

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

**Application No :** 18/04700/FULL1

**Ward:**  
**Chislehurst**

**Address :** The Hurns Southill Road Chislehurst  
BR7 5EE

**Objections:** Yes

**OS Grid Ref:** E: 542416 N: 170535

**Applicant :** Mr Johnathan Arnold

**Description of Development:**

Demolition of existing dwelling and erection of a three storey building to provide 6 flats.

**Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 10

**Proposal**

This application proposes the demolition of an existing two storey dwelling and the construction of a three storey, detached building comprising 4 two bedroom flats and 2 one bedroom flats. The building will have a height of 13.0m and will have a width of 11.3m and a length of 23.0m. The dimensions of the proposal in relation to the existing dwelling are summarised below:

	Height	Width	Length
Existing	13.0m	11.5m	21.0m
Proposed	13.0m	11.3m	23.0m

The building will have a three storey appearance with a modern design and flat roof. The first and second floors will be set back from the main front building line and set in from the side wall adjacent to Hillcroft. A 1.4m side space will be retained to the western side boundary of the site and a 0.6m-0.7m side space to the eastern boundary.

Access to the site will be via the existing vehicle access, with 6 car parking spaces provided, 2 of which will be within the basement level of the building. A refuse store will be sited at the front of the site and a cycle store will be sited within the basement level of the building along with a lift. The proposal will include a large communal amenity area to the rear of the building and each of the flats will be provided with a private balcony/terrace.

The application is supported by an Arboricultural Report.

**Location and Key Constraints**

The existing detached house is located on the northern side of Southill Road on a steeply sloping site. The dwelling is sited on a higher land level than the highway with a set of steps to access the front elevation. The dwelling also has an attached garage facing the highway.

The application site is surrounded by residential properties which comprise of a mix of development density, including detached residential dwellings. A replacement dwelling has recently been constructed at The Hurns to the west of the site. The site is located adjacent to the Chislehurst Conservation Area, the boundary to which is opposite the site on the southern side of Southill Road.

### **Comments from Local Residents**

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

#### **Objections:**

- With this being the third development being proposed within 20 metres of all three developments the council must have a duty of care to not look at each application in isolation anymore. A real negative precedent has been set to the extent that residents are now prepared to fully demolish new quality homes that are less than 6 months old to put mass density blocks of apartments with limited design value to the previous garden street scene.
- Negative precedent being set- other households to follow if this development gets agreement.
- Overlooking privacy to my property one oak - The plans show 40 sq metres of terracing overlooking my property.
- Parking - another 24 occupants to go with the other 2 developments of 46 occupants making 70 new occupants in a small space where the numbers were no greater than 10.
- Overbearing nature of facility - totally out of character the detached house and front garden environment of 95% of southill road
- Design and appearance - the council seem fixated on allowing pitched roofs to disappear and flat unsightly roofs to be the norm.
- Traffic generation - I cannot see how the road will cope with all three developments
- Effect on conservation area - this is now a major regeneration area and must be taken into context with the conservation area opposite.
- Access and highway safety - with the amount of reversing and entry of cars pedestrians will be at a more elevated risk on an unmade road with no pathway.
- Noise and disturbance from development - having sat through 12 months of construction only to see the finished product demolished to build a massed building that requires extreme earth and spoil removal the disturbance will be major.
- Having had application after application in this tiny area of chislehurst within 3 years I can envisage the developers next step will be to join up and then put an even bigger scheme on the table.
- This is not small planning applications anymore but total regeneration outside of a formal agreed plan and i fully object.
- The proposal will adversely impact on road safety on the unmade section of Southill Road by reason of the introduction of up to 10 additional vehicular movements on a road that is in very poor condition, badly lit and which has no pavement to enable pedestrians to pass safely through to Elmstead Woods Station. Although some residents have attempted to repair the potholes, construction traffic associated with recent developments have caused the pots holes to deepen to such an extent that the road is becoming dangerous for all road users but especially pedestrians. This development, together with the six flats already approved next door and the proposals for Silver Leaves, will increase vehicular movements significantly. Although the unmade section of Southill Road is regarded by the Council as an unadopted public highway, its ownership is unknown. It is a well used vehicular route to Babbington House School, Alexander

Road, Southill and beyond and it is a busy pedestrian route to Elmstead Woods Station.

- The proposal is unacceptable unless the road safety concerns are addressed by improvements to the road surface and the provision of a safe pedestrian route to Elmstead Woods Station that links to other pavements.
- Loss of amenity to residents on the unmade section of Southill Road by reason of the increase wear and tear on the already poor road surface and deepening of the potholes which will result in increased dust, noise and a loss of visual amenity in the Conservation Area.
- This proposal is unacceptable unless the road is improved to a standard that can withstand the construction traffic and extra vehicular movements that it will generate.

Groups:

- The South Hill Residents' Association has objected on the grounds that the current road condition is poor and may be damaged further by the development. The Developer should therefore repair damage to the road and provide improved street lighting.
- The Chislehurst Society has raised concerns over the increase in residential density and traffic. The concerns of the Residents' association are supported.

### **Comments from Consultees**

Highways Officer: The previous applications were for a single house. There are now 6 flats proposed (4 x 2 bed & 2 x 1 bed) with 6 parking spaces. The site is within a low (2) PTAL area. There have been similar applications for the sites on either side of The Hurns, Silver Leaves and Hillcroft, where the principle of one parking space per unit has been accepted. It is therefore difficult to indicate why it would not be acceptable here. The nature of the sites are such that each has limited street frontage and, given the stage of the developments, the potential impact on on-street parking is not known. The refuse storage looks small for 6 flats and Waste Services should be asked if this is adequate. Given the other sites nearby, the construction phase is likely to be an issue given the road and the constraints of the site. There appears to be a fair amount of excavation required and so there is likely to be a number of HGV trips. The road surface is unmade and so a road condition survey will be needed and any damage made good. If the surface deteriorates significantly during the construction period interim remedial measures may be required. I am not clear how this can be managed given the adjacent sites. There is the potential for a cumulative impact from the 3 sites if this application was to get permission but I do not know if or how it can be taken into account. However, based on this single application on its own I would raise no objection. Given the status of Southill Road as an unadopted street, the applicant should be advised via an informative attached to any permission that the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. The applicant should, therefore, also be advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Southill Road is laid out.

Drainage Officer: We welcome the use of porous paving in the driveway and car park area. Please impose PC06.

Tree Officer: No trees are proposed for removal or pruning. The tree protection plan is sufficient to provide for the protection of the retained on and offsite trees. With regard to the soft landscaping, I note that the design and access statement talks of new tree planting

“to enhance the current street scene”. The indicative plans show x1 new semi-mature tree to be planted in the south east corner of the site. I cannot find any further details about size or species. I would recommend that, depending on those factors, at least one additional tree could be planted in this vicinity. This could be helpful to soften the view of the new building and extra hardstanding from the road. I would recommend that if further details of new tree planting cannot be secured within the application, a condition should be used instead.

## **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.

The National Planning Policy Framework was published on 24<sup>th</sup> July 2018. According to paragraph 48 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) 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
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The development plan for Bromley comprises the London Plan (March 2016) and the Local Plan (2019). The NPPF does not change the legal status of the development plan.

### **London Plan 2016**

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs

- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 5.15 Water Use and Supplies
- 5.16 Waste Self-Sufficiency
- 5.17 Waste capacity
- 5.18 Construction, Excavation and Demolition Waste
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and Other Strategically Important Transport Infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

#### Local Plan

- Policy 1 - Housing Supply
- Policy 4 - Housing Design
- Policy 8 - Side Space
- Policy 30 - Parking
- Policy 31 - Relieving Congestion
- Policy 32 - Road Safety
- Policy 33 - Access for All
- Policy 37 - General Design of Development
- Policy 73 - Development and Trees
- Policy 77 - Landscape Quality and Character
- Policy 112 - Planning For Sustainable Waste Management
- Policy 113 - Waste Management in New Development
- Policy 115 - Reducing Flood Risk
- Policy 116 - Sustainable Urban Drainage Systems (SUDS)
- Policy 117- Water and Wastewater Infrastructure Capacity
- Policy 119 - Noise Pollution
- Policy 120 - Air Quality
- Policy 122 - Light Pollution
- Policy 123 - Sustainable Design and Construction
- Policy 124 - Carbon Dioxide Reduction, Decentralise Energy Networks and Renewable Energy

#### Other Guidance

Housing: Supplementary Planning Guidance. (March 2016)

Technical Housing Standards - Nationally Described Space Standard (March 2015)

Supplementary Planning Guidance 1: General Design Principles

## Supplementary Planning Guidance 2: Residential Design Guidance

### Planning History

#### The Hurns

17/02694/RECON - Minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow variation of Conditions 2, 3 and 7 pursuant to permission ref. 14/01052 granted for two storey front/side extension, basement garage with terrace over at front, construction of pitched roof to replace flat roof at rear, and landscaping works to include steps to front and side (revisions to permission ref. DC/11/01084) to allow for changes to landscaping, external materials and changes in design of roof, front steps and windows – Approved

14/01052/FULL6 - two storey front/side extension, basement garage with terrace over at front, construction of pitched roof to replace flat roof at rear, and landscaping works to include steps to front and side (revisions to permission ref. DC/11/01084) - Permitted

#### Hillcroft

18/02209/FULL1 - Demolition of existing dwelling and erection of detached three storey building comprising 4 two bedroom flats and 2 one bedroom flats with 6 car parking spaces and landscaping – Permitted

#### Silver Leaves

18/04744/FULL1 - Demolition of existing dwelling and erection of three storey block comprising 6 no. two bedroom flats, 6 no. car parking spaces, refuse and cycle storage and hard and soft landscaping – Under consideration at this Committee

16/03312/FULL1 – Demolition of existing bungalow and the erection of a two storey building to provide 4 x residential apartments with roof space accommodation, basement parking and detached garage – Refused and subsequently allowed on appeal.

### Considerations

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

- Principle of Development
- Design
- Density
- Standard of Residential Accommodation
- Neighbouring Amenity
- Highways
- Sustainability
- Trees
- CIL

#### Principle of Development

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing Choice in the London Plan

(2015) generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

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

The NPPF sets out in Paragraph 11 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 says that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. Where policies are out of date, paragraph 14 of the NPPF says that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies indicate development should be restricted.

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

Policy 4 of the Local Plan advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

Under ref. 16/03312, the Council considered that the provision of a small block of flats at Silver Leaves would be acceptable for the area, and this view was shared by the Inspector when the application was allowed at appeal. Subsequently, a block of 6 flats was considered acceptable at Hillcroft under ref. 18/02209. It is therefore considered that the principle of replacing the building with a sympathetic block of flats is acceptable at the site.

## 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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the

short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The London Plan and Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

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

Policy 4 of the Local Plan sets out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy 37 of the Local Plan requires new development to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

Policy 8 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained and where higher standards of separation already exist within residential areas. Proposals will be expected to provide a more generous side space.

It is proposed to replace an existing two storey dwelling with a three storey building comprising 6 flats. The proposed building has an overall width of 11.5m, a maximum depth of 23.0m and a height of 13.0m. This is in replacement of a recently constructed detached house of the same height and similar width and depth. The site is steeply sloping, with a sloped vehicular access to the existing attached garage.

Following the grant of planning permission under ref. 18/02209 for a block of 6 flats at Hillcroft, the proposal seeks permission to demolish the recently constructed dwelling at The Hurns and erect a similar modern block of 6 flats. The building will have a flat roof that will match the height of the existing dwelling and will include a basement level that will include car parking and cycle storage space. Each floor will include external private balcony spaces at the front and rear of the building, with articulated elevations to reduce the massing of the block at upper floor levels. The modern design will add roof bulk, however it will position the scale of the building at roof level with a separation to Hillcroft and set back from the building line in a staggered fashion as the height increases.

In terms of the size and scale of the new building, the height of the proposed structure matches that of the new block at Hillcroft and matches the existing height of the house at The Hurns. Whilst the building will exceed the height of the detached garage at Silver Leaves to the west, Members should note that there is currently a planning application for a block of flats fronting Southill Road that will replace this garage with a three storey block of 6 flats if permitted (ref. 18/04744). Permission has also been previously granted on appeal for a block in the same location (ref. 16/03312). The result is that the structure will read as a comfortably sited structure that follows the pattern of massing from Hillcroft to the east. The introduction of a modern design with a flat roof and articulated roof level is not considered to impact detrimentally on the character of the area and will take some cue from the new flat roofed elements of the new block replacing Hillcroft, which has now been demolished.

Whilst larger than the dwelling it replaces in terms of massing, particularly at upper floor level which extends further to the rear than the existing roof shape, the building would not appear excessively bulky or incongruent, with an overall height similar to the existing dwelling and the neighbouring permitted scheme at Hillcroft. The lack of a minimum side space to the eastern boundary may also be considered acceptable as the overall separation to the approved block at Hillcroft would exceed 2m and therefore the buildings would be read within the street scene with acceptable separations.

On balance, Members may consider that the increase in bulk and new block of flats at the site would not impact harmfully on the character of the area and may be considered to comply with Policies 4 and 37 of the Local Plan.

### Density

Table 3.2 of the London Plan outlines suitable residential density figures throughout London, subject to setting and public transport accessibility. Within a suburban location

such as this, with a PTAL rating of 2, a residential density of 35-95 units per hectare would be expected for this type of residential development.

The site has an approximate area of 0.07 hectares. The provision of 6 units would therefore result in a site density of 85 units per hectare. Although the density standards should not be applied mechanistically, the proposed density would fall within the recommended range and therefore is considered acceptable in this case.

### Standard of Residential Accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.

The London Plan makes clear 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. The relevant category of Building Control Compliance should be secured by planning conditions.

The nationally described space standard requires 50m<sup>2</sup> for a one bedroom two person flat, 61m<sup>2</sup> of gross internal floor area for a two bedroom three person flat over one level and 70m<sup>2</sup> of gross internal floor area in relation to a two bedroom four person unit over one level. The floor space size of each of the proposed units in the building ranges from 86m<sup>2</sup> and up to 106m<sup>2</sup> respectively. On this basis, the floorspace provision for all of the units is comfortably compliant with the required standards and is considered acceptable.

The shape, room size and layout of the rooms in the proposed building are considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. The shape and room size in the proposal is considered satisfactory. The double bedroom in each flat has an indicated minimum floor area of 11.5sqm and a minimum width of 2.75m. Likewise, the single bedrooms meet the minimum 7.5 sqm area and 2.15m width. Each unit will be provided with sufficient natural light and will all have acceptable outlook to the front and rear of the building.

In terms of amenity space, private amenity space is provided for all 6 of the flats and the site will also be provided with a large communal amenity space to the rear of the building.

On balance it is considered that the provision of amenity space for the development is acceptable.

### Neighbouring Amenity

Policy 37 of the Local Plan 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 height of the proposal matches that of the existing dwelling, with additional roof bulk proposed to the rear of the site to accommodate the proposed second floor one bedroom flats. This additional bulk increases the height and length of the flank walls when viewed from neighbouring properties compared to the existing structure.

The additional bulk at roof level will create additional impact on the neighbouring development at Hillcroft, however this neighbouring block of flats has no flank facing windows. The balconies at Hillcroft will have frosted glass balustrades to protect neighbouring amenities and it is considered that a similar condition can be imposed in this case to prevent loss of privacy to these flats. The overall relationship with Hillcroft is considered not to be significantly different from the existing and the overall change to bulk would not introduce a further impact in terms of visual impact or loss of light.

To the west, the proposal will have no significant impact on Silver Leaves, as this dwelling has now been demolished. Members should be aware of the current application and planning history at Silver Leaves, and the design of the current application at Silver Leaves will avoid the use of clear glazed windows facing The Hurns, therefore the development may be considered to have a neutral impact.

The use of the site to erect a block of 6 flats would intensify the use of the site, however the impact on neighbouring amenities is not considered to be significant as a result of this. On balance it is considered that the proposal would not impact harmfully on the amenities of neighbouring residential properties and the development may be considered to comply with Policy 37 of the Local Plan in regards to neighbouring amenity.

### 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 transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

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.

On the basis of the individual application and the planning history, it is not considered that the development would impact detrimentally in regards to parking and general highway

safety. A parking ration of one space per unit has previously been accepted at the site and the access and parking layout are considered to be acceptable.

### 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. Further standards and guidance are set out in the Housing SPG.

### Trees

No trees are proposed for removal or pruning. The tree protection plan is sufficient to provide for the protection of the retained on and offsite trees. With regard to the soft landscaping, the design and access statement talks of new tree planting "to enhance the current street scene". The indicative plans show x1 new semi-mature tree to be planted in the south east corner of the site however there are no further details about size or species. It is recommended by the Tree Officer that, depending on those factors, at least one additional tree could be planted in this vicinity. This could be helpful to soften the view of the new building and extra hardstanding from the road. It is also recommended that a condition should be used to secure details of new tree planting at the site.

### CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this proposal and the applicant has completed the relevant form.

### **Conclusion**

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. No impact on highway safety or trees would result.

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: 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: To comply with Section 91 of the 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 UDP and in the interests of visual and residential amenity.**

- 3 i) Prior to commencement of above ground works details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:**

**1. A scaled plan showing all existing vegetation to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock (where possible) and no invasive species**

**2. Proposed hardstanding and boundary treatment**

**3. A schedule detailing sizes and numbers of all proposed trees/plants**

**4. Sufficient specification to endure successful establishment and survival of new planting.**

**(ii) There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.**

**(iii) Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details**

**Reason: In order to comply with BE1, NE7 and NE8 of the Unitary Development Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.**

- 4 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include 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.**

**(b) 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**

- 5 Details of the means of privacy screening for all balconies shall be submitted to and approved in writing by the Local Planning Authority before any above ground construction is commenced. The development shall be carried out in accordance with the approved details prior to the balcony being brought into use and permanently retained as such.**

**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.**

- 6 (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.**

**(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.**

**(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:**

**i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water**

**(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved**

**Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan.**

- 7 (a) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a survey of the condition of the road shall be submitted to and agreed in writing by the Local Planning Authority.**

**(b) Any damage caused to the surface of the road during the construction phase of the development shall be reinstated to a standard at least commensurate with its condition prior to the commencement of the**

development (as evidenced in details submitted to satisfy part (a)) prior to first occupation of the development hereby approved.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that adequate protection of the road can be secured in the interest of pedestrian and vehicular safety and to comply with Policy T18 of the Unitary Development Plan.

**8** No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies BE1, T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

**9** No impact piling shall take place until a piling impact method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation

with Thames Water. Any piling must be undertaken in accordance with the team of the approved piling statement.

**Reason:** In the interests of the protection of the sewerage system and to comply with Policy 5.14 of the London Plan

- 10** Prior to commencement of development (excluding demolition) 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 . The development shall be completed strictly in accordance with the approved levels.

**Reason:** Required prior to commencement in order to ensure that a satisfactory form of development can be undertaken on the site in the interest of visual amenity and to comply with Policy BE1 of the Unitary Development Plan.

- 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 details as set out in this planning permission 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** Before the development hereby permitted is first occupied the proposed window(s) shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained as such.

**Reason:** In the interests of protecting residential amenity in accordance with Policy BE1 of the UDP

- 13** The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the drawings hereby approved 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 in respect of residential and visual amenity impact.

- 14** No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

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

**15 (a) Details of arrangements for bicycle parking (including covered storage facilities where appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works**

**(b) The arrangements as approved under part (a) 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 T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.**

**16 (a) Surface water from private land shall not discharge on to the highway.**

**(b) Prior to the commencement of above ground works 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.**

**(c) Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the details approved under Part (b) and shall be retained permanently thereafter.**

**Reason: To ensure satisfactory implementation of the surface water drainage proposals can be secured before additional pressure is placed on existing arrangements and to accord with to London Plan Policy 5.13 Sustainable Drainage**

**17 The floor(s) of the garage(s) shall be constructed at such level(s) that the gradient of the access drive(s) does not exceed 1:10 at any point, as calculated from the levels of the back edge of the footway to the front of the garage floors.**

**Reason: In order to comply with Appendix II of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.**

**18 Prior to commencement of above ground works, details of soft landscaping to include the planting of at least 2 semi-mature trees on the boundary with Southhill Road shall be submitted to and approved in writing by the Local Planning Authority. The trees shall be planted in accordance with approved plans in the first planting season after completion or prior to first occupation of the development, whichever is the sooner.**

**Any new tree that dies, is removed or becomes severely damaged or diseased within 5 years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details**

**Reason:** In order to comply with Policies 37, 73 and 74 of the Local Plan and to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

- 19** Prior to commencement of any development hereby approved (including any ground clearance, tree works, demolition or construction), tree protection measures in accordance with the submitted Tree Protection Plan (SMC/TPP/1488-02) shall be installed. Such measures shall not be moved or removed, but shall be retained in situ until completion of the development and all materials and machinery have been removed from the site, unless otherwise agreed in writing by the LPA. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the LPA.

**Reason:** Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policies 37, 73 and 74 of the Local Plan.

**You are further informed that :**

- 1** The condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. The applicant is advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary to obtain the agreement of the owner(s) of the sub-soil upon which Southill Road is laid out.