

Alfie Williams,
Principal Planning Officer,
Lewisham Council,
Laurence House,
1 Catford Road,
London,
SE6 4RU

DC25/56
19 November 2025

Dear Alfie,

OBJECTION TO DC/25/139604 – BLACKHEATH STATION CAR PARK

Thank you for your letter of 7 November inviting comments on the additional information that the Council has accepted for the above application. Accordingly, please accept this letter on behalf of a consortium of concerned members of the local community.

Please note that this letter should be read in conjunction with our previous letter of 16 June and the previously submitted respective heritage, design, daylight & sunlight and parking reports.

The amendments made

The amendments submitted are minor in nature and do not overcome the concerns that we raised in our respective earlier letters and accompanying design, transport and heritage reports. We have, nonetheless, set out our detailed comments at Appendix A for your consideration and note that there remain many instances of a clear conflict with the Development Plan.

It is essential that the Council critically assesses the application and does not take the applicant's conclusions as verbatim. We remain concerned that the Council's consultees, many of whom were involved in the confidential pre-application discussions, are not affording sufficient scrutiny to the applicant's evidence. Whilst necessary, the detailed consideration of technical matters should not distract from the overarching policy conflicts that are present.

For example, we note that:

- The applicants contend that there would be a 70% increase in the site area available for the farmer's market. This is simply not correct and there is, in fact, a *reduction* in the space available when compared to the extant planning position;
- The applicant is not willing to have a planning condition or obligation that requires the continued operation of the farmers market on the site nor restricts dwelling occupations until the market is reinstated; and
- Whilst the applicants have sought to rebut our Daylight & Sunlight Study it remains agreed between all parties that the impact upon a significant number of neighbouring properties is below that established by the BRE as the minimum acceptable standard.

Where this leaves the application

There remains a disconnect between the applicant's technical analysis and the form of the proposal and this is exacerbated by the applicants not meaningfully responding to the concerns raised but rather persisting with their entrenched position. It is notable that much of the applicant's planning rebuttal simply references the conclusions of their own supporting reports, which naturally take positive stances, or positions alleged to have been conclusively agreed at the confidential pre-application stage.

Whilst there is an acceptance by the applicants that harm would arise they continue to, incorrectly, rely heavily on the perceived benefits outweighing this harm. It is, however, clear that the application remains in conflict with the Development Plan in the following regards:

- The proposal would result in the loss of train station parking that is critical to maximising the use of the railway, a key sustainable mode of transport, contrary to Policies TR1 and TR4 of the Local Plan, Policy 14 of the Lewisham Core Strategy 2011, Policy T1 of the London Plan 2021 and the NPPF;
- The proposed design and layout, due to the loss of the existing open space, the inappropriate massing and design of the proposal and the impacts of off-setting existing car parking onto the neighbouring streets, would fail to deliver high quality design and would not preserve nor enhance the Conservation Area contrary to Policies QD1, QD3, QD6, HE1, HE2 and HE3 of the Local Plan, Spatial Policies 3, 5, 15 and 16 of the Core Strategy, Policy HC1 of the London Plan and the NPPF;
- There would be an unacceptable impact upon the amenity of adjacent residents and the Primary School due to the overbearing and overlooking impacts and the loss of light contrary to Policy QD7 of the Local Plan, Policy D6 of the London Plan and the NPPF;
- The proposal would result in the reduction of the space available for the farmers market, which currently makes a positive contribution to the culture and vibrancy of the Borough, with no certainty that the market could functionally or viably continue to operate, contrary to Policy EC20 of the Core Strategy, Policy GG1 of the London Plan and the NPPF;
- In the absence of a completed legal obligation the application would fail to secure the temporary relocation of the farmers market to a location of commensurate size and proximity to Blackheath train station and Blackheath village centre contrary to Policy EC20 of the Core Strategy, Policy GG1 of the London Plan and the NPPF;
- The proposal, by reason of the loss of parking, would result in an unacceptable impact upon the staff, professional visitors, those with mobility or special needs and parents dropping off and picking up pupils that depend upon the car park to facilitate safe access to the school. In the absence of any secured mitigation, including a school travel plan, the proposal is contrary to Policies TR1 and TR4 of the Local Plan, Policy 14 of the Lewisham Core Strategy 2011, Policy T1 of the London Plan 2021 and the NPPF; and
- The proposal, due to the loss of parking and reduction in capacity of the farmers market, and the resultant reduction in footfall, would have an unacceptable impact

upon the viability and vitality of Blackheath Village Centre contrary to Policies EC1, EC11 and EC12 of the Local Plan, Policy 6 of the Lewisham Core Strategy 2011, Policies SD6 and SD7 of the London Plan 2021 and the NPPF.

What we are requesting

On the basis of above we are requesting that:

1. The Council acknowledges that the application remains in conflict with the Development Plan and there are no material considerations which outweigh this conflict. The application should therefore be refused without delay including, but not limited to, the reasons for refusal set out above; or
2. If not minded to immediately move to refuse the application the Council should, to ensure an informed decision:
 - Seek a direct comment from consultees, notably the Conservation Officer, Highways Officer and Environmental Health Officer, on our submissions and the issues that we have raised;
 - Release all pre-application advice that the Council provided to allay concerns that consultees have taken committed positions prior to being in a position to take a fully informed decision;
 - Undertake further targeted consultation of the local community, including local business users and individual market stall operators (as opposed to the operator of the market) and, importantly, users of the farmers market;
 - Commission an independent daylight and sunlight report to further validate the conclusions of the Rapleys report;
 - Commission an independent parking survey to further validate the conclusions of the PeP report; and
 - Commission an independent economic impact assessment to establish the impact upon Blackheath Village Centre as a result of the cumulative loss of parking alongside the temporary relocation and subsequent permanent reduction in capacity of the farmers market.

Summary

We are grateful for the opportunity to comment further on the application and trust that our response will assist the Council in reaching an informed decision. We continue to urge the Council to bring the ongoing uncertainty to a close and refuse the application at the earliest opportunity in accordance with the Council's policies and the wishes of the local community.

Yours sincerely,



David Cranmer BSc (Hons) MSc MRTPI
Director

1.0 SCOPE OF THIS RESPONSE

1.1 Naturally, we are disappointed that the Council has considered it appropriate to allow the applicants to evolve their proposals through the submission of additional information, despite the clear policy conflicts.

1.2 However, we note that the applicant has not meaningfully engaged with the matters we raised and, as such, the concerns we previously set out remain valid. Accordingly, the following sections should be read in conjunction with:

- Our letter of 16 June 2025;
- Heritage review by Heritage Unlimited dated June 2025;
- Daylight & Sunlight Amenity Study by Rapleys dated September 2025 (and our accompanying letter of 26 September 2025);
- Parking Review by PeP dated September 2025; and
- Design Review Objection by Spindrift Planning & Urban Design dated October 2025.

2.0 LOSS OF PARKING PROVISION

2.1 Whilst the applicants rely heavily upon the concept that the removal of parking will promote sustainable modes of transport this will not be the case. The removal of the parking provision will simply disincentivise those who currently utilise the train station, a key strategic sustainable transport hub, whilst the restriction on permits proposed for prospective residents will not be able to prohibit car ownership, thereby merely moving the problem onto the neighbouring streets.

2.2 The applicants accept, at pg.6 of the submitted planning rebuttal, that any alternatives “would not meet all of the demand” and relies on unevidenced assumptions. For example, as set out at that 2.15 of submitted transport rebuttal, the applicant concludes that “the need to provide additional disabled bays on site is unlikely to materialise” despite, at 2.8 of the same statement, conceding that “assumptions cannot be drawn at this stage on likely future users of the car park”.

2.3 It therefore remains the case that the applicant’s notion that the loss of such a significant quantum of parking would have no impact is simply not plausible. The loss of 145 spaces would have a significant adverse impact upon the users of the school, train station and village centre, the economic viability and vitality of the village centre and the character and appearance of the Conservation Area, due to the off-setting of cars onto the neighbouring streets.



The well used car park



The well used car park

2.4 In the unlikely event the Council were ever in a position to recommend the application for approval then any permission should include a *Grampian* planning condition that restricts development commencing until alternative parking has been provided to compensate for the proposed loss of parking. This would be the only way to ensure that the proposed development would not unacceptably impact upon the users of the railway station, with regard to sustainability, the school, with regard to safety and accommodating all user groups and local businesses, with regard to the viability and vitality of the village centre.

3.0 SCHOOL TRAVEL PLAN

3.1 There is no dispute that many of the patrons of the Primary School, including staff, professional visitors, those with mobility or special needs and parents dropping off and picking up pupils, depend upon the car park to facilitate safe access. This is particularly pertinent given the age of pupils, many of whom could not travel independently and require accompanying into the school grounds.

3.2 In their planning rebuttal the applicants offer no response to this concern other than their contention, at 2.39 of the submitted transport rebuttal, that “there is mutual agreement between the applicant and the Headteacher at John Ball Primary School that use of the station car park for pupil drop-off/pick-up is not desirable”.

3.3 However, there is no consultation response or third-party representation submitted by the Headteacher of the Primary School so it is unclear what their viewpoint is or what evidence any such viewpoint is based upon.

3.4 Regardless, the applicants propose that, to seek to deliver a more sustainable travel pattern for school visitors, a school travel plan is put in place. However, as accepted by the applicants at pg.16 of the submitted planning rebuttal, whilst “the applicant is committed to supporting the school in preparing the Travel Plan. It is a matter for the school whether it chooses to take up this support”.

3.5 The applicant is accordingly relying upon mitigation that is not agreed and is outside of their control. There is no contention nor indication that the school is agreeable to being party to a legal obligation that requires it to enter into a travel plan. Little, if any, weight should therefore be given to the offer of a school travel plan or the purported views of the school Headteacher.

4.0 IMPACT UPON EXISTING RESIDENTS

Daylight & Sunlight

4.1 The applicant seeks, unsuccessfully, to rebut the Rapleys daylight & sunlight report that sets out the significant unacceptable impacts upon the amenity of neighbouring residents (notwithstanding the legal rights to light, under the Rights of Light Act 1959, that would regardless prohibit the implementation of the proposal).

4.2 Whilst we therefore do not agree with the conclusions of the applicant’s rebuttal it is notable, regardless, that it is agreed between the parties that the impact upon a significant number of neighbouring properties would be below that established by the BRE as the minimum acceptable standard.

Overlooking

4.3 The applicants have submitted CGI’s in an attempt to demonstrate that there would be no overlooking from the proposed roof terraces. However, even putting aside that this does not address the impacts from the proposed windows, the CGI’s are clearly not an accurate representation of the proposed relationship but rather an exaggerated best-case scenario.

4.4 For example, view no.2 below appears to be taken from a crouching position that is not representative of how the extensive roof terraces could or would be utilised. It does, however, clearly indicate just how close the proposal would be to the existing dwellings on Collins Street and the significantly elevated position that would result in the proposal looming over the existing dwellings offering a direct line of sight down into existing windows.



Submitted Roof Terrace View 1



Submitted Roof Terrace View 2

4.5 It therefore remains the case that the proposal would be located too close to the neighbouring dwellings, with regard to the overlooking impact. For a two-storey to two-storey relationship one would expect a minimum 21m separation distance (as opposed to the 15.9m proposed) and this should be extended to 28m for a three-storey to two-storey relationship. Given the proposed positioning of the buildings it is therefore clear that there would be unacceptable overlooking impact upon the neighbouring residential amenity.

5.0 IMPACT UPON PRIMARY SCHOOL SAFEGUARDING

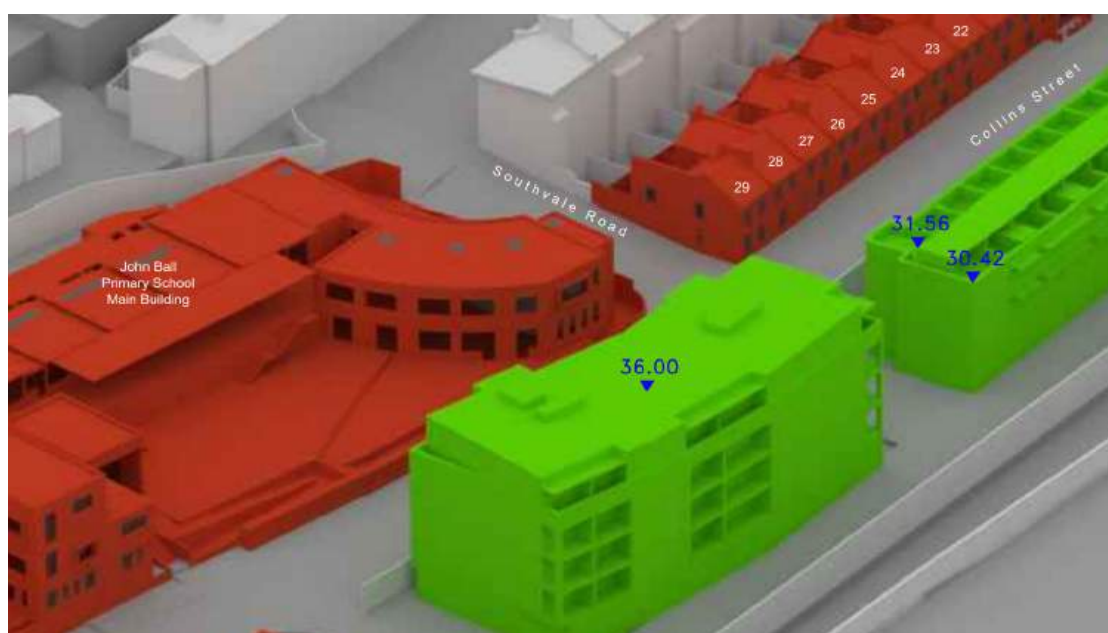
5.1 The Primary School is immediately adjacent to the application site and benefits from a large section of its outdoor play space, located to the south of the school building. The space, which includes a playground for Key Stage 1 pupils (ages 5-7), currently has a sylvan outlook that is not overlooked ensuring that it is a safe setting for pupils to enjoy.

5.2 However, the proposed development would result in significant overlooking, from a large number of private windows within extremely close proximity that is exacerbated by the five-storey height proposed. The proposal would also, due to this height and location to the immediate south of the school, have a significant overbearing impact and block much of the daylight and sunlight that school currently enjoys.

5.3 This would result in an unacceptable relationship and this is a clear further indicator of the overdevelopment of the application site. Within this context it is particularly notable that the applicants have not provided a CGI (either looking from the school towards Block C or from one of the windows within Block C towards the school) or section from the Primary School to the north elevation of Block C.



School Playground currently with no overlooking



Proposed close proximity of five-storey Block C to the School Playground



Windows directly overlooking the School Playground (proposed Block C; North Elevation)

6.0 FARMERS MARKET

Adopted Planning Policy

6.1 In formulating, and subsequently adopting, their new Local Plan the Council chose to include a specific policy, EC20, to highlight the importance of markets to the culture and vibrancy of the Borough. The Policy accordingly sets a high threshold for acceptability for any proposal that would result in the loss or alteration to any market in addition to proving a policy framework within which to consider the impacts of any proposed market layout upon local amenity. The policy also recognises the important role market's play in supporting the viability of town centres.

6.2 It is therefore clear that the proposal significantly conflicts with policy EC20 and this constitutes a matter that should be afforded substantial negative weight in the planning balance.

Lack of engagement

6.3 The applicants continue to rely upon the views of the market operator as the sole authority regarding how the market should operate. Whilst this may provide an overarching commercial view it is both a singular view and a vested interest.

6.4 Meaningful consultation should therefore be undertaken with those who display at the farmers market to understand their views on the proposals, including whether they would be likely to return after a prolonged absence during construction and whether the proposed layout would meet their needs. Furthermore, the views of users of the farmers market, those that contribute to the vitality and viability of the area, should be undertaken to ensure that a fully informed decision can be made.

Reduction in space

6.5 The applicants utilise a headline that the proposal would result in a 70% increase in the size of the market. However, even before considering what constitutes usable space (one would anticipate that traders would be reluctant to be located at the isolated western end), it is clear that this is simply not correct. As shown below the proposed market would result in a *reduction* in size when compared to the extant planning permission for the site to be used as a farmers market.

6.6 Whilst it is unclear upon which metric the applicants calculate a 70% increase there is no doubt that the appropriate comparison should be against the extant planning position – case law is unequivocal that it is not how a site is used but how it could be used to its maximum extent that is the appropriate barometer for comparison to ensure that applicants cannot artificially change the baseline through not using sites to their maximum.



Proposed farmers market (Pg.11 of submitted Design and Access Statement)



Extract of Site Plan approved by DC/22/128231 for the operation of a farmer's market on the site

No control over continued market operation

6.7 As set out at pg.17 of the submitted planning rebuttal it is acknowledged that, whilst “the Applicant is in close discussions with the market operator on returning to the Site. Ultimately the return to Site will be a business decision for the Farmers Market”.

6.8 Alongside the applicant's unwillingness to have a planning condition or legal obligation that requires the continued operation of the farmers market on the site, or restricts dwelling occupations until the market is reinstated, this further underlines the concern that once the existing market ceases to operate it is highly unlikely to return to the site.

6.9 Furthermore, no temporary location for the market (of commensurate size and proximity to Blackheath train station and Blackheath village centre) during construction has been proposed by the applicants and it is not possible to secure this via condition, as suggested by the applicants, as there is no evidential basis upon which to conclude that the temporary market could be delivered within the time limit that would be imposed by the permission, contrary to the NPPG (009 Reference ID: 21a-009-20140306) and NPPF (paragraph 57).

6.10 However, in the unlikely event the Council were ever in a position to recommend the application for approval then any permission should include a legal obligation that no residential units can be first occupied until the farmers market is operational on the site.

7.0 CLASS E USES

7.1 The applicant continues to seek permission for Class E uses but, as set out within the submitted planning rebuttal, suggests that a planning condition is utilised to agree, at a later date, what exact uses this would entail given that Class E encompasses a broad range of uses.

7.2 Therefore, given the current uncertainty, the worst-case scenario should be assessed by the Council to ensure that an informed decision can be made. For example, technical reports should assess the proposed use under Class E that has the highest parking requirement and the Class E use that has the highest potential servicing and delivery requirements to ensure an appropriately robust assessment.

8.0 DELIVERY TRAJECTORY

8.1 The applicant accepts that the site "is not allocated for development in the adopted Local Plan nor is it located within a London Plan Opportunity Area" (submitted Planning Statement, pg.30) so solely relies, in the planning balance, upon the benefits the proposal would deliver, particularly with regard to the provision of housing. However, whilst the submitted planning rebuttal indicates that, should permission be granted, a 2026 start on site is intended little detail is provided and this appears optimistic given the sites constraints and the current planning position.

8.2 Regardless, the Council has a newly adopted Local Plan, representing the "genuinely plan-led" approach that the NPPF (paragraph 3) advocates, that will meet the needs of the Borough and establishes it's five year housing land supply. There is therefore no

policy or delivery vacuum so the weight given to the housing benefits of the proposed speculative development should be significantly tempered given that the same benefits will be derived through the plan-led development identified in the Local Plan.

8.3 It is noteworthy that, even if the Council were in a position whereby it could not demonstrate its requisite housing land supply, then the ‘tilted balance’ at Paragraph 11d of the NPPF would not be engaged as, due to the significant concerns that we have identified the “adverse impacts of doing so would significantly and demonstrably outweigh the benefits”.

9.0 BROWNFIELD SITE

9.1 The applicant relies heavily upon the contention that the site constitutes brownfield land and the weight that section 11 of the NPPF affords in this regard. In particular the applicant references Paragraph 125(d) of the NPPF which states that planning policies and decisions should “*promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)*”

9.2 However, paragraph 125(d) refers to “under-utilised land”, which clearly is not the case here given the important contribution the site makes as both parking provision and the site of the farmers market. The policy therefore affords limited support to the proposal in this regard.

10.0 CGI IMAGES

10.1 Whilst the applicant has submitted additional CGI images they acknowledge, at pg.20 of the submitted planning rebuttal, that “the CGIs are submitted to illustrate how the proposals could look. We agree that these are purely illustrative”.

10.2 Within this context there are therefore significant doubts regarding their accuracy with, for example, the planting shown in the proposed CGI’s appearing to be an exaggerated version of the proposed planting plan. Regardless, the CGI’s demonstrate the clear conflict between the planting proposed on the southern boundary and the proposed location of market stalls whilst it is also highly unlikely that the planting shown immediately adjacent to the northern elevation of block B would be as successful as shown given that it will be in permanent shadow.



Planting that would be in shadow



Planting where market stalls would be located

10.3 It is therefore considered that little, if any, weight should be afforded to the submitted CGI's.

11.0 NETWORK RAIL CONSULTATION

11.1 Network Rail were consulted by the Council as part of the application process and accordingly responded setting out that, not only do they have no objections to the proposal but, indeed, support the application.

11.2 However, it is important that this response is viewed within the context that Network Rail is the owner of the land (as referenced by the fact that Certificate B was served upon Network Rail as set out on the application form). In response to a Freedom of Information (FOI) request Network Rail has revealed that they have entered into an option to sell the car park under its current planning use (car park and farmers market) but that, should planning permission be granted for the development proposed, the sale price would significantly increase.

11.3 Given this clear conflict of interest little, if any, weight should therefore be afforded to the Network rail consultation response.

12.0 DISCONNECT BETWEEN RESEARCH & APPLICATION

12.1 There remains a disconnect between the evidence base that the applicant presents, principally in the submitted Design & Access Statement, and the design of the proposal. For example, the precedent images that are included as examples of positive local characteristics have little, if any, resemblance with the unacceptable bulk, massing and detailing of the proposal.



Precedent Images, pg.12 Design & Access Statement



Precedent Images, pg.30 Design & Access Statement



Extract of Proposed Block B, South Elevation

13.0 ECONOMIC IMPACT UPON BLACKHEATH VILLAGE CENTRE

13.1 It is notable that the applicants have failed to engage with the concerns that local businesses, those best placed to take an informed view, have raised regarding the impact the removal of parking and the loss/reduction in capacity of the farmers market would have.

13.2 The letter representing eighty local businesses that was submitted in objection to the application is beyond triangulation, it should be afforded significant weight. This is not a matter of businesses objecting to competition, but rather objecting to the loss of infrastructure critical to the vitality and viability of the village centre, a matter the Local Plan seeks to protect.

13.3 It is therefore clear that, without an independent economic impact assessment that rules out an unacceptable impact (which is highly unlikely), the Council is not in a position to take a fully informed decision on the matter.