

Application No : 14/00452/FULL1

Ward:
Crystal Palace

Address : The Haven Springfield Road Sydenham
London SE26 6HG

OS Grid Ref: E: 534884 N: 171063

Applicant :

Objections : YES

Description of Development:

Demolition of existing buildings and redevelopment of The Haven and Rookstone site comprising two to four storey buildings to provide 107 residential units (25 four bed houses and 19 three bed, 33 two bed and 30 one bed flats) with 135 car parking spaces, landscaping and associated works

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

Proposal

- o Demolition of existing buildings (Rookstone House and The Haven) and erection of buildings between two and four storeys in height to provide 107 dwellings (25 four bedroom houses and 85 flats (30 one bedroom, 33 two bedroom and 19 three bedroom) - 38 units will comprise affordable housing (representing 35% of the scheme by habitable room)
- o an approx. 82m long terrace comprising 10 three storey four bedroom houses and 2 four storey blocks of flats will face 2 terraces (approx. 50m and approx. 27m long) comprising 9 three storey four bedroom houses and 2 four storey blocks of flats with an access road, car parking and soft landscaping to the centre of the site - 12 one bedroom, 24 two bedroom and 8 three bedroom flats will be provided in total within this part of the development
- o there will be a terrace of 5 two storey houses with accommodation in the roofspace to the east of the site accessed from Springfield Road and there will be a two storey house with accommodation in the roofspace fronting Lawrie Park Crescent to the north of the site

- o 12 one bedroom and 6 two bedroom shared ownership flats will be provided in a three storey building occupying a similar footprint to Rookstone House at the northern end of the site with an access from Lawrie Park Crescent
- o 6 one bedroom, 3 two bedroom and 11 three bedroom affordable rent flats will be provided in a four storey building to the southern end of the site with 17 car parking spaces and an access from Crystal Palace Park Road
- o main site access will be located slightly to the north of existing access on Springfield Road
- o 135 car parking spaces (two spaces per house and one space per apartment) and 146 cycle parking spaces will be provided
- o materials will include London stock bricks (dark, light and regular shades), slate tiles, oak clad balconies and bronze metal cladding
- o minimum of 20% of car parking spaces will be provided with Electrical Vehicle Charging Points (EVCPs)
- o private terraces or gardens will be provided for each ground floor property whilst balconies or roof terraces will be provided to 1st floor flats and above
- o private green space will be integrated with the parking provision to the front of the buildings
- o access road will be constructed from brick pavers to create a pedestrian priority feel
- o communal play areas will be provided at the north end of the site and at the Crystal Palace Park Road entrance
- o 60 new native species trees will be planted including fruit and flowering species for wildlife and amenity value and large, semi-mature specimens in key locations
- o retention of tree canopy line along the site boundary will retain bat foraging opportunity
- o energy efficiency measures and photovoltaic panels will deliver at least a 40% reduction in CO2 over 2010 building regulations across the site
- o all dwellings are designed to meet Code for Sustainable Homes Level 4
- o 10% of all units will be wheelchair accessible or designed so as to be easily adaptable for wheelchair users.

The application is accompanied by a Planning Statement which includes the following points:

- o Government policy promotes the efficient use of land both to help meet housing requirements and to achieve more sustainable patterns of development - this will often be at a greater intensity than has historically occurred
- o on the basis of the government's current stance on housing delivery the scheme should be considered in accordance with the presumption in favour of development
- o London Plan 2011 identifies a minimum target of delivering 500 new homes per annum in Bromley throughout the plan period - proposal would contribute towards the delivery of much needed housing
- o Policy 3.8 of the London Plan states that "account is taken of the changing age structure of London's population and, in particular, the varied needs of older Londoners, including for supported and affordable provision" - site has been marketed since 2011 when the buildings were vacated by the Salvation Army as they were no longer fit for purpose and did not meet the standards required for care facilities, whilst the focus of child care provision has shifted to much smaller (4 bed) residential settings instead of larger care homes - it is therefore unsurprising that despite over 2 years marketing there has been no interest in the Site for continued C2 care home use (either by re-use or redevelopment)
- o discussions took place with Bromley Adult Services regarding the potential for a replacement elderly care home facility at the site, however there are plans to redevelop four more appropriate sites to adequately meet the projected demand for care in the borough
- o marketing evidence demonstrates that there is no real prospect of the site being reused for Class C2 care home use and residential redevelopment of the site is therefore in line with the National Planning Policy Framework (NPPF)
- o layout, scale and massing of the development are designed to complement the surrounding area - buildings are of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and incorporates details and materials that complement the local architectural character
- o layout of the residential development provides natural surveillance to the private communal routes and open spaces and site will be gated at the access from Springfield Road to create a reduced risk of crime and a sense of safety
- o assessment of the relationship with neighbouring properties has been undertaken and cross sections drawings accompanying the application demonstrate that the proposed buildings (the tallest of which are four storeys) are of an appropriate scale to the surrounding built form (which varies from 2 to 4 stories) and is orientated on the site to ensure that there

are appropriate separation distances and relationships with the neighbouring properties

- o site is well screened from surrounding development by the existing mature tree screen along the site boundaries which, combined with the separation distance between properties, will ensure that there is no adverse impact upon the amenities of neighbouring residents, including loss of privacy from any direct overlooking or a sense of overbearing from the new buildings.

The application is accompanied by the following:

- o Design and Access Statement
- o Affordable Housing Statement
- o Ecology Report
- o Phase 1 Habitat Survey
- o Energy & Sustainability Statement
- o Engineering Report on the Rail Tunnel
- o Statement of Community Involvement
- o Tree Survey and Arboricultural Implications Report
- o Flood Risk & Surface Water Drainage Assessment
- o Transport Assessment Report
- o Framework Travel Plan
- o Phase 2 Contaminated Land Interpretative Report and Outline Remediation Strategy
- o Planning Obligations Heads of Terms Statement.

Location

- o 0.78 ha site currently occupied by two disused buildings, hardstandings and soft landscaping including mature trees around the boundary of the site
- o Rookstone House to the northern end of the Site fronting Lawrie Park Crescent was historically used by the Salvation Army as a nursing home for the elderly
- o the Haven building, located at the centre of the Site, was previously in use as a children's care home
- o existing buildings on the Site have a total Gross External Area (GEA) of 2,566m²
- o railway line (from Penge West to Sydenham Hill) runs underneath the Site and partly underneath Rookstone House - there is a zone of influence along the route of the railway line which must be kept free from built development
- o there are three existing access points into the site from Springfield Road, Lawrie Park Crescent and Crystal Palace Park Road
- o site is located in an area with a medium PTAL rate of 3

- o site lies in a residential area on the southern side of Lawrie Park Crescent and is bounded by Crystal Palace Park Road to the south west and Springfield Road to the east, with residential properties in Cobden Mews, accessed off of Sydenham Avenue, to the west
- o surrounding area is predominantly characterised by tree-lined streets with residential properties of varying architectural styles and heights (ranging from two to four storeys)
- o all the trees on the Site are protected by a blanket Tree Preservation Order (TPO Ref: 2473/2012).

Consultations

Comments from local residents

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- o gross overdevelopment / excessive density / 78.6 dwellings per hectare is approaching maximum as set out in the London Plan
- o out of character / no precedent for this type of development in surrounding area / overbearing visual impact / excessive bulk / poor design / unrelieved appearance / little variety of materials / harm to street scene from bulk of Block 5 / cramped appearance / interconnected flats and houses will create claustrophobic corridor / loss of green space / harm to open character / inadequate amenity areas, public space and play space / inadequate space around buildings / scheme fails to comply with policy design guidance / affordable housing is separated from remainder of development
- o harm to character and appearance of adjacent Conservation Area
- o excessive height of buildings particularly in relation to existing surrounding development / development on Rookstone slab should be no higher than existing building
- o harm to amenities of occupants of nearby residential dwellings / loss of sunlight, daylight, outlook and privacy at nearby properties including those fronting Maybourne Close, Border Road, Cobden Mews, Lawrie Park Crescent, Crystal Palace Park Road and at Holly Court / tree screening along border of site with properties fronting Maybourne Close and Cobden Mews is very thin / no tree along boundary with 15 Lawrie Park Crescent / new tree planting will take years to mature and provide effective screening / plan illustrating extent of overshadowing is unrealistic / drawings indicating height of existing trees in relation to the development are misleading and inaccurate
- o north wall of 38 Crystal Palace Park Road forms part of site boundary and scheme will prevent access to north and east walls for maintenance and to clean windows

- o increased pollution
- o development over railway tunnel may affect sanitation and cause subsidence and flooding
- o increased noise and disturbance and light pollution affecting nearby properties / noise from children's play space
- o smells and vermin from bin stores, particularly those adjacent to house No. 10 (on development site) and No. 36 & 38 Crystal Palace Park Road
- o increased traffic / Springfield Road and Lawrie Park Crescent are used as rat runs during rush hour / provision of a convenience store within scheme would reduce traffic
- o inadequate car parking / increased demand for on-street car parking, in particular on Springfield Road / resident's permit scheme will not address problems that will be caused / St. Christopher's Hospice staff and visitors and tennis club members park in surrounding roads / Hospice staff will be put in danger after dark if forced to park further from the facility / Transport Assessment is flawed and takes inadequate account of existing parking demand and vehicles servicing development / traffic count was suspended prematurely at 6pm / Travel Plan is unenforceable
- o detrimental impact on highway and pedestrian safety / reduced visibility from main access due to increased parking / junction of Maybourne Close with Springfield Road is somewhat concealed / junction of Lawrie Park Crescent and Springfield Road is dangerous / danger from speeding vehicles on Crystal Palace Park Road / fatalities have occurred on Lawrie Park Crescent and Crystal Palace Park Road
- o 46 mature trees will be removed / many trees have already been felled / further felling of trees is excessive / tree removal detrimental to woodland character of area / trees were absorbing excess groundwater
- o loss of wildlife habitat affecting squirrels, birds, bats and mice / displacement of wildlife into surrounding gardens / increased pressure on neighbouring gardens for provision of new food sources and habitats / displacement of foxes threatens safety of babies / replacement ornamental tree planting does not replace lost habitats / no evidence of a licence from Natural England for felling of trees with bat roosting potential / ecology statement fails to address stag beetle population of site
- o increased pressure on local infrastructure and services including healthcare and education
- o impact on roads and facilities within London Borough of Lewisham
- o Bromley housing targets should not be justification for overdevelopment

- o pressure on already crumbling sewage system / Thames Water have not agreed feasibility of foul sewer diversion
- o increased flood risk / increased surface water run-off from hard surfaces will affect adjacent properties / Springfield Road affected by flood and subsequent frost damage
- o surface water run-off, increase in water table and compression of clay soil could increase risk of subsidence at adjacent properties / soil removal, excavation and building work will lead to land instability / tree planting will cause clay shrinkage subsidence
- o gated development will be divisive to community
- o noise, disturbance, disruption and dust during construction period / highways and parking impact of construction traffic / damage to surrounding roads from construction traffic / inadequate information regarding measures to mitigate impacts of construction on neighbouring properties and means of enforcing those measures
- o significant changes in relation to clay strata, saturation and mass bearing, particularly during construction, will affect railway tunnel structure / risk of collapse of sewage system and railway tunnel from weight of development
- o inadequate community consultation / contempt for community / misrepresentation of community feedback / feedback has been disregarded / misleading claims / inadequate notification of public exhibition / Kitewood did not contact local residents following neighbourhood consultation / applicant should provide a 3D model of proposed development
- o harm to setting of Crystal Palace Park
- o inaccuracies in submission for Environmental Impact Assessment screening opinion
- o restrictive covenant prevents development of more than 10 dwellinghouses on the site
- o decision should be delayed until after local elections.

The comments summarised above include a representation from the Sydenham Society.

Consultations

The Environment Agency have no objections to the proposal.

Network Rail have commented that discussions are ongoing regarding an Asset Protection Agreement in relation to the railway tunnel under the site.

There are no objections in terms of highways, subject to conditions.

The Council's in-house drainage consultant has no objections to the proposal.

There are no objections in terms of Environmental Health.

The London Borough of Lewisham have no objections to the proposal.

The following comments have been received in respect of trees and biodiversity:

- o Arboricultural Survey and Planning Integration Report dated 20th January 2014 does not consider any off-site trees within the neighbouring property as is recommend within current British Standard (BS) 5837 Trees in Relation to Design, Demolition and Construction. Recommendations: 2013 - some of these off-site trees that have the potential for their RPA to be within the proposed site are protected within tree preservation orders (TPO's) number 965A Area Order 08/04/1994 Area 1
- o it is not clear from 'Figure 1 Topographical Survey with Tree Positions and RPAs what are the current levels within the site and what are proposed changes, if any, affecting trees within the site
- o removal of a significant number of mature trees for the proposed new road accesses and for the visibility splays has not been sufficiently justified within the Planning Integration Report
- o use of retention principles within BS 5837:2012 regarding conservation, mitigation and compensation of existing trees within a proposed development scheme has not been adequately applied on this occasion - given that trees that can be retained will be likely to be lost, suitable mitigation measures could be implemented for those trees that are proposed to be retained, whilst the scheme does not have sufficient areas to allow for suitable compensation within the site
- o design of the proposed dwellings have not taken into consideration Site Layout Planning for Daylight and Sunlight, A guide to good practice, BRE (Building Research Establishment) Trust 2011
- o it is proposed to install new dwellings in close proximity to the mature trees that are protected within the Area Orders number 965A severed 08/04/1994 & number 2473 severed 02/03/2012 (located to the south, west and east of the proposed new dwellings) - the location of these new dwellings and the subdivision of the management control of trees into new small domestic gardens will result in a greater risk of post development pressure on the trees - pressure to maintain and or remove the trees will be fragmented given the current proposals and will result in the loss of the overall control and management of the trees by one larger owner to many smaller owners with differing opinions on what is an acceptable level of light loss, hazards

and risk to their properties from the mature trees that will be within their ownership, control and liability

- o it appears that the full recommendations and advice within the BS 5837:2012 and the advice from BRE have not been taken into consideration in the design of the scheme - the proposals will have a detrimental impact upon the trees during the enabling works and construction and post construction phases - these trees are protected by TPO numbers 965A & 2473 (both are Area Orders severed on 08/04/1994 and 02/03/2012) as they have a significant public visual amenity value and provide a green screen for the site - the trees within these TPOs are visible from the public highway and form the significant landscape character of the surrounding local area of Lawrie Park Crescent, Springfield Road and Crystal Palace Park Road - the current proposals will have a detrimental impact of the mature trees protected within TPOs that form the green screen around the site and reduce the significant large area of verdant landscape that is a positive characteristic within the surrounding area
- o proposal will result in a net loss of green open landscaped areas and an increase in the amount of hard landscape areas - proposed new public and private green areas will be small fragmented areas that will be unable to sustain large mature trees, seating areas, play areas, DDA complaint footpaths and the mosaic of vegetation that is required for Codes for Sustainable Homes
- o biodiversity information submitted to the Council by LaDellWood did not state that the Phase 1 Habitat Survey was undertaken in accordance with British Standard 42020:2013: Biodiversity Code of Practice for Planning and Development or that it was undertaken in accordance with Joint Nature Conservation Committee (2010), Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit. –
- o Phase 1 Habitat Survey was undertaken in September 2013 after a significant amount of vegetation was cleared from the site and the effects of this site clearance has not been considered
- o Phase 1 Habitat Survey does not adhere to Table 7.2 Minimum recommended visit frequency and timing for activity surveys, Bat Conservation Trust, Bat Surveys (2012), Good Practice Guidelines, 2nd Edition
- o Ecological Assessment does not comply with the Natural England Standing Advice issued on 21st October 2013
- o proposal will result in a net loss of biodiversity within the site during the enabling works and construction and post construction phases.

Any further responses to consultations will be reported verbally at the meeting.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

UDP

- o H1 Housing Supply
- o H2 Affordable Housing
- o H7 Housing Density and Design
- o H9 Side Space
- o T1 Transport Demand
- o T2 Assessment of Transport Effects
- o T3 Parking
- o T5 Access for People with Restricted Mobility
- o T6 Pedestrians
- o T7 Cyclists
- o T11 New Accesses
- o T18 Road Safety
- o NE7 Development and trees
- o BE1 Design of New Development
- o BE7 Railings, Boundary Walls and Other Means of Enclosure
- o BE13 Development adjacent to a Conservation Area
- o NE3 Nature Conservation and Development??
- o NE5 Protected Species
- o NE7 Development and Trees
- o IMP1 Planning Obligations

London Plan

- o 2.7 Outer London: Vision and Strategy
- o 3.3 Increasing housing supply
- o 3.4 Optimising housing potential
- o 3.5 Quality and design of housing developments
- o 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- o 3.8 Housing choice
- o 3.9 Mixed and balanced communities
- o 3.13 Negotiating affordable housing on individual private residential and mixed use schemes
- o 3.14 Affordable housing thresholds
- o 5.2 Minimising carbon dioxide emissions
- o 5.3 Sustainable Design and Construction
- o 5.7 Renewable Energy
- o 5.12 Flood Risk Management
- o 5.13 Sustainable Drainage
- o 6.9 Cycling
- o 6.13 Parking
- o 7.1 Building London's neighbourhoods and communities
- o 7.2 An inclusive environment
- o 7.3 Designing out crime
- o 7.4 Local character
- o 7.6 Architecture
- o 7.21 Trees and Woodland
- o 8.2 Planning Obligations.

The following Supplementary Planning Documents (SPD) produced by the Council are relevant:

- o Affordable Housing SPD
- o Planning Obligations SPD

The following documents produced by the Mayor of London are relevant:

- o Housing Supplementary Planning Guidance
- o Providing for Children and Young People's Play and Informal Recreation Supplementary Planning Guidance (SPG)
- o Housing Strategy
- o Accessible London: achieving an inclusive environment
- o The Mayor's Transport Strategy
- o Mayor's Climate Change Mitigation and Energy Strategy
- o Sustainable Design and Construction SPG.

The proposal equates to a residential density of 76.4 dwellings per hectare.

As part of the application process, it was necessary for the Council to give a Screening Opinion as to whether an Environmental Impact Assessment was required. The proposal constitutes Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it was considered that the proposed development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size and location. This opinion was expressed taking into account all relevant factors including the information submitted with the application, advice from technical consultees, the scale/characteristics of the existing and proposed development on the site.

The breakdown of the healthcare and education infrastructure contributions required to accord with Policy IMP1 is as follows:

Education:	
Pre-School	£70,250.32
Primary	£301,957.57
Secondary	£212,396.46
16-17yrs	£88,096.75
Total	£672,701.09
Health:	£143,487.00

Clarification is awaited regarding whether the applicant accepts these contributions and any update will be reported verbally at the meeting. The affordable housing and healthcare and education infrastructure contributions will be secured through a Section 106 legal agreement.

Conclusions

London Plan policy 3.8 seeks to address the needs of London's older population alongside addressing other housing objectives, including the delivery of a range of housing choices in terms of the mix of housing sizes and types. The applicants have submitted evidence to demonstrate a lack of interest in the site for Use Class C2 (Residential Institutions) redevelopment and the residential (Use Class C3) redevelopment of the site is considered acceptable. The main issues to be considered in this case are the impact of the proposal on the character of the area and the impact of the proposal on the residential amenities of the occupants of nearby dwellings.

The surrounding residential area is mixed in terms of its character and predominantly comprises 2 and 3 storey residential buildings, although there is also four storey development on Crystal Palace Park Road and Lawrie Park Road to the south of the site. The application site is large enough to define its own character and development of up to four storeys in height can be considered appropriate in principle on this site.

Rookstone House, a two storey building fronting Lawrie Park Crescent, will be replaced by Block 5, a three storey building occupying a similar footprint. There are existing three storey residential buildings along this part of Lawrie Park Crescent, although none of the scale of the proposed Block 5. The design and elevational detailing of the block will serve to detract from any impression of bulk and the building is not considered to result in any undue harm to the street scene. The terrace of 5 houses to the east of the site and the house fronting Lawrie Park Crescent are also considered acceptable in character terms.

The proposed development features two rows of 3 and 4 storey terraced buildings with a four storey block occupying the southern part of the site. The west terrace will be approx. 82m in length whilst the east terraces will be approx. 50m and 27m in length with an approx. 2.6m separation providing a bin store at ground floor level. The architectural detailing, fenestration and steps in the building line and the variations in the height of the terraces will serve to add interest to the buildings and detract somewhat from the impression of bulk. The scale of the terraced buildings and the four storey block to the south although large, is on balance considered acceptable.

The soft landscaping and retained trees will be primarily occupy private rear gardens to the houses and flats and the two play areas whilst the central area of the site between the main buildings will be dominated by hardstanding, with some soft landscaping and tree planting. There is a large proportion of hardstanding on the site to meet the parking requirements of the development, including some areas of unrelieved car parking.

The scheme will clearly result in a significant change to the residential amenities that have been enjoyed by the occupants of the adjoining properties for a long period of time due to the characteristics of the site and the scale and location of existing development. Attempts have been made to provide adequate separation distances between the proposed buildings and surrounding residential

development. The Design and Access Statement includes a plan at page 23 which illustrates the separation distances to adjacent properties. There is an approx. 19m separation between the rear window of House No. 1 and the flank elevation of No. 12 Maybourne Close whilst there is 15m separation between the rear of House No. 21 and No. 8 Cobden Mews. House No. 25 will have a 6m side space to No. 15 Lawrie Park Crescent. The remainder of the buildings have a minimum 20m separation to the nearest residential properties and rear gardens are generally a minimum 10m in depth. Some of the separation with adjacent sites involves minimum acceptable relationships and there may be some potential for overlooking and visual impact to existing adjacent dwellings. This is a high density scheme in a suburban location, with a large proportion of built development. Members will wish to carefully consider the proposal and its relationship with the surrounding area with particular regard to the development proposed.

The layout of the proposed development will be likely to result in post development pressure for the lopping or felling of mature trees subject to a Tree Preservation Order. The presence of these mature trees represents a constraint to development on the site and there will be insufficient opportunities for compensatory planting where trees are removed. It can therefore be considered that the proposal represents an overdevelopment of the site in this regard. Inadequate information has been submitted to properly assess the ecological implications of the proposal as detailed above and refusal of planning permission is recommended in this regard.

Subject to the applicant agreeing proposed healthcare and education contributions to be secured through a Section 106 there are no concerns in this regard or in terms of the proposed housing mix, which accords with policy.

Background papers referred to during the production of this report comprise all correspondence and other documents on file ref. 14/00452, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

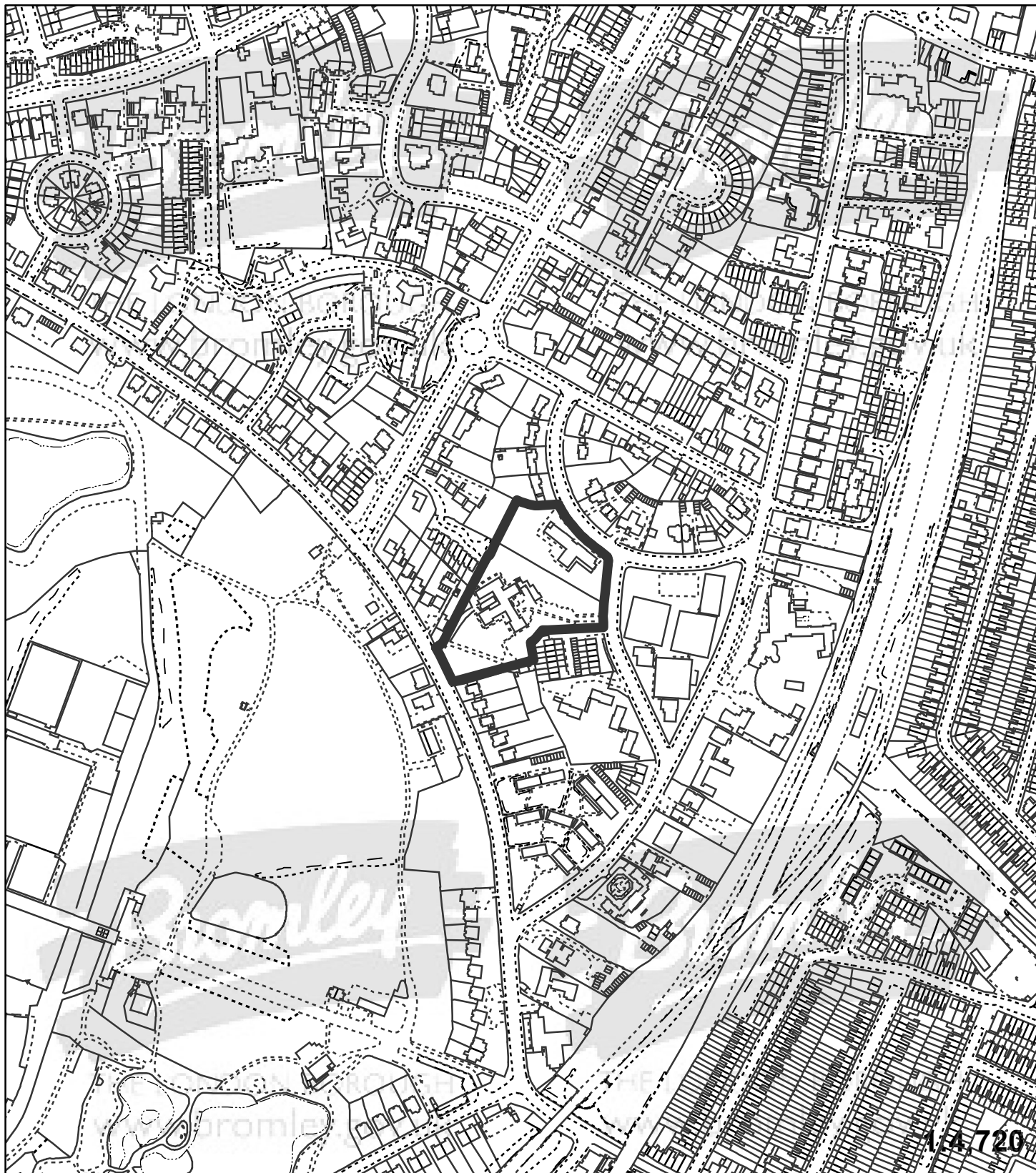
The reasons for refusal are:

1. The proposal, by reason of the layout and the amount of development and site coverage with hard surfaces, will be likely to result in post development pressure for the lopping and felling of mature trees with inadequate opportunities for compensatory planting detrimental to the visual amenities and biodiversity potential of the site thereby contrary to Policies BE1, NE3 and NE7 of the Unitary Development Plan.
2. Insufficient information has been provided to properly assess the ecological implications of the proposal contrary to Policy NE3 of the Unitary Development Plan.

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"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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