbance to existing residential occupiers of the area as the use falls within current uses and activities that currently exist within the vicinity. Furthermore the proposed main entrance to the hotel is located on a major road, opposite the existing Travelodge, over 40m from the nearest residential units opposite on Blackheath Road.
- 12.1.4 Officers recognise that possible noise outbreaks could be generated from the kitchen operations, plant equipment, and general servicing of the building. As such it is recommended that a noise condition is attached to the decision to ensure that all plant equipment is 10dB below the existing background level (LA90 15 min) in accordance with the latest British Standard 4142.
- 12.1.5 An Air Quality Assessment prepared by XCO2 (dated March 2019) was submitted with the application. Dispersion modelling of emissions from traffic on the local road network has been undertaken which indicates that pollutant concentrations at the ground floor roadside façade of the hotel may exceed the short-term air quality objective for NO<sub>2</sub>. It is therefore recommended

that the affected rooms are mechanically ventilated to minimise exposure to poor air quality. A condition will be added to any permission to implement the recommendations from the Air Quality Assessment shall be implemented in its entirety prior to occupation. Overall the proposed development has been assessed as air quality neutral with respect to building-related emissions.

### **13. Land Contamination**

- 13.1.1 Policy 5.21 (Contaminated Land) of the London Plan requires that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination and Policy E(e) (Contaminated Land) of the Core Strategy aims to avoid the health and safety hazards associated with polluted land and to protect the community.
- 13.1.2 A land contamination survey has not been submitted as part of the application. The last use of the site was as a Magistrate's Court, this is deemed unlikely to raise issues of land contamination; however the undeveloped parts of the site largely consist of vehicle parking. These areas are covered in concrete or bitumen, which would reduce the seepage of contaminants from parked vehicles into the ground; however these parts are proposed to be excavated to create a basement, which would likely remove most contaminants from the previous use of the site. The other historic uses of the site include a school, police station and residential use, which are all unlikely to raise significant concerns of contamination.
- 13.1.3 The Environment Agency and Environmental Health have not raised any objections on land contamination grounds, and have requested standard land contamination conditions are applied to any permission given.

### **14. Transport and Parking**

- 14.1 Policy 6.13 (Parking) of the London Plan (2016) states that the Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use. The London Plan (2016) sets minimum cycle parking standards for hotel developments of 1 long stay space per 20 bedrooms, and 1 short stay space per 50 bedrooms.
- 14.2 This policy is supplemented by Policies IM(c) of the Core Strategy (2014) states that development must provide the minimum level of car parking provision necessary, for people with disabilities, as set out in the

London Plan, and ensure provision for servicing, safe pick-up, drop off and waiting areas for vehicles such as taxis and coaches, where that activity is likely to be associated with the development.

14.3 Policy IM(b) of the Core Strategy (2014) seeks to provide cycle parking in line with policy IM(c);

14.4 The application site has a PTAL of 6 (where 0 would be the worst and 6 would be the best accessibility). Therefore it has excellent access to public transport which includes several bus routes and a DLR station within close proximity. Both road frontages are Transport for London Road Network designated roads.

#### 14.5 **Car Parking**

14.5.1 The London Plan Policy 6A.8 states that there are no maximum standards are set for hotels, however, in locations with a PTAL of 4 –6, on-site provision should be limited to operational needs, parking for disabled people and that required for taxis, coaches and deliveries/servicing. It should be noted that the existing site is located within a Controlled Parking Zone (CPZ) and there is parking along Greenwich High Road, but the majority is restricted for resident and business permit holders, although some pay and display parking bays are present.

14.5.2 A total of 14 car parking bays would be provided in the basement (representation a ratio of 0.05 spaces per room), all of which would be allocated for blue badge holders only, and would facilitate parking opportunities for the 14 wheelchair accessible rooms, and the further 14 ambulant rooms proposed. The proposed parking provision should be reflective of the site's PTAL level, and therefore on-site car parking should be limited to operational needs, disabled parking, and parking required for taxis, coaches, and deliveries / servicing.

14.5.3 An analysis of car parking at other hotels within the vicinity of the site has been undertaken within the Transport Assessment submitted. It is indicated that the hotel would provide more parking spaces than the majority of hotels nearby, and whilst the Premier Inn – Greenwich provides 25 spaces this hotel has a PTAL of 4.

14.5.4 Given that the PTAL rating of the site is 6 and the step-free access at Deptford Bridge DLR station a provision of 14 Blue Badge spaces that amounts to 50% of the total accessible rooms proposed it is considered that



the amount of car parking provided is acceptable, and no objections are raised by TfL or the RBG Highways Officer.

- 14.5.5 A condition will be attached to any permission given to ensure 20% of all spaces will have electric charging points.
- 14.5.6 It should be noted that as no provision of overnight parking is provided on-site this will lead to displaced parking on street and affect residents when parking restrictions on nearby local roads. This will result in a considerable burden on the Councils parking enforcement to visit the area on a daily basis and impact on the nearby a contribution through an s.106 agreement will be sought to address this. Furthermore a parking review should be undertaken by the Council following a timeframe the hotel has been operating to review the impact of development on the availability of parking and potential impacts on the CPZ around the site. This should be secured within a s.106 agreement.

## 14.6 **Cycle Parking**

- 14.6.1 It is proposed to include cycle parking of 16 long-stay spaces and 10 short-stay cycle parking spaces on-site which also takes into account parking for the use of the old school building. The cycle parking provided is located within the basement level of the car park, and provision is provided outside the lobby / reception entrance of the hotel.
- 14.6.2 The cycle parking standards set out at Table 6.3 of the London Plan (2016) require a minimum provision of 1 cycle space per 20 bedrooms for long stay and 1 space per 50 bedrooms for short stay. This equates to a total of 21 spaces for the development. The proposal exceeds the requirements and therefore is considered to be acceptable in terms of cycle parking.
- 14.6.3 There are no objections to the proposed location or quantity of the proposed cycle storage. The proposals therefore comply with Policy 6.9 of the London Plan (2016) and Policy IM(b) of the Core Strategy (2014).

## 14.7 **Coach Management**

- 14.7.1 The development should provide for one coach parking space per 50 rooms for hotels, in line with requirement 6A.9 of Policy 6.13 of the London Plan. However, Policy T6.4 of the Draft London Plan states that in locations with a PTAL 4-6, any on-site provision should be limited to operational needs, disabled persons parking and parking required for taxis, coaches and deliveries or servicing.

- 14.7.2 The application is supported by a Coach Management Plan, which was prepared following advice from RBG officers during pre-application discussions as poor coach management in a hotel nearby to the site was creating disruptions to the residents of Catherine Grove. Section 3 of the Coach Management Plan identifies that the proposed hotel's target clientele would generally be small groups and families, who are far less likely to create demand for coaches and it would be unlikely to attract coach parties. The site also sits in very close proximity to a DLR station and has a high PTAL, and therefore it would be expected that most guests would arrive to the hotel by public transport.
- 14.7.3 The Coach Management Plan supports these assumptions with a TRICS (Trip Rate Information Computer System) assessment to determine the trips generated by the proposed development. The assessment demonstrates that the proposal would not attract many coach parties. However the proposed development provides a coach drop-off area within the site as there is still a possibility of guests requiring coaches. There is also a loading bay on Blackheath Road that could be used by a coach to drop off guests if the on-site drop off area is unavailable.
- 14.7.4 The coach drop off area is accessed off Greenwich High Road and allows coaches to turn around on site, drop off guests, and leave in a forward gear. There is no coach parking provided on site, which the Coach Management Plan suggests would deter coach parties from using the hotel. There is, however, designated coach parking nearby in the area and overnight coach parking at the O2.
- 14.7.5 The Coach Management Plan sets out measures to manage coach access to the proposed hotel to prevent disruptions to the highway and neighbouring properties. This includes careful management of the booking process, setting strict limitations on the number and time of coach arrivals, promoting sustainable transport options and the preparation of a plan for unscheduled coach arrivals. Officers consider the Coach Management Plan must be adhered to for the lifetime of the development, and this will be conditioned accordingly.
- 14.7.6 Whilst it is acknowledged that there is a coach management issue with a nearby hotel, it is considered that the Coach Management Plan sufficiently addresses the concerns and would effectively prevent disruptions from coach arrivals. The RBG highways officer has reviewed the details and advised that they are acceptable, subject to certain requirements being secured by condition. As such a condition is included accordingly.

## 14.8 Vehicle Access

- 14.8.1 The proposed development includes a vehicle access control system to the coach drop –off / pick-up point on the site, the blue badge parking, and servicing. This will improve security on the site. In agreement with TfL and RBG Highways the bollard system proposed is 9m set-in from the highway to avoid highway disruption and safety concerns, but also providing an element of security. Furthermore general procedures have been provided detailing the system. A pre-occupation condition will be attached to any permission relating to operational requirements of the access system.
- 14.8.2 The development proposal also includes a Taxi Drop-Off and Pick Up layby along Blackheath Road directly in front of the hotel entrance and proposed public square which is located outside the site boundary and within the public highway. The space provided is enough for two taxis, and is to be used in-conjunction with the hotel. The highways officer has suggested opening this up to public use, Officers consider the proposed taxi use associated with the hotel is appropriate, and providing allowable short stays for wider public use could disrupt its primary purpose. The highway works to enable the proposed layby will be secured through a s106 agreement.

## 14.9 Pedestrian Crossing

- 14.9.1 The Transport Assessment identifies in paragraphs 4.5.1 – 4.5.4 that the pedestrian environment around the junction of Blackheath Road and Greenwich High Road requires improvement in the interest of road safety. It states that *“Currently concern is expressed regarding the pedestrian connection between the Deptford Bridge DLR station and the site, particularly for pedestrians crossing Greenwich High Road from west to east.”* In order to improve this the Transport Assessment proposes that *“the north-west kerb line of the junction would be built out to allow the radius to be tightened slightly to ensure that vehicles slow down when turning left into Greenwich High Road and make an movement obvious to a waiting pedestrian”*.
- 14.9.2 The RBG Highways Officer has explicitly confirmed agreement to this, and this will be secured through a s106 agreement.

## **15. Waste**

- 15.1 London Plan Policy 5.16 requires London Boroughs to minimise waste and encourage recycling.
- 15.2 Core Strategy Policy H5 states that new residential developments should include adequate provision for waste recycling and Policy DHI states that all developments should demonstrate on-site waste management including evidence of waste reduction, use of recycled materials and dedicated recyclable waste storage space.
- 15.3 London Plan Policy 5.16 requires London Boroughs to minimise waste and encourage recycling.
- 15.4 Core Strategy Policy H5 states that new residential developments should include adequate provision for waste recycling and Policy DHI states that all developments should demonstrate on-site waste management including evidence of waste reduction, use of recycled materials and dedicated recyclable waste storage space.
- 15.5 Comments from waste services identified issues with collection frequency, and manoeuvring of waste collection vehicles. Additional details were subsequently submitted which has overcome concerns raised.
- 15.6 As such Officers consider the proposal complies with Policy 5.16 of the London Plan (2016), Policies H5 and DHI of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted 30th July 2014) and the Council's Waste Guidance Note (2014).

## **16. Flood Risk**

- 16.1 The application site is located within both Flood Zone 2 and Flood Zone 3. The eastern area of the site is shown to be located within Flood Zone 3 whereby the land is classified as having a greater than 1 in 100 annual probability of fluvial flooding, or a greater than 1 in 200 annual probability of tidal flooding. It is noted that the site benefits from the protection afforded by local flood defences. While the site benefits from the protection of the Thames tidal flood defences, it is undefended from potential flooding of the River Ravensbourne.
- 16.2 With reference to long term flood risk from surface water flooding the site is indicated as predominantly 'very low', however some areas are shown to be

impacted by surface water flooding, which include the existing courtyard, and the north eastern corner of the site.

- 16.3 The NPPF sets out in Paragraph 163 that when determining planning applications, LPAs should be supported by a site specific flood risk assessment. Policy 5.12 of the London Plan (2016) states that Development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical Guidance on flood risk over the lifetime of the development. Policy E2 of the Core Strategy (2014) states that The Royal Borough's Strategic Flood Risk Assessment must be used to inform development and reduce flood risk in Royal Greenwich by demonstrating consideration of all forms of flood risk by preparing flood risk assessments, in line with advice from the Environment Agency.
- 16.4 Moreover, the NPPF states that major development should incorporate sustainable drainage systems which should take account of advice from the lead flood authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits. This is supported further by London Plan Policy 5.13.
- 16.5 Policy E2 states that the Royal Borough's Strategic Flood Risk Assessment must be used to inform development and reduce flood risk in Royal Greenwich by applying the sequential and exceptions tests as detailed in the NPPF and accompanying Technical Guidance and demonstrating consideration of all forms of flood risk by preparing flood risk assessments, in line with advice from the Environment Agency.
- 16.6 In addition to the measures within policy E2, Policy E3 requires that development within those areas protected by flood defences but with a high residual risk classification should implement risk reduction measures with the primary aim of reducing risk to life.
- 16.7 The Environment Agency is the Risk Management Authority responsible with overview for tidal and main river for flood risk. National guidance states there should be no habitable accommodation below predicted flood levels, regardless of whether it is a defended flood zone, this national guidance forms part of the Royal Boroughs Strategic Flood Risk Assessment (SFRA). However the Royal Borough, given existing buildings along various floodplains, accept habitable accommodation below flood level on general condition that construction employs both resilience and resistance measures to enable quick recovery should a property experience internal flooding and in general an

emergency evacuation plan is developed and implemented. The Royal Borough will not accept sleeping accommodation below flood level including a minimum of 300mm freeboard.

- 16.8 The proposal includes bedrooms at two basement levels which as confirmed above is not supported generally within a flood risk area. The EA have accepted the modelled flood extent of the Ravensbourne River at 1 in 100 at the plus 35% climate change scenario and it represents a fair assessment of the flood risk to the development and therefore did not raise objection to the proposed development, but did highlighted risks, such as if the site is to be affected by flooding, it is likely to be severe and the rate of inundation rapid.
- 16.9 The application was notified to the Royal Greenwich Flood Risk Manager, as the Local Lead Flooding Authority, who requested further modelling above the standard of plus 35% climate change scenario to the more extreme 1 in 100 plus 70% climate change scenario, of which the modelling scenario was tested, and basement levels did pass. Furthermore the details confirm the building would be sealed, so there would be no pathway for water to enter the building. Additionally, an emergency evacuation plan has been prepared which provides the procedures that should be followed in the event of a Flood Alert, Flood Warning, and Severe Flood Warning being issued by the EA.
- 16.10 On this basis the EA, and the RBG Flood Risk Officer, raise no objection to the flood details, therefore the proposal is assessed as complying with the relevant local, London and national planning policies for Flood Risk.

## **17. Sustainability, Energy and Ecology**

- 17.1 The size of the proposed development triggers compliance with national, regional and local policies, including the National Planning Policy Framework, adopted London Plan (2016) and Royal Borough of Greenwich Core Strategy with Detailed Policies (2014).
- 17.2 In particular, the National Planning Policy Framework states that Local Planning Authorities should support developments which promote renewable and low carbon energy.
- 17.3 In line with the London Plan (2016), all major developments have to demonstrate compliance with policies stated in London Plan chapter 5 – London's response to Climate Change which requires all developments to make the fullest contribution to the mitigation of and adaptation to climate change and to minimise emissions of carbon dioxide in accordance with the

Mayor's Energy Hierarchy: 1. Be lean: use less energy; 2. Be clean: supply energy efficiently; and 3. Be green: use renewable energy.

- 17.4 The proposed site should be designed to be sustainable, energy efficient and to minimise carbon dioxide emissions in line with Core Strategy policies DH1 (Design), EI (Carbon Emissions), London Plan (2016) policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.17 and Draft London Plan (consolidated suggested changes version, July 2019) Policies SI2, SI3, and SI4.
- 17.5 London Plan policy 5.2B states that for the period 2016 -2019 non-residential developments should achieve a minimum 35% reduction in regulated carbon dioxide reduction calculated against the Building Regulations Part L.
- 17.6 The details submitted have demonstrated compliance with Policy 5.2C of the London Plan through the submission of an Energy and Sustainability Statement prepared by XCO2 (Final, 20 September 2019) and supplementary information received by email and prepared by XCO2 (4th, 25th, 29th October & 14th November 2019). Furthermore, compliance with Policy 5.3 of the London Plan has been demonstrated through the submission of a Sustainability Design and Construction Statement prepared by XCO2 (Final, 5th March 2019). The sustainability strategy has also been prepared in line with Greener Greenwich Supplementary Planning Document (SPD) and demonstrates the sustainability credentials of the proposed development.
- 17.7 The submitted Energy Strategy has demonstrated compliance with Draft London Plan Policy SI2C which requires non-residential developments to achieve 15% through energy efficiency measures over Building Regulations Part L 2013. The Energy Strategy demonstrated that the proposed development has been designed to achieve a site wide reduction in regulated CO2 emissions of 41.4% (based on SAP10 carbon emission factors and equal to 377 tonnes CO2/yr) beyond Building Regulations Part L 2013. This CO2 target will be achieved through the incorporation of passive design, Air Source Heat Pumps and solar Photovoltaics.
- 17.8 A communal hot water system is proposed that will also facilitate connection to an offsite District Heating Network (DHN) in line with London Plan (2016) policy 5.6 and Draft London Plan policy SI3.
- 17.9 The recommendation of the energy servicing strategy also follows the Mayor's Cooling Hierarchy in line with London Plan (2016) policy 5.9 and Draft London Plan policy SI4. An Overheating Report V0 prepared by RPS Group Plc (09 August 2019) has been submitted to demonstrate compliance.

- 17.10 In line with Policy DHI Design of the Greenwich's Core Strategy with Detailed Policies (2014), the proposed development will be designed and constructed to achieve BREEAM Excellent Rating. A condition will be added to a permission to ensure this rating can be achieved.
- 17.11 With consideration of biodiversity, a Preliminary Ecological Appraisal prepared by REC Rev 1 (10th January 2019) and Urban Greening Report prepared by RPS Group Plc V5 (19th August 2019) have been carried out to gather data on existing ecological conditions. Recommendations to retain and protect existing biodiversity features within or close to the proposed development and measures to enhance and mitigate the development's biodiversity have been provided but these are considered as limited and therefore related conditions are proposed. The measures should include SUDs, trees, green roofs and walls in line with London Plan (2016), Royal Borough of Greenwich Core Strategy (2014) and Greener Greenwich SPD (2014).

## **18. Community Infrastructure Levy (CIL)**

18.1 The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3. The Mayoral CIL formally came into effect on 1st April, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail. The Mayor has arranged boroughs into three charging bands. The rate for Greenwich is £35 per square metre.

18.2 The current application is liable to this requirement.

### **18.3 RBG CIL**

18.3.1 The Royal Borough adopted its Local Community Infrastructure Levy (CIL) charging schedule, infrastructure (Regulation 123) list, instalments policy and exceptional circumstances relief policy on the 25<sup>th</sup> March 2015 and came into effect in Royal Greenwich on the 6th April 2015.

18.3.2 The current application is liable to this requirement.

## **19. Legal Agreement**

19.1 The development of the site will require a Legal Agreement. The following Heads of Terms are proposed:



### **Transport – S278 Highways Agreement**

- Highway works for a new taxi / loading bay on Blackheath Road;
- Pedestrian crossing improvements on Greenwich High Road and Blackheath Road;
- Bus stop and vehicle access alterations along Greenwich High Road.
- Financial contribution to mitigate the increased parking enforcement due to additional parking pressure around the site; and
- Full Travel Plan to be submitted and recommendations adopted.

### **Employment and Training**

- Financial contribution of £149,970 toward commitment and participation towards GLLaB and business support in line with Planning Obligations SPD.

### **Design Quality Control**

- Retain existing architects or other such architects to undertake the detailed design of the project.

### **Sustainability**

- Carbon offset payment towards zero carbon;
- Provision of Energy Centre; and
- Connection to an offsite district heating network (if feasible and financially viable).

### **Community Space Facility**

- Provision of 2 conference rooms to be used by local community groups for 15-20 hours per week.

### **Other Obligations**

- Payment of legal costs; and
- Payment of S106 monitoring costs.

## **20. Implications for Disadvantaged Groups**

20.1 The implications for disadvantaged groups identified below are an integral part of the consideration of the development and community benefits as set out in the report:

- The proposal will provide new job opportunities in the construction phase, and the operation of the hotel.

- The scheme will provide an element of flexible floor space for use by local community groups at a peppercorn rent level.
- 14 rooms to be wheelchair accessible

## **21. Conclusion**

- 21.1 The principle of a hotel use at the application site has been found acceptable following a sequential test, and a flexible use within a small unit is considered to also be appropriate and compatible with the hotel. The proposed use is also compatible with the currently vacant Grade II Listed Building on-site.
- 21.2 Overall the design quality, and appearance of the proposal enhances the setting and character of the Grade II Listed Building, and safeguards its heritage listing and improves public access to its features of historical interest. Furthermore Officers consider the harm identified to the character of the Ashburnham Triangle Conservation Area is far outweighed by the multiple and important public benefits of the scheme. Furthermore, the contextual appearance, scale, and form of the proposed new blocks would create a landmark development at the south-western corner of the conservation area, and facilitates a cohesive and joined-up relationship with the three existing buildings on-site.
- 21.3 The proposed development creates a notable increase in massing and scale on the existing site, which currently benefits from a large open area formed by the car park. The submitted daylight and sunlight assessment provides the necessary evidence that whilst sunlight and daylight levels to neighbouring properties are reduced these are to an acceptable level in the context of the sites urban location. Furthermore it is considered that on balance the proposed development has been designed to avoid any adverse neighbouring amenity impacts with regard to outlook, overbearing, and privacy impacts, and sense of enclosure.
- 21.4 Whilst the hotel does not provide coach parking, which has been justified based on the prospective users, it does provide a coach collect and drop off point within the proposed development, and includes an entry point for servicing. The provision of car parking for blue badge holders is accessed at the same entry point and is located in the basement. These details are considered appropriate on grounds of highway safety and security.
- 21.5 The site is located within a flood risk area and sleeping accommodation is proposed on the two basement levels, which is generally is not supported. Due to extensive modelling to an appropriate climate change scenario, flood

mitigation measures, and details of emergency protocols being provided, this has been accepted by the Environmental Agency, and the RBG Flood Risk Manager acting as the Local Lead Flooding Authority.

21.6 Therefore, on balance, the proposal is considered to be acceptable and for all the reasons outlined in this report it is recommended that permission be granted for application reference 19/1367/F and 19/1495/L, in line with section 1 of this report.

### **Background Papers:**

- National Planning Policy Framework (March 2018)
- Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
- The London Plan (2016)
- The Draft London Plan (2019)
- Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014)
- Ashburnham Triangle Character Appraisal (2008)
- RBG Planning Obligations SPD (July 2015)

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