

SECTION '2' – Applications meriting special consideration

**Application No :** 13/04160/FULL1

**Ward:**  
**Mottingham And Chislehurst  
North**

**Address :** The Porcupine 24 Mottingham Road  
Mottingham London SE9 4QW

**OS Grid Ref:** E: 542105 N: 172890

**Applicant :** Lidl UK

**Objections : YES**

**Description of Development:**

Demolition of the Porcupine public house and erection of a two storey building to provide a retail foodstore comprising 800sqm sales area with ancillary storage, office, servicing area and 35 car parking spaces

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Local Cycle Network  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
London Distributor Roads  
Retail Shopping Frontage  
Tree Preservation Order

**Proposal**

This application proposes demolition of the existing Porcupine public house and the erection of a 1200sqm food retail store over two storeys, with an 800sqm sales area. The building will be situated towards the road and the northern side of the site and is designed with a shallow pitched roof with dormer features. There are no windows proposed at first floor level. 35 car parking spaces and a servicing area will be provided to the rear and southern side of the site. The northern vehicular access will be closed and the southern access redesigned.

Landscaping strips are proposed along the western boundary and the front part of the southern boundary. The sole customer entrance is to the front of the building adjacent to a trolley bay. The front elevation will be glazed at ground floor level and the building will be primarily face brick and render with a clay tiled roof.

Supporting documentation has been submitted with the application including the following:

- Planning Statement
- Statement of Community Involvement
- Transport Statement, Travel Plan and Road Safety Audit
- Sustainability and Energy Statement
- Environmental Noise Report
- Land Surveys
- Arboricultural and Landscape Impact Assessment Report
- Design and Access Statement

To outline the case made for the applicant, the conclusions of the Planning Statement can be summarised as follows:

- The proposal will meet an identified retail need for convenience floorspace, increasing competition and choice in a town centre location
- The proposal will secure employment and the redevelopment of a vacant site
- The public house closed as it was not viable and there is no prospect of it reopening. Although concern is acknowledged regarding its loss, there are other community venues and public houses in the vicinity which are accessible
- Appropriate landscaping is proposed which will replace the two lost TPO trees
- Layout and design have been considered so as to reduce any impact on the amenity of neighbouring properties
- The proposal represents sustainable development in an accessible location
- The proposal accords with national and local planning policy

The applicant has also submitted a letter addressing issues raised by consultees and local residents in response to the application, and the contents of this have been considered in the report below.

## **Location**

The site is situated on the western side of the Mottingham Road (B226 London Distributor Road) close to the War Memorial roundabout. The area is commercial with residential beyond the main frontage, and towards the western edge of Mottingham Local Centre. Specifically there are a number of residential properties situated behind and above the mostly frontage commercial uses on Mottingham Road including around the south and western edge of the site. Properties beyond those immediately fronting the eastern side of the road are within the Royal Borough of Greenwich.

The site is a public house with a car park to the front and large garden to the rear. The existing pub is a part one part two storey building rendered with a tiled roof. The pub is closed and the site is currently enclosed by a hoarding.

To the north of the site is a vehicle sales and repair garage. To the south are the rear gardens of properties in Devonshire Road. A further residential property flanks the site at its western end.

## Consultations

### Representations:

A substantial number of objections have been received in respect of this proposal including specifically from the Mottingham Residents Association, the Eltham Society, CAMRA and additionally from in excess of 250 local residents within Bromley and Greenwich Boroughs.

Representations have also been received from Bob Neill MP for Bromley and Chislehurst, who makes the following points:

- the application does not adequately demonstrate that the proposal will be appropriate to the size of the centre
- scale and massing are inappropriate for this location
- the proposal will result in a community facility that has been designated an Asset of Community Value
- employment generation will be very low
- parking provision is insufficient and will result in tailbacks, congestion and additional on street parking to the detriment of local residents and businesses
- HGV movements in and around the site could be hazardous and difficult and will impact on parking spaces. Delivery times would need to be controlled
- there is potential for pedestrian / vehicles conflicts in the car park
- the building's roof design is welcomed however the materials are unsuitable and there is insufficient landscaping
- security has not been properly considered and noise impacts on adjacent residential properties insufficiently addressed
- the applicant has not properly considered local representations

Objections have also been received from the local Ward Member and Greenwich Council Ward Members representing the wards in the Royal Borough of Greenwich which are located beyond the eastern side of Mottingham Road.

An objection has been received from the Bromley Branch of the Campaign for Real Ale (CAMRA) pointing out the following: The pub has potential to thrive and is a community asset. Other pubs in the area do not fulfil the same purpose as The Porcupine. National and local planning policy supports the retention of such valuable community assets. The applicants have not demonstrated that the pub is not viable. Falling trade can reflect management and ownership rather than unviability. The pub was not marketed openly. Employment numbers in this pub are likely to mean that any employment benefit would be at best marginal.

Other objections raise the following summarised issues:

### Objections to Loss of Public House:

- pub should be retained as it has been widely used by the community
- pub is a community facility that should be reopened

- there has been a pub in the village for hundreds of years
- pub is a valuable community asset and meeting place
- pub is a landmark and will never return if demolished and replaced
- pub has been added to the register of Assets of Community Value
- there is nowhere suitable to meet at certain times of day since the Porcupine closed
- alternatives suggested by the applicant are different from this pub - the Prince of Wales is a sports bar and the Royal Tavern offers adult entertainment and are both outside the centre of Mottingham
- other facilities such as church halls are only available for specific events
- a public house has existed on the site since 1688 and if the pub is demolished it should be properly recorded
- loss of an attractive building
- other public houses such as the Ivy House in Nunhead and the Dutch House on the A20 have been saved from demolition. The Baring Hall in Catford has reopened after being saved

#### Objections to Lidl Food Retail Store:

- would be out of character
- would impact unacceptably on local shops - potentially 5 or 6 vacancies which will impact on the viability of Mottingham centre
- is too large for Mottingham
- foodstore is not wanted or needed
- Mottingham already has two small supermarkets
- will result in a loss of 'night-time economy' for Mottingham
- comparison to other centres such as Biggin Hill and Chislehurst are flawed due to their size and catchment
- impact on Co-op store at Kimmeridge Cross would be unacceptable as the area is deprived. This store also has 50 parking spaces which are often full
- proposal is not a 'top-up' store as Lidl suggest and the shop will attract business from a wide area
- a petition seeking support which was placed in the Eltham Lidl has not been mentioned by the applicant presumably because it did not support Lidl's case

#### Objections to Design and Appearance:

The proposed building will be:

- industrial and intrusive in its design
- overdominant and represents an overdevelopment of the site
- forward of the existing building line
- harmful to the setting of the attractive village entrance and war memorial
- excessive compared to the existing building which is respectfully designed
- the canopy and trolley bays would also be intrusive and will encroach onto the pavement
- out of character with the war memorial

- result a loss of greenspace

#### Objections to Traffic and Highways:

- a consultant on behalf of The Mottingham Residents Association has submitted a traffic report which makes the following points:
- the transport statement should reflect a generic 800sqm retail store and not this specific occupier.
- it over relies upon PTAL outputs and does not consider peak hour traffic conditions.
- there will be a step change in right turns in and out of the site making the submitted traffic modelling unreliable.
- an upgraded pedestrian crossing should be funded by the development
- delivery frequency is underestimated and there are inconsistencies between the noise and transport reports in relation to delivery times
- the form of access proposed is inappropriate and potentially hazardous to pedestrians and cyclists.
- methodologies in the statement result in conflicting estimates of trip generation
- there is no reference to achieving an appropriate visibility splay looking right out of the site
- traffic surveys were carried out in summer school holiday and combined with uncertainty of trip forecast accuracy places conclusions in doubt
- Mottingham Road is narrow and unsuitable for HGV movements
- traffic survey was undertaken in holiday time and is not accurate
- pollution from additional vehicles
- parking on site is not sufficient and will spill into residential areas
- there is already severe parking pressure in the area and many residents have to rely on on-street spaces being available
- impact on War Memorial roundabout and traffic safety
- increased risk of accidents due to traffic movements around the site
- there is no pedestrian pathway through the site
- disturbance to residents from additional vehicles including HGVs
- proximity of junior school and possible conflict with vehicles
- travel plan only makes reference to staff travel which will not be significant
- Eltham College and Dorset Road Schools are nearby and the highway safety issues could detrimentally impact on childrens' safety. There is also a nursery in West Park
- an improved pedestrian crossing should be sought as part of the proposal

#### Objections to Effect on Adjacent and Nearby Residential Properties:

- noise and disturbance from additional traffic
- previously noise to adjacent residents was human sounds, conversation and children playing
- vehicle movements and activity will severely impact on adjacent residents
- additional noise from cars, lorries, car doors, plant, unloading and manoeuvring

- close boarded fencing will not be adequate to protect residents
- views will be available from lorries into gardens and houses adjoining the site as well as the vehicles being highly visible
- unacceptable visual impact from development and lorries
- indiscriminate parking in nearby roads which will result in blocked drives
- 26 Devonshire Road is immediately adjacent to the site and is home to vulnerable residents who will be affected by the proposal both during development and once complete

#### Other Objections:

- there are many ways the pub can be made viable
- site is currently used for Remembrance Ceremony
- no provision has been made for site security which leaves surrounding properties vulnerable
- no consideration has been given to appropriate lighting for the site. Too much lighting could adversely impact on surrounding properties
- loss of trees on the site would be unacceptable and replacements are inadequate
- loss of vegetation already felled is regrettable and has been carried out without regard for adjoining residents
- proposed landscaping near the petrol station has not been properly considered
- insufficient use has been made of alternative energy such as solar panels
- increased hardstanding is not environmentally friendly and could impact on run-off and cause flooding
- no application has been made for advertisements which could be more harmful
- concern that Lidl ignored residents

#### Comments in Support:

A comparatively small number of representations in support of the proposal were received from local residents:

- a foodstore would help older people in the area without a car with shopping
- Lidl would not be a traffic hazard
- pub was not popular enough to prevent it closing
- the proposal will provide a much needed food retail store in Mottingham
- new jobs will be provided
- discount retailer is welcomed
- site will remain derelict for a long time if this proposal is unsuccessful and suggestions of its reuse are unrealistic
- existing pub has been reinvented unsuccessfully a number of times and hasn't been suitably supported to make it work commercially
- pub was no longer a family pub and will not be a loss
- the building is out of keeping and run down
- a modern store would be an improvement providing and encouraging investment in a slightly run down area

## Consultee Responses

The Highway Engineer considers that the proposed access has substandard visibility and the information supplied does not give confidence that there is an adequate level of car parking proposed. There are also factors such as the servicing, pedestrian access to the site and junction operation that need further investigation. Consequently I would recommend refusal of the application as it would be detrimental to conditions of safety in the highway and free flow of traffic contrary to Policy T18 of the UDP 2006.

The Metropolitan Police Designing Out Crime Officer comments that there is no record of the applicant or agent seeking any advice and the application does not set out any measures to meet Secured By Design standards to reduce and prevent criminality. Concerns are raised that if the site is not secured and gated out of hours, the car park will be subject to anti-social behaviour and the security of the building will be compromised. This site is in an area that has historically suffered from high levels of anti-social behaviour and crime as can be seen from the crime statistics. These statistics are for a relatively small area within a radius of approximately 150m around the site over the past eight months shows 81 recorded crimes including anti- social behaviour, theft, burglary and drugs.

This particular proposal for the site would result in a situation where there is no natural surveillance of the rear of the site creating an area that will attract crime and criminality and the proposal for the site now opens access to the rear gardens of the houses on Devonshire Road making them vulnerable. Easy access to the rear of a property greatly increases the risk of burglary.

Increasing the lighting on the site will not deter crime if there are areas where criminals can hide from view, which is the case here. The provision of CCTV if installed correctly can indeed be a good investigative tool but in this case would not be sufficient to mitigate the crime risk of leaving access to the site open and uncontrolled. Therefore having looked at the crime risk for this location the application would not be able to meet the requirements of Secured by Design and demonstrate how it meets the relevant requirements of local policy BE1.

The Environmental Health Officer has no objection subject to all of the mitigation measures set out in the submitted noise report being implemented in full and a condition being imposed to provide details of the acoustic boundary treatment.

The Highways Drainage Officer requests that conditions be imposed to require the submission of detailed drainage information and calculations.

Thames Water has no objection to the application and recommends an informative

The adjoining Royal Borough of Greenwich objects to the application on the basis of the loss of the public house.

## **Planning Considerations**

The application falls to be considered with regard to the following policies:

The National Planning Policy Framework 2012 (including specifically paragraph 216 which sets out weight to be given to emerging policies)

Saved Policies from the Unitary Development Plan 2006:

- T1 Transport Demand
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T17 Servicing of Premises
- BE1 General Design of Development
- NE7 Development and Trees
- S6 Retail and Leisure Development
- C1 Community Facilities

Appendix II - Parking Standards

Policies from the London Plan 2011:

- 2.15 Town Centres
- 3.16 Protection and enhancement of social infrastructure
- 4.6 Support for and enhancement of arts, culture, sport and entertainment provision
- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector

Chapter 5 - London's response to climate change

- 6.13 Parking
- 7.3 Designing out crime
- 7.4 Local character
- 7.21 Trees and woodland

Recently published Draft Alterations to the London Plan (January 2014), in particular Policy 4.8, are also relevant and include enhanced reference to protecting public houses.

There is an emerging Local Plan, which is soon to be published for consultation, including an Options and Preferred Strategy document (March 2013) and the Local Plan Draft Policies and Designations which is due to be published in February 2014. This emerging plan carries limited weight in the determination of a planning application at this stage.

## **Planning History**

Single storey extensions to the existing public house were permitted in 1987 and a freestanding hot food building was refused in 1989. Canopies for the rear seating area were permitted in 2007. An application for prior notification for demolition was refused in 2013 and there is a current application to retain the hoarding around the site.



## **Conclusions**

### Principle of development of a retail store

The site falls within the retail frontage of Mottingham Local Centre as designated in the UDP and is therefore an appropriate location for retail use. UDP Policy S6 requires retail developments to be appropriate to the size of the centre and not to harm the viability or vitality of other nearby centres, either by itself or in conjunction with other proposals.

The applicant has set out that there is no evidence that there will be any jobs lost from other businesses in the area as a result of this proposal and emphasize that they consider that the store will enhance Mottingham centre.

Other Local Centres in the Borough have accommodated similar size retail stores and at present there is no larger retail space in Mottingham. The applicant strongly argues that the proposal meets an identified need and that the site's location within a town centre makes it appropriate for a retail use. The Council's Borough-wide Retail, Office, Industry and Leisure Study from March 2012 identified that there was sufficient expenditure capacity in the Borough's Local Centres for an additional 1,500sqm convenience floorspace and 900sqm comparison floorspace up to 2016.

There are five Local Centres identified in the UDP and only Mottingham and Hayes do not include similar size stores. This would suggest that these two Centres could have the capacity for a larger footprint store such as that proposed in this application. Although the store would effectively take up a large proportion of the identified floorspace, there are no other significant schemes in these centres outstanding that have any prospect of being constructed before 2016.

Objectors have raised concerns about the impact on existing smaller shops in the retail centre. Whilst these concerns are acknowledged, there is no substantive evidence to support this claim. The applicant argues that to the contrary the store will support the town centre and encourage visitors, fulfilling an identified need. Further evidence has been provided to demonstrate that the store would not have any significant adverse impact on any other nearby town centres. As Lidl do not provide many of the additional services that larger supermarkets do, including fresh food counters, pharmacy, film processing, post office, café, mobile phone shop, this will also reduce any possible negative impact on local shops and could be controlled by condition if necessary. On balance the proposal is considered to accord with Policy S6.

### Loss of the community facility

The public house is considered to be a community facility for planning purposes, and it has also been included on the Council's register of Assets of Community Value.

UDP (2006) Town Centres objective 2 and 5 are:

- 2) To sustain and promote the vitality and viability of town centres and ensure that the range and level of facilities are appropriate to the role and function of each centre in the hierarchy; and
- 5) To support local shopping areas by maintaining provision of local shops and services adequate to meet the day-to-day needs of all local users.

UDP Policy C1 states that "Planning permission will not be granted for proposals that would lead to the loss of community facilities unless it can be demonstrated that there is no longer a need for them or alternative provision is to be made in an equally accessible location." The applicant suggests that the policy may not relate to public houses, however it is clear that the list of facilities in Policy C1 is not exhaustive and does include facilities that meet a social need.

Furthermore, the NPPF clearly regards public houses as community facilities (paragraph 70). The emerging Local Plan Options and Preferred Strategy document (March 2013) indicates that strategic options would be supported by a range of development management policies, likely to include specific protections for facilities important to local communities, including pubs. The Local Plan Draft Policies and Designations is published for consultation Feb 2014 and includes a new draft Community Facilities policy and a specific draft pubs policy

The applicant has provided examples of decisions made within Bromley involving the loss of public houses where UDP Policy C1 has not been introduced; however these decisions were all taken prior to the publication of the NPPF, which provides strong support for the retention of public houses as community facilities. The relevance of Policy C1 will also depend on the specific circumstances of each application site.

The applicant argues that there is no longer a need for a public house community facility in this location as there are alternative public houses and community facilities within an accessible distance of this site and that the pub closed as it was no longer viable. Information is provided regarding declining trade and six failed tenancies in the last 8 years at the Porcupine which it is stated indicate it was not viable. This includes confirmation that the failed landlord tenancies were effectively the landlord's business thus they would have had an incentive to make the pub viable. Because it is argued that there is no longer a need for the facility, the applicant does not consider that any replacement provision is necessary.

The applicant further considers that the lack of demand and usage of the pub when it was trading cannot be regarded as a 'defined need' to retain the facility, with particular regard to the draft amendments to London Plan policy 4.8 as this policy requires sufficient evidence of need and viability for a pub use before Boroughs should impose public house protection policies. It is further pointed out that no such policy exists in Bromley at this time.

It is difficult to regard the evidence submitted regarding viability as conclusive with regard to whether there is a need for the facility; it could be considered that the fact that 6 tenants have come forward over the last 8 years indicates that there continues to be interest in running the pub. It is difficult to be certain as to whether the business could be viable as it does not seem that there has been any

significant investment in the premises. In fact from its appearance and comments from local residents, the premises seem to have been allowed to decline. Additionally, representations from local residents seem to indicate that if the premises had been maintained well or improved, custom may have increased rather than declined. Members may consider that the closure of the public house cannot be decisive in determining whether there is no longer a need, and must be balanced with other considerations which also indicate need.

It must be recognised that public houses provide a specific type of walk-in community facility providing flexibility and opening hours which are not directly comparable to a church hall or other facility where booking is normally required. Pubs operate as an impromptu and regular meeting place for the community, particularly in the evening, as well as for pre-arranged functions.

The proposal involves the loss of the sole public house within a district centre. The nearest alternative pubs are:

- The Prince of Wales, just over 500m from the site (some 280m south of the shopping frontages)
- The Royal Tavern over 650m from the site (some 440m east of the shopping frontages).

Neither is located within Mottingham centre and arguably therefore they are not in an equally accessible location with regard to Policy C1, and the loss of the Porcupine would deprive Mottingham centre of its only public house.

It is also of note that permitted development rights exist at present to change the use of the building to Class A1, A2 or A3 (retail, financial and professional services or restaurant) without the need for planning permission, which the applicant sets out as a fallback position that would also result in the loss of the public house. However, given the format and size of the store proposed, this may not be a realistic fallback position for this particular applicant.

The applicant also suggests that because the public house has closed, that there is no use to protect or retain and therefore the policy in this regard is not relevant, and cites a previous appeal elsewhere in relation to this. It is not considered that this is a sound argument however, as it would make circumventing any policy easy by simply closing the relevant business.

The Policy C1 test is whether there is any longer a need for the community facility and if there is, whether there is an equally accessible alternative. It is considered on balance that there is a need for a public house in this location to serve Mottingham centre, and that there are no comparable alternatives in an equally accessible location within Mottingham centre. The strong desire of the community to retain this facility is evident from the public interest and representations made to this application and its loss will deprive Mottingham centre of a suitable range and level of facilities. On balance, it is considered that the proposal does not comply with Policy C1 or town centre objectives 2 and 5.

## Design

With regard to Policy BE1, the proposed design of the building is relatively sympathetic to the location and the pitched roof and use of more traditional materials in part does provide a more attractive development than some other typically utilitarian retail buildings. The building is set relatively far forward on the site, much further than the existing public house, and this will impact upon the streetscene. However, although this is a subjective point, given the pitched roof and design of the building, this change is not considered so objectionable as to warrant refusal.

The building will present a greater built form closer than the existing building when viewed from the rear of properties in Devonshire Road, however given the separation of minimum 20m and the overall height of the proposed building of between 8m and 9.8m, and the lack of any windows at first floor level, the relationship is on balance considered acceptable.

The design and layout of the scheme does leave minimal space for landscaping and will result in a significant proportion of the site being developed with buildings and hard surfaces. Compared to the amount of landscaped area at present this is a detrimental change and the site will be intensively developed. Members will wish to carefully consider whether the amount of development proposed is appropriate for this site with regard to Policy BE1.

#### Amenities of neighbouring properties

The relationship of the site with adjoining properties will alter significantly as a result of this proposal and there is concern about the impact of this change, in particular the close proximity of vehicle movements to the rear gardens of properties in Devonshire Road, which were previously only affected by disturbance at times when the pub garden was in use. The applicant has pointed out that the previous use attracted anti-social behaviour and crime and undoubtedly had an impact on neighbouring properties.

It is considered that as a consequence of the layout of the access road and car parking, the noise from car movements, customer activity and deliveries in the parking area would be audible to adjoining residents. However, the submitted acoustic report concludes that noise levels would be acceptable if noise reduction measures in the form of an acoustic boundary treatment are installed. There is no evidence that this would not be the case despite the change in the relationship which would be created by the development. The Council's Environmental Health Officer considers that the impact would be acceptable from a technical noise aspect provided the conclusions of the noise report are adhered to, and a condition is recommended should permission be granted.

Although concerns are raised in objections regarding overlooking from delivery vehicles, deliveries are stated to be normally one per day and maximum two per day at peak times. Any impact would therefore not be significant and the number of deliveries could be the subject of a planning condition if permission were to be granted.

#### Crime Prevention

Policy BE1 requires that security and crime prevention measures should be included in the design and layout of building and public areas. The Crime Prevention Officer raises concerns that the development will not be suitably secure outside opening hours given that no measures are proposed to secure the car park. This may also impact on the security of residential properties surrounding the site which will now be far more exposed than from the pub garden which was secured from being readily entered outside of opening times. It is stated that CCTV will be installed; however this is not always a successful deterrent.

The applicant has proposed a physical barrier is installed to prevent access to the car park when the store is closed, however it is not clear whether this could be successfully achieved both in terms of the visual appearance of such a barrier and in operational terms given the access and parking layout. On balance the proposal fails to comply with this part of Policy BE1 as it fails to include suitable measures to prevent crime and antisocial behaviour.

### Highways and parking

Concerns are raised regarding the new access relating to the achievable sightlines and pedestrian safety as a result of the size of the access. Given the nature and location of the access it is considered that it should meet the necessary criteria and it does not, meaning the proposal is contrary to Policies T6 and T18 of the UDP.

With regard to servicing, it is stated that Lidl only normally make one visit per day, however this may be more at peak times of year. This would be difficult to control effectively by condition, and must be considered in light of the fact that some parking spaces would need to be coned off to satisfactorily service the building. This may lead to deliveries outside store opening which may be more harmful to neighbouring properties. Additionally the swept path of the delivery vehicle shows it going across both carriageways of Mottingham Road. The servicing arrangements are therefore considered unsatisfactory and contrary to Policy T18 of the UDP.

In respect of parking spaces, the site is in a low PTAL area and there are 3 bus routes in the area although none pass the site. The provision of parking is below the Council's maximum standard which is between 43 and 65 spaces. The proposal falls below the lowest maximum standard and given the layout proposed, the proximity of the roundabout, the lack of any public car park nearby and the pressure on street parking in the vicinity of the site, it is questionable whether a lower standard would be acceptable in this location if demand for parking at the store was high.

Additionally cars manoeuvring into space 35 will hold up any following vehicle which will be unable to clear Mottingham Road. The parking spaces are the maximum which can be provided on the site but this should not lead the parking provision and, together with the arrangements for the servicing, would indicate there is not enough space on the site for this proposal. The applicant has pointed out that Lidl would not seek to develop a site which included inadequate car parking as this would deter customers, however the parking does appear to be less than adequate given the circumstances of the site.

Overall there remain concerns about the parking, servicing and junction arrangements for this proposal both in respect of vehicle and pedestrian safety, and also the impact on the surrounding area in terms of additional parking pressure. The proposal is therefore contrary to Policy T18 of the UDP.

### Trees and landscaping

There are two trees on the site which are the subject of Tree Preservation Orders. The applicant has provided supporting information which states that one tree is not worthy of retention and that the other is of a lower quality than the Council considers. Notwithstanding the applicant's submission, the removal of both of these trees is considered unacceptable and the conclusions of the applicant's arboricultural report are not considered accurate.

To offset the loss of these trees and to provide an attractive setting for the development, some limited landscaping is proposed, however this is a relatively small proportion of the site. Off-site planting is also suggested in the application, however at the time of reporting no confirmation had been received that this was acceptable to the Local Highway Authority on whose land the planting would be carried out. Unless the off-site planting can be demonstrated to be deliverable, it would not be appropriate to consider it in the determination of the application.

The applicant has commented on the Council's views on the trees and landscaping scheme and is concerned that the information submitted with the application has not been properly considered. It is reiterated that the proposed landscaping scheme is considered to more than adequately remedy the loss of two TPO trees which the applicant's consultant does not consider worthy of retention.

Overall, the landscaping proposals are considered inadequate both for the purposes of 'offsetting' the loss of the protected trees and in providing a suitable setting for the development, contrary to Policies BE1 and NE7 of the UDP.

### Sustainable Development and Renewable Energy

The London Plan provides the policy framework in respect of sustainable construction and renewable energy, and information has been submitted with the application to demonstrate compliance with the relevant policies.

### Conclusion

Although a retail store of this size in Mottingham in policy terms may enhance the vitality and viability of the centre by way of linked trips and by complimenting the existing retail offer, the loss of the existing public house community facility at the site is a significant concern and for the reasons set out above is considered to conflict with local, regional and national existing and emerging policies.

The appearance of the building is not unacceptable although the proposed layout of the site will alter the relationship with neighbouring properties and significantly increase the amount of built development at the site. The proposed layout will also give rise to concerns about security and crime prevention.

There remain outstanding concerns surrounding the junction and access arrangements, the parking provision at the site, and also the loss of trees which have been considered worthy of retention and subject to a Tree Preservation Order. The proposals to offset the loss of trees on site are limited and there appears to be no certainty regarding any offsite landscaping provision.

Taking all of the above into account, the restricted parking provision and layout, the potential conflicts of different vehicles and pedestrians, the limited space for landscaping and the overall amount of built development proposed may indicate that the proposal represents an overdevelopment of the site.

On balance, refusal is recommended for the reasons set out below.

### **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposed junction access, servicing and parking arrangements do not meet necessary criteria and will give rise to unsatisfactory vehicle and pedestrian conflicts, detrimental to conditions of safety in the highway and free flow of traffic and contrary to Policy T18 of the Unitary Development Plan
- 2 The proposed development would result in the unacceptable loss of two statutorily protected mature trees which would have a detrimental impact on the character and appearance of the area, contrary to Policy NE7 of the Unitary Development Plan.
- 3 The proposed development would not incorporate adequate security and crime prevention measures in the design and layout of building and public areas, and would therefore be contrary to Policy BE1 of the Unitary Development Plan.
- 4 The proposed development by reason of the amount of buildings and hardstanding, limited landscaping and the resulting potential vehicle and pedestrian conflicts would constitute an overdevelopment of the site, harmful to the character and appearance of the area and adjacent residential properties, contrary to Policy BE1 of the Unitary Development Plan.
- 5 The proposal results in the loss of a public house and community facility, detrimental to the quality and range of services within Mottingham Centre available to visitors and local residents, contrary to Policy C1 and objectives 2 and 5 of Chapter 11 of the Unitary Development Plan, draft alterations to Chapter 4.8 of the London Plan and the National Planning Policy Framework 2012.

**Application:**13/04160/FULL1

**Address:** The Porcupine 24 Mottingham Road Mottingham London SE9 4QW

**Proposal:** Demolition of the Porcupine public house and erection of a two storey building to provide a retail foodstore comprising 800sqm sales area with ancillary storage, office, servicing area and 35 car parking spaces



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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