

Application No : 18/00006/OUT

Ward:
Orpington

Address : 14 Knoll Rise Orpington BR6 0DD

OS Grid Ref: E: 546060 N: 166125

Applicant : Mr Roger Waddingham

Objections : YES

Description of Development:

Proposed outline development in respect of access, appearance, layout and scale for the demolition of 14-20 Knoll Rise and the erection of a part three, part four and part five-storey building to contain 58 flats with associate parking, access and amenity areas.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 4

Proposal

The application is submitted in outline to consider matters of access, appearance, layout and scale for the demolition of the existing four dwellings (14-20 Knoll Rise) and erection of a part three/four/five storey building consisting 58 apartments (21x1 bedroom and 31x 2 bedroom and 6x3 bedroom flats). Given the changes in land level, the ground floor is proposed predominantly along the Vinson Close elevation with the first, second and third floors wrapping around the site in an 'L-shaped' manner. The fourth floor is set in from the development boundaries, however still follows the 'L-shaped' design. Sedum roof and PV panels are proposed within the roof space. Parking for 27 vehicles is proposed to be accessed along the boundary with number 1 Vinson Close and located within an under croft area to the rear of the site with a further 2 spaces at grade adjacent to the car park entrance. Cycle parking would be provided adjacent to the under-croft carpark at the northern end of the site and within the front setback area to Knoll Rise. Given the changes in land levels, an amenity area is proposed above the under croft on a raised deck.

The materials would be a combination of red brick and render with infill elements of cement cladding. Balconies or terraces would also be provided to each flat.

The application was supported by the following documents:

Extended Phase 1 Habitat Survey (Innovation Group Environmental, 27th September 2017) - The buildings are in overall good condition, and no potential roost features were visible on properties at no.16 and 18. No.14 has several

potential roost features for bats, and based on the external inspection it is assessed as having 'moderate bat roost potential'. The property at No.20 had one potential roost feature and two enclosed loft spaces. Based on the external inspection, this building was assessed as having 'low bat roost potential'. In accordance with current best practice guidance, it is recommended that an internal inspection of enclosed loft spaces is undertaken where possible and safe (i.e. No. 20 and No. 16), together with emergence surveys for buildings at No. 14 and No. 20, to determine the use of these features by bats. Due to the presence of small patches of suitable habitat for reptiles at the end of the rear gardens at No 14 and 16, reasonable avoidance measures are recommended to ensure that reptiles are safeguarded. Virginal Creeper has been identified as growing on the site, it is recommended that competent contractors are employed to carry out works to eradicate this species from the site prior to the commencement of construction. Bat and bird boxes will be included within the new building design, and wild flower seed mix (suitably sourced for the area) and native trees and shrubs used to landscape areas surrounding the buildings.

Noise Assessment (DKN Acoustics, December 2017) - A 24-hour noise survey has been undertaken of road traffic noise on Knoll Rise, which is the main noise source affecting the site. Noise levels have been predicted at the most exposed proposed residential facades overlooking Knoll Rise. Appropriate noise control recommendations have been provided to ensure that noise levels inside proposed habitable rooms (living rooms and bedrooms) will meet the desirable levels recommended by BS8233: 2014. Noise control recommendations have also been provided for balconies, where required. The majority of private external amenity space and the proposed shared public outdoor amenity area are expected to be exposed to levels meeting or better than the desirable range recommended by BS8233: 2014.

Sustainability and Energy Statement (Maven Sustainability, December 2017) - The total site CO₂ emissions are calculated as 53,747 kg CO₂ per year (TER) and 51,030 kg CO₂ per year (DER). Various technologies are considered and whilst wind turbines, combined heat and power, ground source heat pumps, solar hot water heating panels and air source heat pumps are not considered appropriate the use of photovoltaic panels, flue-as and waste-water heat recovery systems are considered feasible and appropriate. Following the Be Lean, Be Clean, Be Green principles, the total reduction in emissions from energy efficiency measures, the FGHR and WWHR units and the photovoltaic array is therefore calculated as; 18,987 kg CO₂ per year, which equates to a reduction of 35.33% (% of TER).

Daylight and Sunlight Assessment (Rooksmead Residential, December 2017) - The report concludes that it has been demonstrated that the majority of the windows and rooms tested will not be subject to noticeable daylight reductions and will receive acceptable daylight levels with the proposed development in place. The once exception is the kitchen to 1 Vinson Close, in which the report states that there is likely to be a reduction in daylight which will be noticeable to the occupants of the room, it is necessary to acknowledge that in some situations, such reductions are unavoidable in dense suburban environments. The assessment also notes that there will be an impact on the sunlight enjoyed by the neighbouring buildings however this is unlikely to be noticeable to the occupants.

Transport Statement (Dermot McCaffery, December 2017) - The report concludes that the site is located close to Orpington town centre and within convenient walking distance of a wide range of day to day facilities and public transport. The site has a PTAL rating of 6a. Local and national planning policy seeks to locate residential development in areas where residents will have the opportunity to travel by sustainable modes. The report notes that the development complies with these policies and the level of car parking proposed reflects the very good accessibility credentials of the site. The conclusion of the report also states that the parking surveys demonstrate that there is spare on-street parking in the vicinity of the site. The report in summary notes that the proposed site layout complies with the Council's requirements in terms of access design, car parking layout and servicing requirements. Secure and covered cycle parking will be provided in accordance with the London Plan standards.

Air Quality Assessment (Hawkins Environmental, January 2018) - The report states that baseline pollutant concentrations on site have been investigated using both existing monitoring data and through predictions using the Breeze Roads Detailed Dispersion Model methodology. At present, and in the opening year of the proposed development (2020), concentrations of all pollutants are below the Air Quality Objectives. Therefore, onsite pollutant concentration should not be a constraint upon the development of the site. In line with the London Plan's Sustainable Design and Construction SPG, this development can be considered to be "Air Quality Neutral", in terms of both plant and transport emissions. With regards to the impacts of construction on air quality, dust and other pollutant emissions from the construction and demolition phases of the construction of the proposed development will see the site designated a "Medium Risk Site". However, with risk appropriate mitigation, residual effects will not be considered significant.

Tree Protection Report (Chalice Consulting Ltd, December 2017) - A site inspection was carried out and 3 category B trees, 17 category C trees and 4 category U trees were identified. One category B tree, 16 category C trees and 4 category U trees will be required to be removed. The report states that the arboricultural impact from the street is moderate as a number of boundary trees are to be retained. A landscaping plan has been submitted to accompany the application.

Surface Water Management Strategy (Rooksmead Residential, March 2018) - The report concludes that the most viable solution to manage all of the surface water runoff discharged from the proposed development will be via a connection to the public surface water sewer system. To restrict the rate at which surface water runoff is discharged offsite, an underground storage system, water butts and a green roof to be used. SuDS have been considered and permeable paving, bioretention systems, raised ponds, and raingardens are considered for incorporation into the detailed drainage design.

A planning statement and landscaping scheme has been submitted to support the application.

Location and Key Constraints

The application relates to four existing properties located on the corner of Knoll Rise and Vinson Close. The dwellings are formed of one pair of two storey semi-detached houses (14 and 16) and two detached single storey properties (18 and 20). The building line along the northern part of the road is relatively uniform, with the semi-detached properties sited slightly in front of the detached properties. The dwellings along Knoll Rise have an open and verdant frontage, with low boundary treatments adjacent to the highway. The properties also all benefit from a considerably sized rear amenity space spanning 40m in length. The site slopes steeply from west to east.

The site is located within a residential area, with dwellings surrounding the plot to the north, west and south. The site is situated approximately 110m from Orpington High Street and bounds predominantly office and retail uses to the east. It is noted that Berwick House has recently been granted prior approval for a change of use from office to residential. The site is located within a PTAL 5 area.

Comments from Local Residents and Groups

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

Objections

- o Unacceptable impact on the character of the area
- o Excessive in scale and dimension
- o At 5 storeys it will stand higher than any private house in Knoll Rise
- o Inadequate parking
- o Unacceptable density
- o Regard should be had to the Homefield Rise application which was refused.
- o Overlooking from windows and balconies
- o Loss of privacy
- o The use of the communal amenity space will have a detrimental impact on neighbouring properties
- o Loss of outlook
- o Impact of felling hemmed into the occupiers of 1 Vinson Close and 22 Knoll Rise
- o Highways safety issues
- o Land stability issues caused by the car park
- o Refuse provision and disposal is inadequate
- o Impact on local health services and schools from additional residents
- o Will cause on-street parking issues
- o Since the development of Berwick House and Orchard Grove, the traffic on Knoll Rise has risen considerably. The development will exacerbate the issue.
- o Additional noise and pollution from the increase in road users.
- o Additional light pollution
- o Proximity of a tall building to the low properties is overbearing
- o The vehicular entrance is too close to the junction with Knoll Rise
- o Surface water runoff will be an issue with the loss of 75% of permeable area

- o The Knoll is a quiet area and the scheme would be an overdevelopment of this.
- o More cars means children will not be able to play in the street and the street will lose its neighbourly feel
- o Would create a precedent
- o Huge amount of housing in a small area
- o Construction noise will be unbearable
- o Bromley should not allow itself to become an urban borough
- o The planning documentation is misleading
- o How will emergency vehicles enter the under-croft parking area?
- o The development would obscure all sunshine to the side elevation of 1 Vinson Close and half of the garden
- o Devaluation of property
- o Loss of safety and security to adjacent property
- o Impact detrimentally upon quiet occupation and green space
- o There will be an extra cost to Orpington if this goes ahead
- o Modern new building of this scale would jar with the local environs.

Support

- o Providing much needed accommodation at the relatively low cost of losing 4 units.
- o The scheme will help meet the Council's housing targets without encroachment on the Green Belt
- o Orpington has benefited from development in recent years and this development is a welcome extension
- o The location is very close to the high Street and will not be out of keeping as much as if it was proposed for 100 yards further up Knoll Rise.
- o The site of the proposed development is very near flats and offices. 2 Sides of the development are overlooked by flats and offices. There is a large tall building from Central Court that overlooks the whole area. The high street and a large supermarket are just a few minutes walk away. There are some flats behind the large supermarket on Orchard Grove which is very near the proposed development. Because of this there is an argument that a flat complex is in keeping with the local area.
- o Whatever the outcome of the planning application, traffic calming and safe crossing areas should be planned on Knoll Rise
- o The area where the development is planned has excellent bus and train connections. Orpington train station is approximately 10 minutes walk away. Fast trains are available to central London (approx. 25 minutes travel time). Public transport needs to be encouraged to help the environment
- o The development will boost the economy
- o If not built in town centres, then green field sites are needed which may not be near public transport

Comments from Consultees

Secure by Design:

Should this application proceed, it should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design officers and the New Homes 2016 guidance document, and it is therefore request a Secured by Design condition be attached.

Thames Water:

No objections subject to conditions

Environmental Health Pollution Officer: Comments are yet to be received and will be reported verbally to committee.

Drainage Engineer:

Initial comments were received from the Drainage Officer who stated that when reviewing the submitted Surface Water Management Strategy carried out by herrington consulting LTD dated 22/12/2017, he did not agree with the proposed use of an underground storage tank to limit surface water run-off to 50 % of the existing as the London Plan's recommendations are to AIM for greenfield run-off rate (regardless whether the site is greenfield or brownfield). The Officer recommends the applicant at this stage to provide sufficient on site storage to restrict the run-off rate to a maximum of 2l/s for all events including the 1 in 100 year plus climate change storm event.

An amended Surface Water Management Strategy was submitted on the 22nd March 2018 which the Drainage Officer provided amended comments on raising no further objection subject to condition.

Highways:

The site would have a vehicular access from Vinson Close which would require the removal of 2 shared use (pay & display and resident's permit) parking bays. The site has a high (6a) PTAL assessment. There are 58 flats (21 x 1 bed, 31 x 2 bed, and 6 x 3 bed) with 29 parking spaces (0.5 spaces per unit). The parking requirements in the draft local plan would be 52 x 0.7 + 6 x 1 giving a total of 43 spaces. There would a shortfall of 14 spaces.

This compares with other nearby schemes, Brunswick Square 0.55 spaces per unit, Berwick Way 0.23 spaces per unit and the refused scheme at Homefield Rise, 0.72 spaces per unit.

I am not clear if the high proportion of disabled spaces is needed. Given the high PTAL and proximity of the High Street I think it would be difficult to sustain a ground of objection regarding the number of parking spaces.

There is no indication how the spaces will be allocated, they should not be charged for and I would suggest a Car Park Management Plan condition.

A Transport Statement has been submitted with the application. Parking stress surveys have been carried out along the lines of the Lambeth methodology. There

were 3 surveys carried, 2 during the night and one between 6 -9pm on a weekday in September 2017. Unsurprisingly the evening survey showed the highest parking stress as shown in the table below. The survey showed that there are enough spaces to take up the shortfall in parking provision overnight but the surveys do not cover the daytime situation so that is indeterminable.

	Tuesday 01.15am	Tuesday 6pm – 9pm (max stress during period)	Wednesday 02.00am
CPZ (available spaces)	74% (12)	79% (10)	79% (10)
Restricted parking (pay & display bays) (available spaces)	24% (22)	97% (1)	14% (25)
Single yellow lines (available spaces)	11% (106)	19% (87)	9% (98)

The TRICS survey data used to estimate the trip generation are approaching 10 years old and so is not up to date. However, it is unlikely that the number of trips will significantly impact on the road network.

I note the suggestions for residents not to be eligible for parking permits and become members of a car club which may alleviate some of the shortfall in parking spaces.

Waste services should be consulted on the refuse storage / collection arrangements. Cycle storage has been provided in line with the London Plan.

The new access would require the removal of 2 shared use / pay & display bays and the applicant should make a financial contribution in lieu of lost revenue.

The minimum headroom in an underground car park is 2.3m so the 2.4m shown is acceptable.

There is currently a low level wall on the corner of Knoll Rise and Vinson Close. Any new boundary treatment should not reduce the sightline below the 43m given

in Manual for Streets. I've suggested a sightline condition although I assume there will also be a boundary treatment condition.

No objections are raised.

Transport for London:

1. The site of the proposed development is located approximately 300m from the A232 Station Road, which forms part of the Strategic Road Network (SRN). TfL has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.

2. It is understood that the proposed development seeks to provide 58 flats with associated parking.

3. It is understood that the proposed development seeks to provide 21 car parking spaces. However, 29 car parking spaces have also been referenced; TfL request that the correct figure is provided in order to better assess the impact of this development. Considering the site's PTAL of 6a, TfL requests the number of spaces are significantly reduced. The Blue Badge spaces are welcomed; however any other provision should be fully justified. The London Plan promotes sustainable travel and developments coming forwards should help to achieve this by providing limited parking, especially in accessible, high PTAL areas like this.

4. TfL welcomes that one car club space will be provided with this development. If feasible, the provision of a car club space, along with two years free car club membership for all residents should be secured through the section 106 agreement

5. TfL welcomes the applicant's commitment to preventing future occupiers from obtaining parking permits within the local CPZ. This should be secured via condition.

6. TfL welcomes that at least 20% of all spaces will have active charging points, however, passive provision should be provided for all remaining spaces in line with policy T6 of the draft London Plan.

7. A minimum of 106 long and 2 short stay cycle parking spaces should be provided in line with the standards of the draft London Plan. All cycle parking should be provided in a secure, accessible and well-lit area, with short stay located near building entrances.

8. Considering the location of the development, TfL requests further information in regards to construction (vehicle trip generation, delivery area and how the construction will be undertaken).

9. The footway and carriageway on the A232 Station Road must not be blocked during the development. Temporary obstructions during the development must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the A232 Station Road.

Clarification has been confirmed with TfL that 29 parking spaces will be delivered and they are happy that the construction details be controlled via a construction management plan.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

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

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o 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
- o 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).

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination In Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

London Plan Policies

2.6 Outer London: vision and strategy

2.14 Areas for regeneration

3.1 Ensuring equal life chances for all

3.3 Increasing housing supply

3.4 Optimising housing potential

3.5 Quality and design of housing developments

3.6 Children and young people play and informal recreation facilities

3.8 Housing choice

3.9 Mixed and balanced communities

3.12 Negotiating affordable housing

3.16 Protection and enhancement of social facilities

3.17 Health and social care facilities

- 3.18 Education facilities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.8 Innovative energy technologies
- 5.0 Overheating and cooling
- 5.10 Urban Greening
- 5.11 Green roofs and development site environs
- 5.12 Flood Risk Management
- 5.13 Sustainable drainage
- 5.21 Contaminated Land
- 6.3 Assessing effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.12 Road Network Capacity
- 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
- 7.19 Biodiversity and access to nature
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

The Mayors Housing SPG (2015)
Homes for Londoners SPG (2017)

Unitary Development Plan

- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T5 Access for People with restricted mobility
- T6 Pedestrians
- T7 Cyclists (see London Plan)
- T9 Public Transport
- T10 Public Transport
- T12 Residential Roads
- T15 Traffic Management
- T18 Highway Safety
- BE1 Design of New Development
- BE4 Public Realm
- BE7 Railings, Walls and Means of Enclosure
- NE3 Nature Conservation

NE7 Development and Trees
NE12 Landscape Quality and Character
ER4 Sustainable and Energy Efficient Development
ER7: Contaminated Land
ER10 Light Pollution
ER15 Water Conservation
IMP1 Planning Obligations

Planning Obligations SPD
Affordable Housing SPD

Emerging Local Plan

Draft Policy 1 - Housing Supply
Draft Policy 2 - Provision of Affordable Housing
Draft Policy 4 - Housing Design
Draft Policy 8 - Side Space
Draft Policy 30 - Parking
Draft Policy 31 - Relieving Congestion
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All
Draft Policy 34 - Highway Infrastructure Provision
Draft Policy 37 - General Design of Development
Draft Policy 113 - Waste Management in new Development
Draft Policy 115 - Reducing Flood Risk
Draft Policy 116 - Sustainable Urban Drainage Systems
Draft Policy 119 - Noise Pollution Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon Dioxide Reduction, Decentralised Energy Networks and renewable energy

Planning History

The relevant planning history relating to the application site is summarised as follows:

86/03032/OUT - Demolition of three dwellings and construction of two storey housing for the elderly - Refused

Considerations

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

- o Principle
- o Design
- o Standard of residential accommodation
- o Highways
- o Neighbouring amenity
- o Sustainability

- o Trees
- o Other
- o CIL
- o S106

Principle

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 NPPF Paragraph 14 identifies the presumption in favour of sustainable development and that planning permission should be granted if in accordance with the development plan. Paragraph 15 of the NPPF states that development which is sustainable should be approved without delay. There is also a clear need for additional housing to meet local demand and needs.

The London Plan Policy 3.3 requires the Borough to make provision for at least 641 additional dwelling completions per year 2015-2025. The current proposal could represent a good contribution to the Council's required Housing Land Supply in a location adjacent to Orpington Town Centre.

As existing residential land, an increased density and housing provision could make a valuable contribution to the Boroughs housing supply. However, it is necessary to demonstrate that an appropriate density can be achieved having regard to the context of the surroundings, standard of accommodation to be provided and detailed design considerations.

The London Plan seeks mixed and balanced communities in accordance with Policy 3.9, which states that communities should be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment. Policies 3.11 and 3.12 confirm that Boroughs should maximise affordable housing provision, where 60% of provision should be for social housing (comprising social and affordable rent) and 40% should be for intermediate provision where priority should be accorded to the provision of affordable family housing.

In terms of the extent of the development, the land carries no formal designation and is not located nearby sensitive areas such as conservation areas or sites of specific nature importance; no statutory listed buildings are located in close proximity to the site. Furthermore, the site is situated within an accessible,

residential area bounded on three sides by a mixture of residential properties and is currently in residential use.

The principle of the redevelopment of the site for a higher density of housing and additional housing provision is therefore supported in principle subject to an assessment of all other matters.

Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). This site is considered to be in a 'suburban' setting (similar in character to the site recently dismissed on appeal at 18 Homefield Rise where the Inspector considered the site as having a 'distinctly suburban presence on the town centre edge') and has a PTAL rating of 5 giving an indicative density range of 45-130 dwellings per hectare / 200-350 habitable rooms per hectare (dependent on the unit size mix). The London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces. UDP Policy H7 also includes a density/location matrix which supports a density of 250-350 habitable rooms / 80-120 units per hectare for locations such as this provided the site is well designed, providing a high quality living environment for future occupiers whilst respecting the spatial characteristics of the surrounding area.

Development should comply with the density ranges set out in table 4.2 of the UDP and table 3.2 of the London Plan and in the interests of creating mixed and balanced communities development should provide a mix of housing types and sizes. The Council's Supplementary Planning Guidance No1 - General Design and No.2 - Residential Design Guidance have similar design objectives to these policies and the NPPF. Policies 3.3 and 3.4 of the London Plan seek to increase the supply of housing and optimise the potential of sites, whilst policy 3.5 seeks to protect and enhance the quality of London's residential environment.

As set out above, the housing density of the development would equate to 207 units per hectare and approximately 538 habitable rooms, both of which exceed the guidelines as stipulated within the UDP and the London Plan standards which are more up to date.

The proposed development density would sit significantly above the UDP and London Plan ranges however this is not necessarily determinative given the location on the edge of the town centre. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity. Whilst the principle of the redevelopment of the site for a higher density of housing and additional housing provision may be supported in principle subject to an assessment of all other matters, Officers are concerned as to the extent of the development proposed and the impacts of this upon the residential suburban character of the

area. Officers consider the site to be located within an area where the predominant land use is of low scale residential properties, predominantly of single and two storey nature, however acknowledge the proximity of the site to the High Street. The property's along Knoll Rise benefit from considerably sized rear amenity areas of uniformed plot sizes, with those opposite the site being of a low scale residential appearance. The site itself, given the surrounding land form, relates more to the residential setting than the Town Centre uses and therefore would be more successful as a lower density residential development.

Whilst matters of scale and design are to be discussed further within the report, it is not considered that the site would be suitable for such a high density scheme as that proposed within this application and consideration should be given to the locality which is predominantly suburban and spacious in character.

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

The NPPF emphasises good design as both a key aspect of sustainable development and being indivisible from good planning. Furthermore, paragraph 64 is clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

London Plan Policy 7.1 requires developments to be designed so that the layout, tenure and mix of uses interface with the surrounding land and improve people's access to infrastructure, commercial services and public transport. The design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood.

Policy 7.4 requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a

positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

Policy 7.6 states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape and should incorporate the highest quality materials and design appropriate to its context.

Policy BE1 requires that new development is of a high standard of design and layout. It should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas and should respect the amenity of the occupiers of neighbouring buildings.

Officers do not consider that the overall site coverage, height and scale of the proposed provision reflects the prevailing urban grain and spacious qualities of the surrounding residential use, appearing out of character and scale along the highway. The site is surrounded by low level residential dwellings to the north, west and south and directly faces a two storey office block to the east. The site forms part of the surrounding distinctive residential character. Officers consider that Vinson Close provides a clear delineation between the higher rise and commercial properties to the east which are more akin to the town centre and the suburban, low rise, low density residential development to the west which it is considered this site forms part of. The provision of a substantial three/four/five storey building within this location is considered inappropriate and out of scale with the surrounding land form, despite the Applicants efforts to step the development up away from the neighbouring properties. The site is to be developed to its extremities, with a small area of landscaping retained to the front elevations, removing the mature high level vegetation which currently exists along the Vinson Close boundary. The extent of the development within the site is reflected in the requirement to site the parking area within an undercroft to the rear of the development with amenity space on top; the constrained and convoluted siting of which is led by the constraints of the plot size and location and is considered an overdevelopment of the plot.

The corner setting of the site is open and spacious which is as a result of the undeveloped nature of the rear amenity space of number 14 Knoll Rise. The location of the amenity area with the mature planting along the boundary allows for a sense of relief within the built form and contributes positively to the residential layout of the area and vista when viewed from Vinson Close. The trees along this boundary delineate the clear change in character from Orpington Town Centre to the residential setting to the west and as such their removal would be conspicuous within the suburban setting. The encroachment of the building form along this elevation, despite conforming with the building lines of the existing dwellings and providing ample set-back from the highway, would erode the open nature of the plot and would provide a form of development that would appear unduly prominent. Further to this, the layout of the building wrapping around the plot creating a dual principle elevation of a height and massing out of scale and context with the

surrounding suburban form which the site is considered to contribute to would not result in an appropriate transition between the site itself and the town centre to the east. The overall scale and massing of the development is further exacerbated by the extent of the predominantly blank flank brick wall present to the north and west elevation, sparsely broken up by small glazed windows however dominant and imposing in its form which would project above neighbouring properties on approach.

The submitted floorplans show one pedestrian ground floor access from Knoll Rise and one from Vinson Close which lead directly to the residential entrances. The lack of direct pedestrian access to the ground/lower ground floor units themselves creates an in-active frontage and potentially a poor sense of ownership of amenity areas, specifically given the sites prominent location on approach to Orpington Town Centre where there will be considerable public views. This is prevalent predominantly on Vinson Close whereby there is a lack of communal space. However, whilst the absence of individual pedestrian entrances is regrettable, the provision of private amenity areas to the front of the dual principle elevations encourages ownership of the site which is considered a good mechanism to ensure the longevity of the publically viewable areas and defensible space.

Notwithstanding the above comments concerning the principle of the development, it is considered that a modern and more contemporary design is proposed which allows for a mix of materials. It is considered that a modern approach may be found to be acceptable on this site over a more traditional design given the plethora of building designs within the locality. The use of brick is supported however concern is raised as to the extensive use of white render given the poor weathering capabilities of the material and the location of the development on a main road into the Town Centre and how this will sit with the cladding which is proposed of a light brown/grey colouring. Over time Officers question the aesthetic capabilities of these materials in conjunction given the sparse area of brickwork proposed. The top floor of the block is stepped in and proposed to be finished with the fibre cement cladding which would mitigate the height of the block to a certain extent given its colouring and subservience to the built form; however this is not considered to outweigh the concerns in respect of the overall scale of the building as previously discussed. The use of sandblasted glass in respect of the balconies and balustrading to the podium deck is considered acceptable subject to a condition requiring samples of the materials to be submitted should permission be forthcoming. The use of sedum roofs is welcomed and should permission be forthcoming, a condition will be added to clarify the type, construction methods and make-up of these areas.

All units must benefit from private amenity space which must comply with the requirements set out in the Mayor's Housing SPG. Only "in exceptional circumstances where site constraints make it impossible to provide private open space for all dwellings, then a proportion of dwellings may instead be provided with additional floorspace equivalent to the area of the private open space requirement" (Para.2.3.32 Housing SPG). This must be added to the minimum GIA. Further to this, the Mayor's Play and Informal Recreation SPG notes the importance of doorstep play space which is defined as a landscaped space including engaging

play features for young children under 5 that are close to their homes, and places for carers to sit and talk.

Outdoor amenity space for the apartments are provided by way of private balconies/ private lawned areas for the ground floor units (in which over 5sqm per unit is provided) and is of an acceptable size, shape and layout. As well as the private amenity areas, a rear landscaped deck area measuring 530sqm is also provided. Further details of the landscaping will be provided at the reserved matters stage and commentary as to the impact on residential amenity as a result of the amenity space will be provided below.

Refuse/recycling and cycle storage has been considered in the proposed layout and are located predominantly along the Knoll Rise frontage. Whilst it would be preferable for the cycle and bin storage to be located internally, it appears that the sedum roof of the storage facility will be commensurate with the pavement level and as such minimally visible from the public realm which is acceptable. Should permission be forthcoming, further details of the stores will be conditioned to be submitted.

Unit Size Mix:

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms. The size of the site and location in a predominantly suburban setting however close to the town centre would respond well to the provision of 1 and 2 bedroom flats as is the majority provision however consideration should also be given to the loss of the 2 family sized dwellinghouses. In response to this, the applicant has provided four 3 bed units. The three bedroom properties are located on the first floor which may not be considered responsive to the needs of the future occupiers who may benefit from being on the ground floor however, the properties will have access to the outdoor deck area which is considered sufficient for doorstep play.

Affordable Housing:

Affordable housing will be sought on sites capable of providing 11 dwellings or more. The London Plan, at policy 3.8, states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought on schemes having regard to current and future requirements at local and regional levels and the London Plan's target of an average of at least 17,000 more affordable homes per year in London. Development proposals are required to create mixed and balanced communities with the size and type of affordable housing being determined by the specific circumstances of individual sites. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for

intermediate rent or sale. Priority should be accorded to provision of affordable family housing.

The development is considered liable for the provision of affordable housing on site as set out in the Policy H2 and contributions by way of planning obligations under Policy IMP1. Policy H2 requires 35% affordable housing to be provided.

The Applicant is proposing 22 affordable dwellings which equates to a 38% provision by unit and 42% provision by habitable room, however only the policy compliant level of 35% provision will be secured via the section 106 agreement. The units to be secured are a mix of 1, 2 and 3 bedroom properties which is considered acceptable. The provision equates to a 65.1%-34.9% split in tenure in favour of affordable rent which whilst not compliant with the London Plan standards as outlined, is considered acceptable for the size of the development being provided and reflecting upon local need.

Three affordable rented wheelchair accessible properties are located within the ground floor which equates to an 13.6% provision of wheelchair accessible properties and deemed acceptable. 3 further wheelchair adaptable dwellings are sited throughout the development, one of which is to be made available for intermediate rent and two as market rent. The wheelchair units are also identified as being suitable for use by wheel chair users in accordance with the design requirements set out in the South East London Housing Partnership Wheelchair Homes Design Guidelines. Members may consider this provision acceptable and should planning permission be forthcoming the delivery of Affordable Housing, including affordable wheelchair housing, can be secured by way of legal agreement.

Standard of Residential Accommodation:

Policy 3.5 of the London Plan sets out the Mayor's aspirations for the quality and design of housing developments. Part 2 of the Mayor's Housing SPG sets out guidance in respect of the standards required for all new residential accommodation to supplement London Plan policies setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements.

The 2016 Minor Alterations to the London Plan adopted the DCLG Technical Housing Standards - nationally described space standard (March 2015) which standard 24 of the SPG says that all new dwellings should meet. Furthermore, the Minor Alterations at paragraph 3.48 state that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. As set out in approved document part M of the Building Regulations - Volume 1: Dwellings, to comply with requirement M4 (2), step free access must be provided. Generally this will require a lift where a dwelling is accessed above or below the entrance storey.

In accordance with the Technical Housing Standards, the minimum gross internal areas specified for new dwellings will not be adequate for wheelchair housing (Category 3 homes in Part M), where additional area is required to accommodate increased circulation and functionality to meet the needs of wheelchair users.

The proposed units all comply with the space standards set out in the Technical Housing Standards and the proposed wheelchair accessible units (Unit 2,3,4,5,7,8) will have an internal area in excess of the minimum floor space standards of 61sqm, 70sqm and 50sqm respectively at 80sqm, 77sqm, 93sqm,79sqm, 70sqm and 72sqm.

Based on the expected child occupancy of the development, the London Plan requires a minimum 179 square metres of play space for the development. Each unit would be provided with both private and communal amenity space. Furthermore, the proposed layout of the development provides open green space to the rear of the development of a considerable size and appropriate scale to facilitate doorstep play however commentary as to the impact upon neighbouring and future residential amenities as a result of this is provided below. It is therefore considered that based on size and scale, the proposal would provide adequate play space for occupiers of the development.

With regard to the internal cores of the buildings, the circulation space is not provided with roof lights and natural ventilation as per standard 14 of the London Housing SPG (2017). Further to this, as per Standard 12, each core should be accessible to generally no more than eight units on each floor however in this case 9 units are accessed off a single core measuring 22m in length which when considered with the lack of natural light and ventilation would become a dark and uninviting space.

In terms of natural light provision, it is noted that some of the units are single aspect. The Applicant has submitted a daylight/sunlight assessment however this does not consider the impact on future occupants amenity. It is noted that 9 units are single aspect, with four of these serving two bedroom units which could readily be used as family dwellings. Officers are further concerned as to the provision of sufficient daylight/sunlight serving the habitable rooms sited within the corner junction of the two 'wings', particular the bedroom windows of units 18, 26 and 39 which whilst have dual aspects, the outlook and light provision to these windows is considered impeded as a result of its size and siting adjacent to the flank elevation and within 2m of the balcony. The layout of Unit 12 is also considered unacceptable in that the outlook from the only bedroom is not only north facing but would be impeded by the vegetation (or other boundary treatment) used to separate the amenity spaces between units 12 and 13 and would be restricted to the east and west by the flank elevation and raised deck respectively.

Further to the above, concerns are raised as to the impact of the raised deck area on the amenity of future owner/occupiers privacy. Whilst the raised deck is sited at a broadly commensurate land level to the neighbouring rear gardens, the deck would sit 3m above the amenity areas of Units 1,2 and 3 and it would be possible for users of the communal amenity space to look over into the private amenity areas from a height. Furthermore, the raised deck is located between 6.8m-11m

from the adjacent elevation, which sits at the same level as the upper ground floor. As a result, the deck would allow for direct overlooking into the windows of the adjacent units and provide direct views of the balconies to units 12, 13 and 14 which would cause an unacceptable loss of privacy. Further to this, the location of the staircase and platform lift to access the landscaped area sits adjacent to the amenity areas and would also cause transient overlooking which is not considered acceptable. The raised deck is accessed for the majority of the units from the single staircase and platform lift and as such the transient movements along the boundaries with units 1-3 would also cause an unacceptable impact.

Considering the lower ground floor units (Unit 1, 2 and 3), the impacts of the loss of privacy are considered cumulatively with the orientation of the units in that the amenity space is sited at a lower ground level, with the five storey elevation of the building sited to the east and south and the raised deck to the west; this is considered to create a dark and hemmed in space, one in which the owner/occupiers would not be able to utilise fully. To the north, the open space is bounded by the access road and two car parking spaces and the undercroft parking area is sited to the west; all of which would cause unacceptable noise and disturbance impacts as a result of the transient vehicular movements in close proximity. When considering these matters together, Officers do not consider the adequacy of these amenity areas to be acceptable.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan, UDP and emerging draft Local Plan should be used as a basis for assessment.

The site would have a vehicular access from Vinson Close which would require the removal of 2 shared use (pay & display and resident's permit) parking bays. It has been agreed with the Applicant that should the application be approved, a payment in lieu to cover the loss of fee generation will be secured via the S.106 agreement.

The application proposes 29 car parking spaces which would equate to a shortfall of 14 spaces as per the requirements within the Draft Local Plan. Whilst this may be considered insufficient it compares with other nearby schemes including Brunswick Square 0.55 spaces per unit, Berwick Way 0.23 spaces per unit and the refused scheme at Homefield Rise, 0.72 spaces per unit and therefore given the proximity of the site to the High Street and the high PTAL rating, the parking is therefore acceptable.

There is no indication how the spaces will be allocated, they should not be charged for and a Car Park Management condition is requested should permission be forthcoming which would cover this.

A Transport Statement has been submitted with the application. Parking stress surveys have been carried out along the lines of the Lambeth methodology. There were 3 surveys carried, 2 during the night and one between 6 -9pm on a weekday in September 2017. The evening survey showed the highest parking stress as shown in the table below. The survey showed that there are enough spaces to take up the shortfall in parking provision overnight but the surveys do not cover the daytime situation so that is indeterminable.

	Tuesday 01.15am	Tuesday 6pm – 9pm (max stress during period)	Wednesday 02.00am
CPZ (available spaces)	74% (12)	79% (10)	79% (10)
Restricted parking (pay & display bays) (available spaces)	24% (22)	97% (1)	14% (25)
Single yellow lines (available spaces)	11% (106)	19% (87)	9% (98)

It is considered unlikely that the number of trips will significantly impact on the road network.

Within the transport assessment it states that residents are not to be eligible for parking permits and will be offered membership of a car club which may alleviate some of the shortfall in parking spaces. Should permission be forthcoming, this would be secured via the section 106 agreement. Cycle storage is considered to be adequate.

The minimum headroom in an underground car park is 2.3m. The Applicant proposes a head height of 2.4m which is considered acceptable.

There is currently a low level wall on the corner of Knoll Rise and Vinson Close. Any new boundary treatment should not reduce the sightline below the 43m given in Manual for Streets. A sight line condition is requested by the Highways Officer and a further boundary condition would be added to ensure this is complied with should permission be forthcoming. It is noted that landscaping is a reserved matter

and details as to the planting specifications for the boundary planting will be secured via a reserved matters application.

No objections are raised from Transport for London however further details of the car parking provision and construction were required to be expanded on. A finalised comment from TfL will be provided to Members verbally at the committee.

Neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The properties most impacted as a result of the proposed development are the dwellings at 22 Knoll Rise and Vinson Close, which are those which directly adjoin the site.

It is of most concern to Officers that the parking area for the development is adjacent to the boundary with the rear amenity area of 1 Vinson Close and this space would be subject to transient pedestrian and vehicular movements which would adversely impact upon neighbouring residential amenity given the extent of the roadway and communal area along the southern boundary of the neighbouring site. Whilst this would be below ground level in respect of the neighbouring amenity space, the frequency and amount of noise and movements along this boundary is considered to be perceptible to the neighbouring occupiers. Further to this, the car parking area, albeit it at a lower level than the neighbouring amenity areas, would project up to the boundaries with both properties which is to be used jointly with the communal amenity space above it which is considered to result in a detrimental amenity impact upon both neighbouring properties given that it serves 58 units and would be used to a much greater extent than a standard family dwelling house. An acoustic assessment has been submitted however this has not considered the impact of the proposal on neighbouring amenity. Sufficient information has not been provided to allow Officers to conclude that there will be no detrimental impact arising from noise and nuisance as a result of this application.

With regard to overlooking and loss of privacy, the proposed development is inclusive of external balconies from upper ground floor level to the third floor level with the closest balcony to 22 Knoll Rise sited 17.8m from the common side boundary and 14m from 1 Vinson Close. The balconies are proposed with sandblasted screening to prevent direct overlooking however whilst there may be no direct loss of privacy, the overall development is of such a height and scale that there would be perceived overlooking and overbearing impacts resulting from the enlarged massing and introduction of external amenity areas within close proximity at height. Officers do not consider there to be any resultant overlooking or loss of privacy from the 'raised deck' area given that this land will be of a commensurate height with the neighbouring amenity areas. Officers consider that there is no relief in the oppressiveness of the development when viewed from the adjoining neighbouring properties and the extent of the site coverage coupled with the

design and massing of the proposal would result in an oppressive and harmful impact upon neighbouring residential amenity.

A daylight/sunlight assessment has been submitted which concludes that one kitchen window to 1 Vinson Close would result in a reduction in daylight which will be noticeable to the occupants of the room. This room is considered not to be habitable for the purposes of assessing impact and as such Officers have no concern in this regard.

In respect of the increase in quantum of vehicular movements as a result of the development, no concern has been raised by the Council's Highways Officer and it is considered that sufficient off-street parking is provided to allow for vehicles to be accommodated within the site boundaries. There is also no concerns raised by the Officer in respect of queuing at the junction or entrance to the site.

The development is sited between 18-21m from the two storey office block to the east of the site. Whilst there will be some visual impact as a result of the increase in massing from the development, this is not considered to be so detrimental to warrant a refusal of the application on these grounds. Berwick House also sites to the east of the site and has recently been converted to residential use. This building sits off-set to the proposed development, and whilst it would be perceivable from the west facing windows, Officers do not consider any harmful impacts arising in this regard.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

The Applicant has provided an energy statement which is considered compliant with the London Plan Policy 5.2, 'Be Lean, Be Clean, Be Green'. It was found that reference had been made to 74 PV panels within the submitted energy assessment which has been clarified as being 70, in line with the proposed roof plan. On site regulated carbon dioxide emissions (Building Regs 2013 Compliant Development) equates to 53.75 tCO₂ per annum. It is proposed to reduce on site carbon emissions from energy demand/CHP/renewables to 18.987 tCO₂ per annum leaving a shortfall of 34.76 tCO₂ per annum. A payment-in-lieu amount has been calculated as £62, 568 which will be secured via a section 106 agreement should permission be forthcoming and has been agreed to by the Applicant.

Air Quality

Policy 7.14 of the London Plan aims to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs) and where development is likely to be used by large numbers of those particularly vulnerable to poor air quality, such as children or older people) such as by design solutions, buffer zones or steps to promote greater use of sustainable transport modes through travel plans.

It is stated within the submitted air quality assessment that in the opening year of the proposed development (2020), concentrations of all pollutants are below the Air Quality Objectives. Therefore, onsite pollutant concentration should not be a constraint upon the development of the site. The report goes on further to state that in line with the London Plan's Sustainable Design and Construction SPG, this development can be considered to be "Air Quality Neutral", in terms of both plant and transport emissions. With regards to the impacts of construction on air quality, dust and other pollutant emissions from the construction and demolition phases of the construction of the proposed development will see the site designated a "Medium Risk Site". However, with risk appropriate mitigation, residual effects will not be considered significant.

Officers await comments from Environmental Health and these will be reported verbally to committee when received.

Drainage

Policy 5.13 of the London Plan states that Development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. Drainage should be designed and implemented in ways that deliver other policy objectives of this Plan, including water use efficiency and quality, biodiversity, amenity and recreation.

The Applicant submitted a Surface Water Management report which concludes that the most viable solution to manage all of the surface water runoff discharged from the proposed development will be via a connection to the public surface water sewer system. Comments were subsequently received from the Drainage Officer who stated that he did not agree with the proposed use of an underground storage tank to limit surface water run-off to 50 % of the existing as the London Plan's recommendations are to aim for greenfield run-off rate.

An amended Surface Water Management Report was received which provided sufficient on site storage to restrict the run-off rate to a maximum of 2l/s for all events including the 1 in 100 year plus climate change storm event and was found to be acceptable by the Drainage Officer.

Trees and Ecology

The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF addresses ecology in paragraph 109 which states, the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitments, which include establishing ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

UDP Policies NE2, NE3 and NE5 seek to protect wildlife features and protected species requiring development proposals to incorporate appropriate mitigation where damage may occur. Policy NE7 requires proposals for new development to take particular account of existing trees and landscape features on the site and adjoining land.

It is also entirely appropriate for a development of this nature and scale to enhance opportunities for ecology and biodiversity as part of a detailed landscaping scheme (for example through the inclusion of bird/bat boxes, log piles etc.).

A site inspection was carried out and 3 category B trees, 17 category C trees and 4 category U trees were identified. One category B tree, 16 category C trees and 4 category U trees will be required to be removed. The report states that the arboricultural impact from the street is moderate as a number of boundary trees are to be retained.

As previously mentioned, there are a number of trees along the boundary with Vinson Close which contribute positively to the overall residential, verdant character of the location; the removal of which would create an exposed, urbanising impact incongruent with the suburban location which the dwellings fit within. Whilst character impacts are of concern to Officers, the Tree Officer raises no objections to the scheme and considers the indicative landscaping proposals suitable for the site. It is noted that landscaping is a reserved matter and further details of the planting will be conditioned to be submitted at a later date. Nevertheless, the extent to which the replacement planting would mitigate the impact of the size and scale of the development is considered negligible given the constraints of the development to the site boundaries, and the removal of the mature high level trees within this location is considered unacceptable when considered in conjunction with the replacement building.

With regard to ecological impacts, it was found within the submitted ecological assessment that No.14 has several potential roost features for bats, and based on the external inspection it was assessed as having 'moderate bat roost potential'. The property at No.20 had one potential roost feature and two enclosed loft spaces. Based on the external inspection, this building was assessed as having 'low bat roost potential'. In accordance with current best practice guidance, it is recommended that an internal inspection of enclosed loft spaces is undertaken where possible and safe (i.e. No. 20 and No. 16), together with emergence surveys

for buildings at No. 14 and No. 20, to determine the use of these features by bats. Emergence surveys should be submitted if found to be required with the planning submission documents and are not assessments which could be conditioned. The absence of such surveys do not allow the Local Planning Authority to adequately assess the development's impact upon the protected species and as such, without such information, the development is considered to be unacceptable.

Due to the presence of small patches of suitable habitat for reptiles at the end of the rear gardens at No 14 and 16, reasonable avoidance measures are recommended to ensure that reptiles are safeguarded and this can be conditioned should permission be forthcoming. Virginal Creeper has been identified as growing on the site, it is recommended that competent contractors are employed to carry out works to eradicate this species from the site prior to the commencement of construction. Bat and bird boxes will be included within the new building design, and wild flower seed mix (suitably sourced for the area) and native trees and shrubs used to landscape areas surrounding the buildings will also be sought within the reserved matters stage.

Planning Obligations

The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

Policy IMP1 (Planning Obligations) and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

The applicant has agreed, in principle, to pay contributions for health and education. Highways contributions of £27,960 have been secured as an off-setting sum due to the loss of the pay and display bays as well as car club membership as

offered by the Applicant. A payment in lieu for carbon off-setting is also required and agreed to which can be secured via the legal agreement.

The scheme would also be subject to Mayoral CIL.

Conclusion

Officers consider that the re-development of the site to provide a residential development of the massing proposed to be unacceptable in that it would appear out of size and scale with the surrounding low scale and density suburban residential area which the site is considered to be a part of. The application is considered an overdevelopment of the site and inappropriate in the format proposed.

The accommodation proposed is also considered to be of a poor quality evidenced by the inadequate layout of the internal communal spaces, the extent of the north facing single aspect units proposed and outlook from habitable rooms. Officers are also concerned with the relationship of the raised deck area and access to this space on future owner/occupiers in terms of noise, nuisance and loss of privacy.

Concern is also identified in respect of the impact of the development upon neighbouring owner/occupiers. The size and scale of the proposed built form is considered to be oppressive and when considered cumulatively with the layout and height of the external amenity spaces within relatively close proximity to the neighbouring boundaries, is considered overbearing and harmful. There is also inadequate information provided to Officers to opine that there would be no harmful acoustic impact as a result of the development given the extent of the transient pedestrian and vehicular movements along the common side boundaries.

Furthermore, Officers note that bat emergence surveys were identified as requiring to be submitted however in the absence of sufficient information, Officers are unable to ascertain the impact upon the protected species as a result of the development.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The development, as proposed, would result in a cramped overdevelopment of the site, out of character with and harmful to the visual amenities of the area and suburban character of the wider locale which this site is considered to contribute positively to as a result of its**

size, scale and massing contrary to Policies BE1 and H7 of the Unitary Development Plan, policies 4 and 37 of the Draft Local Plan and policies 7.4 and 7.15 of the London Plan and the Mayor's Housing SPG.

- 2 The proposed development fails to provide a satisfactory standard of living accommodation for future occupiers by virtue of the substandard layout of internal communal space, extent of north facing single aspect units, poor outlook from habitable rooms, transient pedestrian and vehicular movements within close proximity to amenity and habitable areas and loss of privacy as a result of the access, height and location of the raised deck area contrary to Policies BE1 and H7 of the Unitary Development Plan, policies 4 and 37 of the Draft Local Plan and policies 7.4 and 7.15 of the London Plan and the Mayor's Housing SPG.**
- 3 By virtue of the size, scale, massing and layout, the proposed development will result in an oppressive and harmful impact in respect of neighbouring owner/occupiers and as a result of insufficient information to the contrary, would result in a harmful impact by way of noise and disturbance due to transient pedestrian and vehicular movements contrary to policy BE1 and H8 of the Unitary Development Plan and Policy 27 of the Draft Local Plan and policies 7.4 and 7.6 of the London Plan and the Mayor's Housing SPG**
- 4 Insufficient information has been provided as part of the application in the form of bat emergence surveys to properly assess the potential impacts of the scheme upon the protected species which, due to the demolition of existing buildings and the intensification of the site, may result in an prejudicial impact upon bats contrary to Policies NE5 of the Unitary Development Plan, Policy 72 of the Draft Local Plan and Policy 7.19 of the London Plan.**