

SECTION '2' – Applications meriting special consideration

Application No : 16/04635/FULL1

Ward:
Crystal Palace

Address : Alan Hills Motors Alma Place Anerley
London SE19 2TB

OS Grid Ref: E: 533596 N: 170454

Applicant : TLS (Alma Yard) Ltd

Objections : YES

Description of Development:

Demolition of existing structures and the construction of three dwellings, commercial floorspace, private and communal amenity areas, car parking, refuse and bicycle storage.

Key designations:

Conservation Area: Belvedere Road

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Smoke Control SCA 6

UPDATE

The application was initially reported Plans Sub Committee 3 on the 17th January 2017, and was deferred without prejudice to seek further information regarding the marketing of the site. The applicant has now provided additional information including a marketing cover letter, an updated marketing addendum statement prepared by Pedder and an additional supplementary planning statement prepared by BPTW. The documents were received on the 31st January 2017.

The additional information submitted by the applicant in response to Member queries confirms that the site has now been marketed for over 2 years under B1, B2 and B8 Uses. The original Pedder report and addendum statement dated 17th January 2017 summarise the ongoing marketing, enquiries and interest logged during the marketing period. It confirms that there have been no accompanied viewings from August 2016 -Present. Similarly, it confirms that no direct offers have been received from August 2016 - Present. This report also provides a view on the current market value of the site, which has been supplied in response to a representation from Summers Solicitors dated 1st December 2016, regarding an offer that was apparently made directly to the applicant. The report discounts this offer as it is considered to be significantly below market value and limited information has been provided regarding purchaser information, timescales, terms etc. The report concludes with information regarding Pedder's track record with commercial sales and expertise/knowledge of the area.

The applicant has supplied a covering letter stating that the Summers Solicitors offer letter was issued directly to Officers, not to TLS or the marketing agent. It

goes on to raise concerns with the legitimacy of this offer and the market value of the site.

The agent has also provided a supplementary planning statement, which provides an in depth assessment of the scheme in relation to EMP 5 and emerging Policy No 83. The statement explains that the purpose of EMP 5 is to retain an employment function on Sites outside Designated Employment Areas and does not seek to protect specific business uses. Furthermore, the current application does not seek to completely remove a commercial use from the Site. B1 office floor space will be provided as part of the redevelopment proposals; as such in accordance with the thrust of Policy EMP5 the site will retain commercial accommodation and provide local employment opportunities ensuring the continued use of the site as an employment location for 6 people.

Finally, this statement provides a review of the parking on site and the level of provision which would be policy compliant, within this highly sustainable location. It reiterates that the existing parking arrangements along Alma Place are unauthorised. However the scheme would include formalised parking for 3 vehicles in order to minimise the potential of displaced or unregulated parking along Alma Place.

Copies of the Supplementary Planning Statement, Covering Letter from TLS and Marketing addendum by Pedder are available for Members on the file.

The body of the original report is repeated below.

Proposal

The application seeks consent for the demolition of the existing structures onsite and the construction of 3 four bedrooms dwellings. It would also include the construction of a detached single-storey office building providing Use Class B1 floor space. Four car parking spaces would be provided, together with refuse and bicycle storage. A woodland sanctuary would also be created.

Location and Site Context

The application site is currently being used as a commercial premise for a service and repair workshop for motor vehicles (Use Class B2). There are a number of various single-storey sheds used in conjunction with the use across the site. The site bounded to north-west by a three storey Locally Listed terrace, which includes commercial uses at ground floor level and residential accommodation above. The above building fronts Church Road and includes a number of outdoor terraces at first floor level, which directly overlook the application site situated at the rear. The rear gardens of Nos 67-69 Church Road also directly back on to the north end of the site. Immediately to the south west are two 2 storey terraces of Alma Place and Spring Cottages. To the south east are the rear gardens of No 19-25 Belvedere Road, which are Grade II Listed two/three storey buildings.

There are significant gradient changes at the northern and eastern edges of the site, including steep embankments which slope downwards to a woodland area.

The site is located within the Belvedere Conservation Area.

Consultations

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

- Surrounding woodland needs to be protected. Erosion of this woodland is unthinkable and should be preserved.
- Road in Alma Place is very fragile and heavy equipment will cause damage to the foundations and drain services
- Works to the properties at the top of Belvedere Road caused flooding.
- The application states there are unauthorised parking in Alma Place. This is not the case. We have permission from the leaseholder and written permission from the previous owner that we can park outside our homes. An arrangement which has been in place 16 years
- The statement there is ample parking in the area is not correct. There is a high demand for parking. Bays surrounding area are constantly in use.
- The proposed houses are two storeys and surrounding properties are two-storeys
- Overlooking to neighbouring houses.
- When neighbours tried to apply for a third floor this was rejected for reasons of overlooking.
- Noise, disturbance and pollution from the building works. Problems for health and wellbeing of residents.
- Negative impact on the overall aspect of Alma Place
- Loss of light
- Harm to the Conservation Area
- Does not guarantee sufficient parking spaces for existing residents. Three spaces is not sufficient.
- Loss of parking
- Will be within 4m of Spring Grove a Locally Listed Cottage resulting in potential damage
- Dustbin storage next to properties
- Vermin and odours from refuse.
- Proposal is favourable and appears to be an elegant solution that treads a delicate line between the constant call for housing and the need for conservation.
- Pleased to see the proposal maintains and supports the ongoing life of the wood. Which supports diverse population of wildlife. We would encourage permeable fencing to new homes to promote integration.
- The Locally Listed and Grade II listed buildings make a real contribution to the CA but stand on shallow foundations and are vulnerable to ground works. Proper safeguards should be in place to make sure they are protected.
- The proposed cobbled street should be made a planning condition to be continued throughout Alma Place. This would provide much needed stability to the long-neglected road and would bring consistency between the new

build and old creating a uniform route. It would also support the heritage of the street.

- Location of refuse storage will promote fly tipping. There are already problems with rubbish being dumped.
- Inaccurate statements in application. The applicant has not consulted with local residents.
- There are no vehicular movements during the weekends, thus there would be increased disturbance during this time.
- Deeds to the houses along Alma Place require residents to contribute to the maintenance of the area. Movement of the refuse point would impact on the Covenants on the Deeds.
- Unadopted Road which is not capable of heavy traffic. Both road maintenance and its suitability to traffic flow have not been addressed.
- An offer has been made to the owners of the site to continue the existing business use after termination of the Lease with Alan Hill. The neighbours who have made the offer also are willing to pay for improvements in the building/facilities on site.

Highways - The site is located in an area with PTAL rate of 5 (on a scale of 1 - 6, where 6 is the most accessible).

Vehicular Access- the access is from Alma Place leading to the car parking area. The access is confined by the adjacent building and parked vehicles. Service vehicles will have difficulty accessing the site.

Car parking- Four car parking spaces would be provided; this is acceptable.

Cycle Parking - The applicant should be aware that two secure cycle parking spaces per unit are required.

Refuse- The applicant should demonstrate how the refuse vehicle(s) can enter the site and exit in a forward gear.

If minded to approve please include the following with any permission:

CONDITION

H03 (Car Parking)

H16 (Hardstanding for wash-down facilities)

H18 (Refuse)

H22 (6 Cycle parking spaces)

H23 (Lighting scheme for access and parking)

H29 (Construction Management Plan)

H32 (Highway Drainage)

Historic England - This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Natural England - No comments on the application

Environmental Health - I have looked at this application, in particular the Desk Study Report prepared by Ground and Water Ltd to determine the likelihood of ground contamination. The Report recommends an intrusive ground investigation as well as gas monitoring, with which I concur.

In principle there are no objections to permission being granted however recommend that Standard Condition K09 be imposed as the most effective way to control this, even though the Desk Study complies in part with that Condition.

Drainage - No objections. Recommend the following condition: The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan. Reason: To reduce the impact of flooding both to and from the proposed development and third parties

Thames Water - No comments have been received in relation to the current application but the following comments were received from Thames Water to the previous withdrawn case and are still considered applicable to this application:

Waste Comments

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Surface Water Drainage - With regard to 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.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning permission. 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.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan

BE1 Design of New Development
BE7 Railings, Boundary Walls and Other Means of Enclosure
BE8 Statutory Listed Buildings
BE10 Locally Listed Buildings
BE11 Conservation Areas
BE12 Demolition in Conservation Areas
BE14 Trees in Conservation Areas
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
NE5 Protected species
NE7 Development and Trees
NE8 Conservation and Management of Trees and Woodland
ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety
EMP 2 Office Development
EMP 5 Development Outside Business Areas
ER7 Contaminated Land

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

SPG No.1 - General Design Principles
SPG No.2 - Residential Design Guidance

Belvedere Road Conservation Area SPG

London Plan (2016)

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential

Policy 3.5 Quality and design of housing developments
 Policy 3.8 Housing choice
 Policy 4.2 Offices
 Policy 4.3 Mixed Use Development and Offices
 Policy 5.1 Climate change mitigation
 Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 5.7 Renewable energy
 Policy 5.9 Overheating and cooling
 Policy 5.10 Urban greening
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.14 Water quality and wastewater Infrastructure
 Policy 5.15 Water use and supplies
 Policy 5.21 Contaminated Land
 Policy 6.9 Cycling
 Policy 6.13 Parking
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.6 Architecture
 Policy 7.8 Heritage Assets and Archaeology
 Policy 7.15 Reducing and Managing Noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
 Policy 7.19 Biodiversity and Access to Nature
 Policy 7.21 Trees and Woodlands
 Policy 8.3 Community infrastructure levy

Housing: Supplementary Planning Guidance. (2015)

DCLG: Technical Housing Standards (2015)

National Planning Policy Framework (NPPF) - Relevant chapters include Chapters 6, 7, 11, 12.

Emerging Plans

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process.

The following emerging plans are relevant to this application.

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan to the Secretary of State will be in the early part of 2017.

Policy 1 Housing Supply
Policy 3 Backland and Garden Land Development
Policy 4 Housing Design
Policy 8 Side Space
Policy 30 Parking
Policy 32 Road Safety
Policy 37 General Design of Development
Policy 38 Statutory Listed Buildings
Policy 39 Locally Listed Buildings
Policy 41 Conservation Areas
Policy 43 Trees in Conservation Areas
Policy 72 Protected Species
Policy 73 Development and Trees
Policy 74 Conservation and Management of Trees in Woodland
Policy 79 Biodiversity and Access to Nature
Policy 83 Non-designated Employment Land
Policy 86 Office Uses Outside Town Centres
Policy 115 Reducing Flood Risk
Policy 116 Sustainable Urban Drainage
Policy 118 Contaminated Land
Policy 119 Noise Pollution
Policy 122 Light Pollution
Policy 123 Sustainable Design and Construction

Planning History

85/00279/FUL- Alan Hills motors ltd Alma Place Church Road. Continued use for repairing motor cars renewal 812891. Permission 25.07.1985

10/00965/TREE - Intention to crown lift to 40ft above ground level and crown reduce and crown thin by 15% 1 Lime and crown lift to 30 ft above ground level and crown reduce and crown thin by 15% 2 sycamores. No objection 06.05.2010

11/03769/TREE- Intention to remove 3 large branches of 1 ash tree overhanging 2 Rama Lane. No objection 16.12.2011

15/03018/TREE- Reduce the height of 3 lime trees to 8 metres. No objection
19.08.2015

15/04824/FULL1 Demolition of existing structures and the construction of four dwellings, private and communal amenity areas, car parking, refuse and bicycle storage, the creation of a community woodland and the extension to the private amenity space of Nos 1-3 Alma Place Withdrawn 10.03.2016

Conclusions

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

- Principle of Development
- Design/Impact on the character and appearance of the wider CA
- Standard of Residential Accommodation
- Impact on adjoining neighbours
- Highways and Traffic Issues
- Ecology and Trees

Principle of Development

EMP 5 Development Outside Business Areas allows for the redevelopment of business sites outside Designated Business Areas provided that:

- (i) the size configuration, access arrangements or other characteristics make is unsuitable for Classes B1, B2 or B8 use, and
- (ii) full and proper marketing of the site confirms the unsuitability and financial non-viability of the site for those uses.

The Council's Proposed Submission Draft Policy 83 Non-Designated Employment Land states that 'proposals for change of use or redevelopment of non-designated sites containing Class B uses for alternative employment generating uses will be considered provided that the amenity of any nearby residential uses is not detrimentally affected'. The policy goes on to state that a change to a non-employment generating use will be considered on the following criteria:

(a) demonstrable lack of demand for the existing use or any potential alternative employment generating use, including evidence of recent and active marketing of the site for reuse or redevelopment undertaken prior to submission of the planning application over a minimum six month period.

(b) whether all opportunities for re-let and sale for redevelopment for employment uses have been fully explored, both in terms of existing and any alternative employment generating uses and layout, including small/more flexible business units, and

(c) where the site is capable of accommodating a mixed use scheme, whether the proposal includes the re-provision of a similar quantum of floor space for employment generating uses, that is flexibly designed to allow for refurbishment for a range of employment uses.

The application site is located on the north side of Alma Place, which is accessed from Church Road and forms the south east side of the Crystal Palace Triangle gyratory. It is surrounded by residential and commercial properties and comprises a mixture of single-storey buildings used as a vehicular repair workshop, storage and office space. The current application is for the provision of a mixed use development to include a commercial unit in B1 (a) Use (50sqm) and 3 four bedroom residential family dwellings.

There is currently an existing independent motor repair workshop (Alan Hill Motors) operating out of the site, which has been in place for approximately 45 years. It is noted that the previous withdrawn application included objections from this occupier with regards to the loss of the unit and employment site, however no such objection has been received to the current proposal. The supporting text for Policy EMP5 states that "The supply of independent business sites in the Borough is diminishing. Many of the established sites within or neighbouring residential areas are under threat from new residential development. These sites serve an important purpose in the Borough, accommodating small business uses that cannot be located satisfactorily in Business Areas or town centres. One of the key objectives is to retain a range of accommodation for different business uses. It is important, therefore, to retain individual sites unless there are significant reasons as to why their continued business use is not feasible".

The applicant has provided a commercial feasibility report in support of the application, which has been prepared by Pedders and Ansun. Pedders were appointed by the applicant to provide a professional opinion in respect of the market demand for the existing buildings and uses, or an alternative commercial use. A further updated marketing statement has also been provided in response to request from Members, which confirms that the site has now been marketed for over years on a 'price was on request' basis.

The supporting information notes that the buildings onsite are in a poor condition and are in need of modernisation, with significant investment needed to bring them up to an appropriate standard. This level of investment is considered to be prohibitive for any future occupier or viable use of the site.

Furthermore, in terms of location, the report considers that Alma Place is secondary for business occupiers. The report states that the access arrangements are narrow and the site is surrounded by residential accommodation. In particular, the report notes that pedestrian safety, noise levels and operating hours of a commercial use are impeded by the surrounding residential uses. The above factors are considered prohibitive to any future tenant taking the site forward as an employment use. Moreover, a continued commercial activity of an alternative B2 Use would likely impact detrimentally on the residential amenities of surrounding residential occupiers.

In relation to market demand and financial non-viability, the commercial report provides an assessment of current market demand for the existing commercial use of the site and area, and provides evidence in relation to supply and demand of commercial premises in the locality.

The original report and addendum dated 17th January 2017 confirms that the property was marketed as for sale and to let, with both quoting 'price on application', however the reaction to marketing was apparently limited. Details of the offers and interest have also been outlined. There were commercial enquires, however on inspection of the site, this initial interest was then apparently discounted due to concerns relating to the existing property condition, need for repairs and refurbishment, proximity of residential properties, access and contamination concerns. It is noted that an objection has been received from Summers Solicitors, who are acting on behalf of a nearby resident. The objection states that an offer has been made to the owners of the site to purchase the same and who would wish to preserve the existing use as a motor repair workshop upon termination of the lease granted to Alan Hill Motors. The representation also states that the purchaser would be willing to invest into the existing site and improve the premises. The applicant has also supplied further information in response to this representation; which is from the estate agent confirming that no offer has been made.

The report concludes that the "micro-location of the site would not be popular location for business occupiers in respect of both the existing space, and also redevelopment of the site with the same use". This is based on the location of the site and marketing indicating that there is an oversupply of better qualified stock in other areas and that the market is flush, leading to a lack of demand.

The proposal would provide a mixed use scheme, with three family units and an employment generating use (B1a) which accords with the thrust of Policy EMP5, which seeks to retain individual sites but not specific business uses. The proposal is considered to be more compatible with adjacent residential uses compared to the existing industrial (B2) use. The location of the site, access arrangements and condition of the existing built development is considered to be prohibitive for similar uses going forward and in this case, Members may consider that the proposal complies with Policy EMP 5 and is therefore acceptable in principle.

Scale and Layout

The National Planning Policy Framework (NPPF) states that a key role for planning is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Further to this, paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, respond to local character and history, and reflect the identity of local surroundings and materials; and are visually attractive.

The London Plan further reiterates the importance of ensuring good design, and states, in Policy 7.4, that development should improve an area's visual or physical connection with natural features and, in areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area. Policy 7.6 of the London Plan also states that development should be of the highest

architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and should comprise details and materials that complement, not necessarily replicate, the local architectural character.

BE1 states that 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.

The site is located within the Belvedere Road Conservation Area and is a backland site accessed from Alma Place. Alma Place comprises two sets of terraced houses, 3 of which are locally listed (1-3 Spring Grove). The proposal would see the removal of the existing single-storey garage structures on site, the construction of three terrace townhouses and the erection of a single-storey office building.

The applicants design and access statement explains that the design of the proposed residential dwellings references assessments of massing, fenestration and architectural detailing of adjacent buildings and the wider context. The proposed dwellings would have a similar massing to the buildings within the immediate locality and architectural features such as the use of a butterfly roof, with central windows and recesses brickwork is considered to be an acceptable design approach within this sensitive context. The buildings would follow the alignment and massing of the Spring Grove cottages but the entrances to each unit have been pulled away from the drive way and the elevation off-set from its neighbour, allowing each to be perceived as individual dwelling. The entrance into the development site would have a sense of legibility in relation to the transition between the old and new development. The buildings have been sited immediately to the north of Spring Grove and would face inwards towards the proposed parking area. The overall height of the residential element would be no higher than the neighbouring buildings of Spring Grove and would step down marginally to the north, taking into account the change in gradient across the site.

There is a significant level change across the whole of the site, with the ground level falling away steeply to the north, north east and east. The applicant has overcome this specific constraint by arranging the development centrally within the site and having the rear amenity space utilise the areas with the most significant changes in ground level. A proposed woodland sanctuary is also proposed around the area of amenity space to the north, east and south. This woodland area would separate the development from the Grade II Listed Buildings along Belvedere Road. The position of the development in relation to these dwellings, traditional vernacular, change in ground level and the introduction of a woodland area would limit the impact on these properties and would not therefore result in harm to their setting or special historical interest.

Consideration has been given the scale and height of the proposed buildings in relation to neighbouring properties, the existing site levels and relationship with woodland area along the site fringes. It is considered that the dwellinghouse are sympathetic to the character and appearance of the neighbouring Locally Listed Buildings and their setting. The design approach, alignment of the buildings and massing is sensitive and responds well to local context. The existing uses and the poor state of repair of the current buildings onsite do not make a positive contribution to the CA and given the above, it is considered the proposal would therefore enhance the character and appearance of the CA.

A single-storey office building is proposed along the north west boundary of the site. This would face inwards towards the proposed parking area. There is currently an existing single-storey storage building along this boundary and in terms of massing, the proposed office building would be similar to the existing arrangement. It would not appear out of keeping in this context and would utilise London Stock Brickwork, dark stained timber cladding and timber window frames. It would benefit from a wildflower green roof and would generally preserve the character and appearance of the Conservation Area.

Given the above, Members may consider that the proposal is acceptable form of development, which accords with Policies H7, BE1 and BE11 of the UDP and preserves the character and appearance of the Conservation Area, setting of the Locally Listed buildings and Grade II Listed building along Belvedere Road.

Standard of Accommodation

The Nationally prescribed technical housing standards set out minimum floor space standards for dwellings of different sizes. These are based on the minimum gross internal floor space requirements for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities and moving around. The quality of the proposed accommodation needs to meet these minimum standards.

The layout, as indicated on the plans, demonstrates a form of development which would provide a level of accommodation in accordance with the minimum space standards and overall unit sizes as set out in the London Plan and the Mayor's Housing SPG.

All rooms would achieve a satisfactory level of light, outlook and ventilation.

Private and secure amenity space would be provided to the rear of each new dwelling and each would comply with the minimum requirements set out within the London Plan.

Neighbouring amenity

The closest residential properties to the proposed development would be the terraces of Alma Place and Spring Grove. Furthermore, the proposal would be in close proximity to a number of commercial and residential properties on Church Road and Belvedere Road.

No 1-3 Alma Place is located to the west of the site and can be described a small terrace of two-storey residential cottage type dwellings. The above properties front Alma Place and include small amenity areas to the rear, which back directly onto the site. The proposed parking area and single-storey office building would be situated to the rear of these properties and the bulk of the proposed dwellings would be set away at an oblique angle from the rear elevation. Whilst the rear of the site would be more built up, the overall scale and orientation of the development would not result in an unacceptable loss of outlook or be significantly intrusive or overbearing for these neighbouring occupiers.

The proposed dwellings would include windows within the front elevation, which face inwards towards the proposed parking area and the rear elevations of Alma Place and Church Grove. However the dwellings have been orientated at an oblique angle to the rear of Alma Place, which prevents direct overlooking into rear windows. Unit 1 would face the flank elevation of 3 Alma Place, whilst Units 2 and 3 would be situated approximately 14m, and 26m, away from the rear elevations of Alma Place at an oblique angle. It is clear that mutual overlooking occurs between neighbouring properties in this area to a considerable extent, particularly as there are terraces at first floor level to the rear of Church Road which overlook the application site and rear gardens/elevations of 1-3 Alma Place. The proposed front elevation of the proposed units would be separated from the rear elevation and terraces of Church Road by approximately 19m at its closets point.

Spring Grove is located immediately to the southwest of the application site and comprises a small terrace of three two-storey residential dwellings. The ground level falls away at the rear, meaning the garden is below the front entrance level. The proposed residential development would be located to the north of Spring Grove but would be situated approximately 6.5m back from the front elevation. This would result in the building of Unit 1 projecting 6.4m beyond its rear elevation. It would be set back from the flank elevation of this property by 3.8m at its narrowest point and this extends up to 4.2m due to the tapering nature of the boundary line. The building has been design to have a similar height to the Spring Grove Cottages and in terms of outlook; the applicant has achieved a 45 degree sightline. The flank elevation of the proposed dwellings would be highly visible from the rear amenity space at 1-3 Spring Grove and the overall height of the flank elevation would appear pronounced due to the changes in ground level. However, the gardens of Spring Grove have a green and open prospect to the rear due to the woodland setting and trees surrounding the periphery of the site. Members may therefore consider that the orientation of the proposed development and set back from the common boundary would prevent unacceptable harm by way of an overbearing visual impact, loss of outlook or unacceptable sense of enclosure.

Windows are also proposed on the north facing side elevation and rear elevations. The windows on the north facing elevations would serve a study and bathroom. They would be set well back from the boundary with No 73 Church Road and are partially screened by trees and shrubs. It is not considered that there would be a material loss of privacy to neighbouring properties due to the above factors and changes in ground level. The windows on the rear elevation would include Juliette balconies. These would however face the proposed rear amenity spaces and

would be set away from Spring Grove at an oblique angle, thereby preventing direct overlooking.

The applicant has supplied a daylight, sunlight and overshadowing analysis in support of the application. A technical analysis was carried out to the worse-case receptors in neighbouring properties to identify any daylight and sunlight impacts to neighbouring windows. The results indicate that the worse-case receptors satisfy the BRE criteria in terms of daylight and sunlight they receive. The report concludes that the proposed development is not anticipated to have any negative impact on the daylight and sunlight received by neighbouring properties. In terms of overshadowing the site analysis within the report did not identify any amenity spaces close to proposed development, where overshadowing is likely to occur.

Given the above, Members may consider that the proposed development would have an acceptable impact on the amenities of neighbouring properties.

Highways

The site benefits from a PTAL of 6a and is therefore highly accessible. It is close to local amenities and is within walking distance of good transport links. The proposed scheme would provide 4 parking spaces, one for each of the residential dwellings and one for the commercial unit.

The Parking Addendum to Policy 6.13 of the London Plan provides maximum parking standards for residential development and employment uses. It states that residential dwellings with 4 or more bedrooms should provide up to 2 spaces per unit. However, it goes on to state that 'All development in areas of good public transport accessibility should aim for significantly less than 1 space per unit'. Similarly, within outer London, one space should be provided per 100-600sqm of office floor space (GIA). The proposed office would have a floor area of 50sqm and the level of provision for both the commercial and residential elements of the scheme, within this highly sustainable location, are considered to be compliant with the requirements of the London Plan.

The site is accessed via Alma Place, which is a private road, but included properties of 1-3 Alma Place and 1-3 Spring Grove.

At the time of the site visit it was clear that Alma Place is used for parking by the residents of the above properties. However the agent has confirmed that Alma Place is wholly within the applicant's ownership and that the residents of the above properties have no formal right to park in this area. Objections have been received from residents of Alma Place disputing this arrangement; however issues of ownership fall beyond the scope of this assessment and are a civil matter between interested parties. Nevertheless, it is clear that there is some informal parking arrangement and the proposed development could result in the displacement of parking for these properties. A parking stress survey undertaken by the applicant and this states there is capacity locally to accommodate up to 27 additional vehicles. Notwithstanding this point, the applicant has indicated that enhancements are proposed within Alma Place to include formalised parking for some of the existing residents. Details of this formalised arrangement have been provided on

plan number 2015/2818/005 within the Transport Statement (TS) and it is clear 3 additional spaces could be accommodated.

In relation to traffic generation the TS has made a comparison between the proposed development and the number of trips generated from the establish use of the site as an M.O.T and repair garage. The TS identifies that it is anticipated the proposed development would result in an overall net reduction in terms of traffic movements, with 44 fewer two way vehicle trips on daily basis compared to the existing situation; thereby improving the level of traffic movements along Alma Place.

The Council's highways officer has reviewed the parking arrangements for the site and details of trip generation and raised no objections to the proposed scheme.

The proposal would provide cycle parking in accordance with the requirements of the London Plan, which is considered acceptable.

A refuse collection point would be set to the front of Alma Place and storage would be to the north of Spring Grove. No objections have been raised to the servicing arrangements by the highways officer, however full details regarding means of enclosure and a refuse management plan could be conditioned, should the application be considered acceptable. The Highways officer has indicated that service vehicles may have difficulty accessing the site, however paragraph 5.5.5 and 5.5.6 and the accompanying Swept path analysis shown on drawing 2015/2818/004 demonstrate that a delivery vehicle, such as supermarket delivery van can access and egress the site in forward gear. This information has been raised to the above officer and no objections have been received.

Subject to the above conditions Members may consider that the proposal would have an acceptable highway impact.

Ecology and Trees

Policy NE3 states that where development proposals are otherwise acceptable, but cannot avoid damage to and/or loss of wildlife features, the Council will seek through planning obligations or conditions including (i) inclusion of suitable mitigation measures; and the creation, enhancement and management of wildlife habitats and landscape features. Policy NE5 states that planning permission will not be granted for development that will have an adverse effect on protected species, unless mitigating measures can be secured to facilitate survival, reduce disturbance or provide alternative habitat.

The site is surrounded by an area of woodland, with a mixture of trees and shrubs. The applicant has sought to retain this area of woodland with the creation of a woodland sanctuary.

The application is supported by an Ecology Report with an Extended Phase 1 Habitat Survey. No evidence of protected animals species were recorded during the walkover survey and the site was considered to be of limited value to such species, given the urban location and type of habitats present. The woodland

fringe, which surrounds the site periphery, could support small numbers of birds during breeding periods, but no evidence of hedgehogs were found. However the dense vegetation in certain areas of the site meant that their presence could not be completely ruled out. Furthermore, the woodland was also considered to have value for stag beetles; however none were noted during the survey.

No on-site trees were seen to possess obvious natural features of potential value to roosting bats. Three on-site trees did have wooden bat boxes but no evidence of bat use (historic and recent use) was seen during the bat box inspections and these are to be retained within the current scheme. A number of off-site trees were noted as being suitable for roosting bats but are to be retained within the proposed development. All buildings within the site were checked and were considered to be of Negligible to Low Value for roosting bats. A number of Pipistrelle bat(s) were seen and recorded foraging around the site but the report considers that these bats had been roosting off-site and no more than one bat was seen or recorded at one time.

The report concludes that the development would be confined to existing areas of hard-standing and building, and significant effects on habitats and protected species, including breeding birds, roosting/foraging bats, hedgehog and stag beetle are not anticipated in relation to the proposed development. The impact in ecological terms is therefore considered acceptable, however it is considered reasonable and necessary to condition a pre-development clearance strategy in order to mitigate the impact on the wildlife. The above report also recommends a 'precautionary approach' to tree/shrub clearance in relation to bats and other protected species, together with habitat enhancement and compensation measures. The above recommendations are considered reasonable and could also be suitably conditioned to limit the ecological harm. Further details regarding the management of the woodland and habitat enhancement could also be conditioned.

In relation to trees, Policy BE14 states that development will not be permitted if it will damage or lead to the loss of one or more trees in conservation areas, unless (i) removal of the tree is necessary in the interest of good Arboricultural practice, or (ii) the reason for the development outweighs the amenity value of the tree/s, (iii) in granting permission one or more appropriate replacement trees of a native species will be sought either on or off site through the use of conditions.

Policy NE7 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interest of visual amenity and/or wildlife habitat, are considered desirable to be retained.

The site is located within the Conservation Area and includes a large number of trees and shrubs along the periphery of the site, which add the visual character of this section of the Conservation area and are visible from surrounding properties, and the wider locality, due to changes in gradients and ground levels. The application would see the removal of four trees onsite (G12 Sycamore, G13 Sycamore, T14 Ash and T15 Ash). The application proposes to mitigate the removal of these trees through extensive soft landscaping, including tree replanting. This will comprise Semi mature Lime Tree, Beech and Hornbeam trees,

however it is considered reasonable and necessary to condition the submission of a full landscaping scheme in order to finalise the details of the proposed species mix.

All other trees would remain on site and the Council's Tree Officer has reviewed the application and advised that the revised design allows for the healthy retention of trees located at the end of each of the rear gardens. It is considered that the development can proceed in accordance with the precautionary measures detailed within the Arboricultural Report and a condition ensuring such compliance has been recommended.

Contamination

The applicant has supplied a contamination desk study report in support of the application. The Council's Environmental Health Officer has reviewed the submitted information and has not objected to the conclusions within the assessment and has requested appropriate remediation conditions. Given the history of the site and nature of the existing uses this is considered reasonable and necessary condition in order to protect future occupiers and surrounding properties.

Summary and conclusion

In summary, Members may consider that the principle of development is acceptable and would comply with the requirements Policy EMP 5. Members may also consider that the scheme has taken into account the sensitive nature of the site surrounds and would enhance the character and appearance of the CA. The highways officer has raised no objections on parking grounds and the impact on neighbouring amenity is considered to be on balance acceptable.

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 a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme 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 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.

- 4** 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.

- 5** The development shall be implemented in accordance with the Arboricultural Report (ha/aiaams4/ay) submitted and approved as part of this planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.

Reason: To maintain the visual amenity of the area and to comply with Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

- 6** A woodland management plan, including tree and shrub planting, habitat enhancement, long term design objectives, management responsibilities and maintenance schedules for the proposed woodland sanctuary outlined on Drawing number 1605(PL)003 shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The plan shall include arrangements and timetable for its implementation and shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of good arboricultural practice and the visual amenities of the area.

- 8 Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority before any work is commenced and the sample panels shall be retained on site until the work is completed. The facing brickwork of the development hereby permitted shall be carried out in accordance with the details of the approved sample panels.**

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

- 9 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed 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.

- 10 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

- 11 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.

- 12** While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

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

- 13** Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 14** Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

- 15** 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.

- 16** 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 satisfactory means of surface water drainage and to accord with Policies 5.12 and 5.13 of the London Plan (2016)

- 17** The development hereby permitted shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.

Reason: To ensure satisfactory means of surface water drainage, to reduce the impact of flooding both to and from the proposed development and third parties and to accord with Policies 5.12 and 5.13 of the London Plan (2016)

- 18** Prior to commencement a pre-development clearance strategy for any overgrown areas should be submitted to and approved in writing by the local planning authority. The strategy should outline measures to minimise the impact on wildlife during the clearance and construction of the development and the details of a suitably licenced ecologist on call to provide advice and/or liaise with statutory authorities (Natural England) if required.

Reason: In order to minimise the impact of the wildlife and to comply with Saved Policy N3 Nature Conservation and Development of the adopted Unitary Development Plan (2006)

- 19** The office accommodation (Use Class B1) hereby permitted shall be used for no other purpose (including any other purpose in the B1 Use Class 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 with or without modification).

Reason: In order to comply with Policy EMP 5 of the Unitary Development Plan and in order to protect neighbouring amenity and the character and appearance of the area.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

Reason: In order that the Council may assess the impact of future development on neighbouring residential amenities and character and appearance of the area.

- 21 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.**

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.

You are further informed that :

- 1 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**