

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 16/00919/FULL1

Ward:
Penge And Cator

Address : 8 Padua Road Penge London SE20 8HF

OS Grid Ref: E: 535217 N: 169898

Applicant : Mr Solomon

Objections : YES

Description of Development:

Demolition of existing property and construction of a pair of two storey semi-detached five bedroom houses with associated parking and landscaping.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 32

Proposal

Planning permission is sought for the demolition of the existing property and construction of a pair of two storey semi-detached five bedroom houses with associated parking and landscaping.

The accompanying Design and Access Statement describes the design as being carefully developed after considering all site specific design criteria. A traditional design approach is opted for within the scheme incorporating front bay windows with feature gable roofs.

The building footprint will measure approximately 10.55m width and 13.6m depth at ground level with additional front bay depth of 750mm. The height of the building will be 8.45m at the highest ridge point to match the existing building height. The footprint of the building has been arranged with a 675mm gap to the boundaries with adjoining property.

A front curtilage parking area is located to the front of the replacement building. This will accommodate 2 car parking spaces for each dwelling. The remaining area accommodates a bin store. At the rear private gardens are provided.

The proposed materials are indicated as brick and tile construction to reflect the local character and match neighbouring buildings.

Location

The application site is located on the north-western side of Padua Road and currently comprises a detached two storey dwelling. The immediate surrounding area comprises a mix of semi-detached and terraced dwellings and flats.

To the north east No6 has been recently extended and converted to 5 flats retaining its original form to the streetscene but extending substantially and set back to the side and rear. To the south west is a pair of semi-detached dwellings with a generous side space adjacent to the flank boundary. A garage structure occupies the area and adjoins the site with a side window overlooking the site directly.

Consultations

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

Support:

Application should proceed subject to conditions on materials and methods of construction.

Objection:

- o No need to demolish beautiful house.
- o Two houses are too many on the site.
- o Loss of light and loss of privacy
- o Concerns regarding parking and congestion in the area.
- o Building is too deep.
- o Development too cramped.
- o No concerns given to local residents by developer.

A petition has also been submitted with 12 signatories objecting to the scheme.

Internal consultations

Technical highways:

The development has a public transport accessibility level (PTAL) of 4, on a scale of 0 to 6b where 6b is most accessible. The vehicular access is from Padua Road leading to the car parking area. Modification to the existing crossover and construction of a new vehicular crossover is required. The developer should be aware that there is a tree which may need to be relocated. The cost of the works must be funded by the applicant. Two car parking spaces per unit are indicated on the submitted plan which is acceptable. Cycle spaces indicated on the submitted plans. The refuse store is acceptable in principle.

Arboriculture:

No objections. There are no existing trees within the application site and limited opportunities available for new tree planting as part of the proposal. The low level shrubs illustrated on the landscape plan go some way in softening the front of the development.

Environmental Health - Pollution

No objections.

Drainage:

This site is within the area in which the Environment Agency - Thames Region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. This site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water.

External Consultations

Thames Water:

No objections with regard to sewerage infrastructure capacity or water infrastructure capacity.

Planning Considerations

London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity

- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

Unitary Development Plan:

- BE1 Design of New Development
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Planning History

Application site:

15/02044/FULL1: Demolition of existing dwelling and erection of part one/two storey building with loft to provide 5 self-contained flats (3 two bedroom and 2 one bedroom) with associated parking and landscaping. Withdrawn 09.07.2015

15/03692/FULL1: Demolition of existing dwelling and erection of a two storey building with loft to provide 5 self-contained flats (3 two bedroom and 2 one bedroom) with associated parking and landscaping. Refused 27.10.2015

Refusal reason related to the prominent siting, scale, massing, design, sub-standard spatial relationship to the existing and adjacent dwellings in the locality representing a cramped overdevelopment of the site which would appear

detrimental to and out of character with surrounding development and harmful to the visual amenities of the area. Furthermore the flats proposed did not have a satisfactory layout, standard and size of good quality accommodation for future occupiers by reason of a substandard floor space arrangement and internal layout.

Adjacent site: 6 Padua Road

09/03152/FULL1: Roof alterations incorporating front and rear dormer extensions / three storey side/rear extension and conversion to form 1 three bedroom dwelling, 1 studio flat and 1 one bedroom and 2 two bedroom flats with 3 car parking spaces and cycle/refuse stores. Refused 12/10/2010. Appeal allowed 30/9/2011.

The Appeal Inspector commented (in summary) that "although there would be a significant increase in massing, the scale and design of the proposal would not appear disproportionate or out of character with the compact development in the street."

It was further opined that there would be "no material harm to the character and appearance of the area. The site layout, buildings and space about buildings would be designed to a high quality in accordance with the objectives of Policies H7 and BE1."

Conclusions

The main issues to be considered in respect of this application are:

- o Principle of Development
- o Design
- o Standard of Residential Accommodation
- o Highways and Traffic Issues
- o Impact on Adjoining Properties
- o Sustainability and Energy
- o Ecology and Landscaping

Principle of Development

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without

delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

Residential dwellings surround the site on all sides. The site is currently developed for a less dense residential use. Therefore, in this location the Council will consider a higher density residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the replacement semi-detached dwellinghouses on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Design, Siting and Layout.

Policies 3.4 and 3.5 of the Further Alterations to the London Plan (March 2015) (FALP) reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and

relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy H9 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained and where higher standards of separation already exist within residential areas. Proposals will be expected to provide a more generous side space.

The predominant character of this part of Penge is of two storey semi-detached houses on the same side as the application site from the 1960's and the Victorian era further along with moderate spacing between pairs. Opposite the site are terrace properties at regular widths repeated in rhythm for much of the length of the road.

It shall also be noted that it is a material consideration that in a recent Appeal relating to No6 Padua Road an Appeal Inspector noted the "compact development in the street."

In this case, the proposed replacement building is sited at 675mm from each property boundary forming two modestly proportioned semi-detached dwellings. Although below the generally required 1m side space, the general character of the street with narrow gaps and a high percentage of terrace properties are considered to afford a reduction in this spacing requirement. The form and width of the resultant properties are also considered to compliment the scale, and form and width of surrounding dwellings as a result.

Therefore, the proposal would be in keeping with the spatial layout of the immediate vicinity and will reflect these important characteristics within the existing compact development pattern in the immediate streetscene and wider area generally.

The design of the dwellings as detailed above is traditional in format. The mass and scale is also proportional and reflective of the architectural typology of similar properties in the vicinity. Therefore it is considered that the individual design approach of each house represents a high quality design that will make a positive contribution to the streetscene.

Residential Amenity - Standard of Residential Accommodation

Policy 3.5 of the London Plan and the Housing SPG (2016) states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Nationally Described Housing Standards (2015).

The floor space of the proposed dwellings are 155.9m² respectively. The nationally described space standard requires a Gross Internal Area of 134m² for a three storey five bedroom house. With regard to the above it appears that the size of the house for its intended occupancy would comply with the minimum standards. On balance this is considered acceptable.

The shape and room size in the proposed house is considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

In terms of amenity space the depth of the rear garden is of sufficient proportion to provide a usable space for the purposes of a family dwellinghouse.

Impact on Adjoining Properties

In terms of outlook, the fenestration arrangement will provide front and rear outlook over rear the garden area and to the streetscene to habitable rooms.

Proposed first floor flank windows are provided to landing areas in the layout of each property. It is recommended that these are obscure glazed windows to maintain privacy. On this basis, it is considered that the dwellings will not result in loss of privacy or overlooking of adjacent property.

Concerns have been raised regarding the depth of the building and a level of overbearing to neighbouring property. It is noted that the flank wall is set in by 675mm from the boundaries. On balance, with the combination of the repositioned, set in and reduced building footprint from the previous scheme, the orientation of the site and given the separation distance to the nearest habitable windows at adjoining property it is considered that while the overall rearward projection would be marginally greater than the existing building, the footprint position and resultant reduced scale of the building would now represent an acceptable massing relationship and maintain an acceptable level of outlook to adjoining property.

Highways and parking

Adequate off street parking has been provided on site for the dwelling. The Council's Highways Officer has not raised any objections in this regard. It is therefore considered that there will be minimal impact on parking in the vicinity.

Cycle parking

Cycle parking is required to be 1 space per studio/1 bedroom flats and 2 spaces for all other dwellings. The applicant has provided details of a location for cycle storage in the front curtilage. A planning condition is recommended in this regard.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage area in the front curtilage parking area. This is considered acceptable.

Summary

The development would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the development would not be

detrimental to the character of the area. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

As amended by docs received 10/5/16.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

Reason: Section 91, Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 3 Details of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 4 The landscaping scheme as shown on the submitted drawings shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 5 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

6 No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan (2015).

7 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

8 Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3m x 2.4m x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 9** Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

Reason: In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 10** Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 11** Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

Reason: To ensure a satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

- 12** No extensions or alterations to the building hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy BE1 of the Unitary Development Plan.

- 13** Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the dwelling units shall be used as single family dwellinghouses (Use Class C3) and for no other purpose (including any

other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To prevent multiple occupation of the dwellinghouses and over intensification to safeguard the residential amenities of the adjoining property and the area generally and to comply with Policy BE1 of the Unitary Development Plan

14 Before the development hereby permitted is first occupied, the proposed first floor windows in the flank elevations of the building shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

Reason: In the interest of the amenities of the adjacent properties and to comply with Policy BE1 and H7 of the Unitary Development Plan.

You are further informed that :

- 1** The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- 2** You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 3** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 4** You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 5** Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 6** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 7** Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk
- 8** Surface Water Drainage - It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 9** Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.