

Committee Date	10 th June 2021	
Address	Unit 1 23 Station Road Penge London SE20 7BE	
Application Number	21/00734/FULL1	Officer - Susanna Stevenson
Ward	Penge And Cator	
Proposal	Demolition of the existing commercial units (Class B1) and redevelopment of the site for a 2-3 storey residential scheme comprising of 8 (Class 3) residential Units (3 no. 2 bedroom and 5 no. 1 bedroom units) with associated landscaping and car parking.	
Applicant	Agent	
Mr. Frank Hughes Unit 10 Southmill Trading Centre Bishop Stortford CM23 3DY	Ms. Angela Jones 35 Westmark Point Norley Vale London SW15 4BX	
Reason for referral to committee	Significant history	Councillor call in No

RECOMMENDATION	PERMISSION
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 50</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	B1	370 sqm
Proposed	C3 (8 residential flats)	593

Residential Use					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total / Payment in lieu
Market	5	3			8
Total	5	3			8

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	1 (acc. to application form)	5	+4
Disabled car spaces	0	0	
Cycle	No information provided	-	-

Electric car charging points	1/5 active
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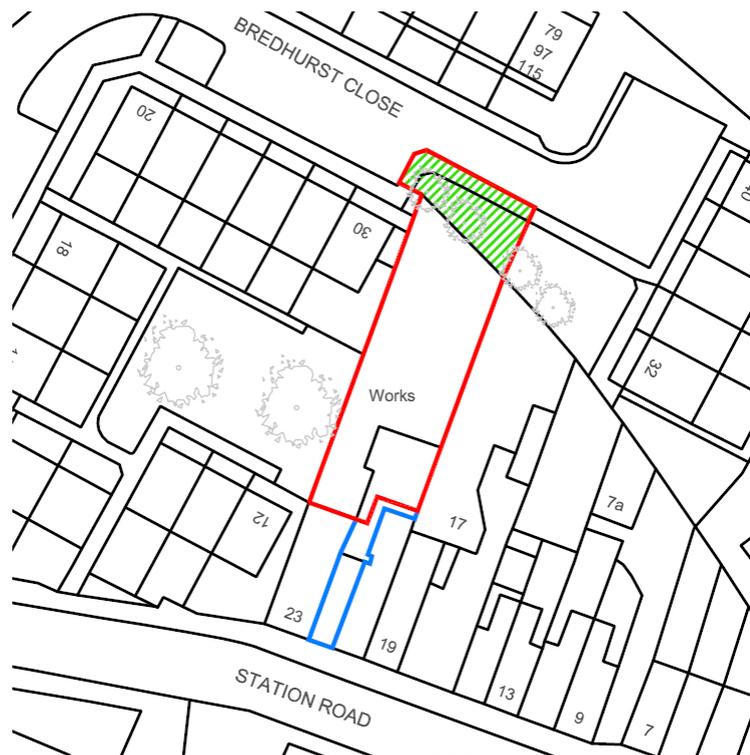
Representation summary	Letters were sent out to 56 neighbouring properties on 25 th March 2021.
Total number of responses	5
Number in support	0
Number of objections	5

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would provide 8 new residential units which are all of a good standard of accommodation.
- The proposal would not result in material harm to the character and appearance of the area.
- There would be an acceptable highway impact.

2. LOCATION

2.1 The application site comprises is a rectangular plot, set to the rear of 23 Station Road and backs onto Bredhurst Close. The site contains several commercial buildings in various states of repair and is accessed via a passageway between no's 21 and 23 Station Road, which is a large three storey building constructed from stock brick that has been converted into residential accommodation. Several of the units within this building are accessed directly from the passageway leading to the application site.





3. PROPOSAL

- 3.1 The proposal seeks consent for the demolition of the existing commercial units to the rear of 23 Station Road and the redevelopment of the site with a 2/3 storey block comprising 8 residential units with associated landscaping and parking.
- 3.2 The proposal would include 5 x 1-bedroom 2 person units and 3 x 2-bedroom 4 person units.



Proposed floor plans



21/00734/FULL1 (Current proposal, east elevation)

- 3.3 5 car parking spaces would be provided at the rear of the site, accessed from Bredhurst Close. These spaces would be created on an existing grass verge which includes several trees. Under reference 20/02146/TPO consent has been granted for the removal of 3 sycamore trees from the verge.



Proposed block plan

- 3.4 Planning permission was granted under reference 19/03523/FULL1 for the construction of a 2/3 storey residential block providing a total of 7 no. residential flats. This conditional grant of planning permission was for an amended scheme which had as originally submitted proposed a larger flatted block providing 8 residential units.
- 3.5 The determination of the application where 8 flats were proposed (recommended for permission) had previously been deferred without prejudice from the Plans Sub-Committee meeting held on 29th October 2020 in order to seek a reduction in the number of units from 8 to 7, with associated reduction in the depth of the third storey development.



19/03523/FULL1 (east elevation approved scheme)

4. RELEVANT PLANNING HISTORY

85/02374/EUC - 21A and 21B Station Road SE20 use as two self-contained flats
Established Use Certificate - Permitted: 24/04/1986

03/04139/FULL3 - Elevational alterations and change of use from shop (Class A1) to one bedroom flat – Permission.

07/03138/ADV - 1 non-illuminated sign Retrospective Application. Refused

08/00989/ADV - Non-illuminated sign. Refused

15/03347/AXRPA Change of use from Class A1 (Unit 5, 23 Station Road) to Class C3 dwelling house to form 1x one bedroom flat. (56 day application for prior approval in respect of transport and highways, contamination and flood risks under Class M Part 3 of the GPDO). Granted.

16/03564/AMD - Installation of two Velux windows on the flat roof at the rear of the property. The open sky courtyard is to be omitted. Withdrawn - No further action.

20/02146/TPO - 3 x Sycamores - Remove.
SUBJECT TO TPO 2690 (24.2.2020). No objections raised.

19/03523/FULL1 Planning permission granted for the demolition of the existing commercial units (Class B1) and redevelopment of the site for a 2 – 3 storey residential scheme comprising of 7 residential units with associated landscaping and parking.

5. CONSULTATION SUMMARY

A) Statutory

Highways – No objection

The site is located in an area with PTAL rate of 4 on a scale of 0 – 6b, where 6b is the most accessible.

Access- The vehicular access is from Bredhurst Close via a new vehicular crossover leading to the car parking area. There are number of trees and a large area of grass verge which needs to be removed. Furthermore according to the records parking and part of development would be on highway land. The applicant is required to purchase the land (from LBB) and stop up the highway (verge area) in order to provide parking spaces to the rear.

Hugh Chapman, Arboricultural Manager, should be also consulted Hugh.Chapman@bromley.gov.uk

Car parking- A total of five car parking spaces will be provided. This is acceptable in principle.

Cycle parking- London Plan should be adhered to.

Refuse/ servicing- indicated; please also consult Waste Management team

Providing the above items are addressed; please include the following with any permission:

CONDITION

H01 (Access)

Nonstandard Condition- trees needs to be removed and the land should be purchased and stopped up prior to occupation)

OC03 (Parking)

AG11 (Refuse storage)

AG12 (Cycle parking)

PC17 (Construction Management Plan)

AG24 (Highway drainage)

INFORMATIVE

DI16 (Crossover)

Nonstandard informative – Street furniture/ Statutory Undertaker’s apparatus “Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker’s apparatus, considered necessary and practical to help with the creation of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant

Drainage Officer – No objection

It is important for permeable/porous paving to be used in the car park and access drive areas.

CONDITION: The "Drainage Strategy" Plan carried out by KirKsanders Associates Consulting Engineers with Project No. STR-KSA-ZO-ZZ-DR-C-6000 dated July 2019

hereby permitted shall be implemented in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. REASON: In order to comply with Policy 5.13 of the London Plan and to reduce the impact of flooding both to and from the proposed development and third parties.

Waste Services – No comments received

Environmental Health – No objections

No objection subject to inclusion of recommended conditions and informatives on any approval. A construction environmental management plan condition is recommended to be imposed. A contamination condition is also recommended, with it being noted that part (a) of the standard condition has already been complied with.

It is further noted that since September 2020 there are further requirements relating to Non-Road Mobile Machinery (NRMM) during demolition and construction which should be conditioned to meet emission Stage IIIB as a minimum on all sites.

B) Local Groups

No comments received

C) Adjoining Occupiers

Impact on residential amenity (Addressed at 7.4)

- Anti-social behaviour and theft has recently been a problem in Bredhurst Close – having more properties will not help the current situation
- Additional noise pollution
- Impact on light to neighbouring properties associated with the development, in particular the 8th proposed unit
- The third storey would extend beyond the rear of the neighbouring house. The report on the application as amended referred to the reduction in the third storey in assessing impact on neighbouring amenity
- Overlooking and loss of privacy
- Impact on neighbouring solar panels associated with 8th residential unit - this runs contrary to planning and climate change policies as established by the High Court in William Ellis McLenna Vs Medway Council.
- Additional 3rd storey depth would reduce sense of privacy and increase overshadowing – perceived loss of privacy (refers to October 2020 committee report)

Trees (Addressed at 7.6)

- Destruction of protected trees

Highways impacts (Addressed at 7.5)

- It is already impossible to park in Bredhurst Close during weekdays due to commuter traffic
- Residents in Bredhurst Close are not allowed permits for Station Road, so unfair that the residents of the Station Road development would be able to park in Bredhurst Close
- Increased congestion

Environmental impacts

- Impact on air quality – associated with development and loss of protected trees
- Impact on squirrels and birds that nest in the trees

Other matters

- The proposal for 8 flats was previously deferred from the PSC meeting in October 2020 and the scheme reduced to 7 units to address concerns

6. POLICIES AND GUIDANCE

National Policy Framework 2019

NPPG

Bromley Local Plan 2019

Policy 1 Housing Supply

Policy 4 Housing Design

Policy 13 Renewal Areas

Policy 30 Parking

Policy 32 Road Safety

Policy 37 General Design of Development

Policy 73 Development and Trees

Policy 83 Non-designated Employment Land

Policy 96 Neighbourhood Local Centres, Local Parades and Individual Shops

Policy 116 Sustainable Urban Drainage Systems (SUDS)

Policy 123 Sustainable Design and Construction

The London Plan

D1 London's form, character and capacity for growth

D3 Optimising site capacity through the design-led approach

D4 Delivering good design

D5 Inclusive design

D6 Housing quality and standards

H1 Increasing housing supply

H2 Small sites

SI 12 Flood risk management

SI 13 Sustainable drainage

T5 Cycling

T6 Car Parking

Mayor Supplementary Guidance

Housing: Supplementary Planning Guidance. (2015)

DCLG: Nationally Described Space Standards (NDSS) (2015)

Bromley Supplementary Guidance

SPG No.1 - General Design Principles

SPG No.2 - Residential Design Guidance

7. ASSESSMENT

Resubmission

7.1 This application has been submitted following the grant of planning permission under reference 19/03523/FULL1 for the redevelopment of the site to provide 7 residential flats. In terms of the depth and height of development the proposal reverts to the development considered by Members of the Plans Sub-Committee held on 29th October 2021, which was subsequently reduced and then permission granted at the Plans Sub-Committee meeting held on 7th January 2021.

7.2 Principle of development – ACCEPTABLE

7.2.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24th September 2020. The current position is that the FYHLS (covering the period 2020/21 to 2024/25) is 2,690 units, or 3.31 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.

7.2.2 The NPPF (2019) 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 an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.2.3 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most

important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.2.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.

7.2.5 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.

7.2.6 This application includes the provision of 8 residential dwellings and would represent a moderate contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

7.2.7 Policy 83, which relates to Non-designated employment land is applicable. This policy states that a change to a non-employment generating use will be considered on the following criteria:

- a) whether there is a demonstrable lack of demand for the existing permitted uses, including evidence of recent marketing for reuse,
- b) whether all opportunities for reuse or redevelopment for employment generating uses have been explored, and
- c) where the site is capable of accommodating a mixed-use scheme, whether the proposal includes the provision of a similar quantum of floor space for an employment generating use.

7.2.8 The applicant provided within the previous application marketing information which provides information from 'The Address', who are a local estate agent. The property was marketed as commercial use for both sale and lease between September 2017 and September 2018 with little interest. The marketing information highlights feedback received from prospective tenants. This identifies several key problems with the site and these are highlighted as being restrictive for future tenants; these include: -

- Existing residential use within the three-storey building at the front of 23 Station Road and the locality not being compatible with the proposed commercial use due to restrictions on hours of business and noise.
- The single restrictive narrow passageway as the sole access was unsuitable.

- Poor street frontage regarding the face of the business and poor footfall.
- Lack of parking for loading and customer.

7.2.9 The property was also offered as commercial auction in September 2018 and the reserve was not met.

7.2.10 The site is located to the rear of a three-storey building fronting Station Road. This comprises residential properties which look back over onto the development site. There are also residential properties at ground floor level. This includes residential accommodation within the single storey rear projections immediately abutting the development. The site itself is bounded by residential dwellings to the south west, two storey residential terraces and a communal area of grassland to the west, and Bredhurst Close to the north. To the east are a number of 1/1.5 storey commercial buildings. Access to the site is currently only via a narrow-gated passageway beneath the main building fronting Station Road. This passageway includes entrances to several residential properties.

7.2.11 In this case, when taking the above site factors in account and Policy 83, it is considered that it has been sufficiently demonstrated that there is a lack of demand and the arrangement of the site, including the access and surrounding uses are prohibitive to the future commercial uses. Therefore, the loss of the employment in this instance is considered to be acceptable.

7.2 Design (Layout, scale, height and massing) – Acceptable

7.2.1 It is noted that this application substantially replicates the original submission under reference 19/03523/FULL1 in terms of the massing, height, layout and scale of the development which was considered at the Plans Sub-Committee meeting held on the 29th October 2020. Members will be aware that the officer recommendation within the report to Committee was that permission should be granted, but that at the meeting the determination of the application was deferred to seek a reduction in the number of units. Revised plans were received, the application was reported back to the Plans Sub-Committee meeting held on 7th January 2021 and permission was granted on the basis of the revised scheme.

7.2.2 The officer report to committee on the 29th October assessed the design of development, replicated within this application, as being on balance acceptable. The previous assessment is repeated below:

“Policy 4 relates to housing design. This requires all new housing developments to achieve a high standard of design and layout whilst enhancing the quality of local places. Housing developments will also need to respect local character, spatial standards, physical context and density. Policy 37 states that all development proposals should be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas.

The site is immediately to the rear of a three-storey building fronting Station Road. The buildings within the locality vary between one/two/three and four storeys in height. The site itself is a rectangular plot of land which currently houses

office/warehouse and storage units. To the rear of the site is Bredhurst Close, this is a dead-end road leading to an estate development comprising mainly two storey terracing housing and flatted blocks with forward facing balconies.

The application proposes the demolition of the existing part one/two storey buildings which cover almost all the development site and the erection a stepped rectilinear one/two/three storey flatted block comprising 8 residential units. The surrounding area includes residential properties which are not solely single dwellings houses. There are flatted blocks, with an example of a four-storey flatted development located on Bredhurst Close directly opposite the site; therefore, a three-storey residential flatted block, which has a Bredhurst Close facing elevation, would not be wholly out of character within this setting. Additionally, the overall density of the development at 160u/ha and 400 hr/ha accords with London Plan density ranges for an urban context

The development would front Bredhurst Close and a small open grassed courtyard to the west. This courtyard is surrounded by two-storey residential terrace properties and a two-storey commercial building on the application site. Several of the adjoining terraces are accessed from this courtyard and it also abuts several rear gardens. Access to the site would be via a gate from this area of open space, serviced by an existing walkway and also via Bredhurst Close.

The flatted block would therefore have an active frontage with both Bredhurst Close and the open courtyard space to the west. The building has been stepped, with the lower one/two-storey element closer to the rear of 23 Station Road. This then steps up in height to three-storeys towards Bredhurst Close. The development has taken cues from the massing of larger scale buildings within the immediate locality, including the 4-storey flatted building opposite the site on Bredhurst Close. Additionally, the building is stepped in plan form, with the use of light-wells and differing elevational treatments to help break-up the overall scale and massing of the development. There is currently an existing two-storey building on-site, which sits hard on the boundary with the area of open green space. The proposal would however be set-back marginally from this boundary, providing a degree of visual relief and an active frontage. The proposal would also sit adjacent to a two-storey residential terrace to the west and single storey warehouse buildings to the east. The east elevation of the proposed development includes several single aspect rooms, which are served by windows looking out over onto the roof of eastern neighbouring plot. Therefore, any future development on this neighbouring plot could be impacted by the position and single aspect nature of these windows. However, this relationship would need to be considered within the scope of any future planning application which came forward.

The site is within an urban location, where there is a mix of higher density flatted schemes, which are interlaced by lower scale terrace houses and commercial properties. The wider estate appears to generally be of 1970s/80s construction and is therefore more contemporary in appearance. The introduction of a part one/two/three-storey modern flatted development of brick and render construction on this previously development site, within this context, is not therefore considered to be wholly out-keeping-with scale of wider development and character and appearance of the area in general.

The building would however be situated on the west side of Bredhurst Close, directly between the lower scale two-storey terrace housing to the west and the single storey commercial units to the east. It would therefore be viewed in the context of these properties. The three-storey massing would be located immediately adjacent to Number 30 Bredhurst Close, which is a modest two-storey end-of-terrace property. The development would extend c.16m beyond its rear at three-storey. The properties to the west and their gardens are not large, and the two/three storey massing would extend across a significant proportion of the plot. Due to the cul-de-sac arrangement, views of the development would somewhat restricted and the primary views would be from the west looking eastward when entering the Close. The neighbouring terraces and courtyard would therefore be in the foreground. The building would step up in height by an additional storey above the roof of this neighbouring terrace. The overall step-up in height is not considered to be a significantly abrupt or a harmful change in scale when considering wider development and urban context, but the overall mass of the building is somewhat exacerbated by the depth of the three-storey element.

The building would be very visible and would result in a densification of the site and the immediate context. However, the site is previously developed and includes a two-storey flat roof commercial building along the eastern edge of the open courtyard. The courtyard is surrounding by residential properties on all remaining sides, albeit these are single residential properties. However, the provision of a residential building, which is stepped both in height and plan form along the eastern edge would adhere to this residential character. The building would be set back providing a degree of visual relief and further provides an active frontage. A condition could be imposed requiring the submission of a landscaping plan in order to soften the boundary treatments along the courtyard edge, as well as further details of facing materials to help ensure the development is of an acceptable high quality.

The development would be very visible from surrounding properties and the public realm, due its position and scale, and it would also result in a densification of the site and area in general. However, when taking into account the design in respect of the 1970/80s estate, scale of wider development, urban location, and stepped nature of the building in both height and plan form, the overall impact on the character and appearance of the area is considered to be on-balance acceptable.

- 7.2.3 It is recognised that Members sought amendments to the proposed scheme in deferring, without prejudice, its determination at the October meeting to seek the reduction in the number of units proposed.
- 7.2.4 This application reverts to the previously proposed 8 units, with the associated bulk and massing of the development replicating that considered at the meeting on 29th October. While this does not address the Members request in deferring of determination, in terms of the Officer assessment and in the light of the Committee report considered at the meeting, the officer recommendation and assessment is in respect of design of development repeated within this report.

“The report to Committee included a holding reservation on residential amenity because, although the case officer had requested a plan showing obscure glazing on the west elevation to address that holding reservation and although the applicants had confirmed their willingness to make the requested amendment, the plan had not been received when the case officer prepared the Committee report.”

7.4.3 An assessment of the previous Plans Sub-Committee report indicates that the concerns raised within the relevant section related in part to the impact on neighbouring amenity in respect of enclosure and dominance, with Para. 7.34 of the report stating with regards to the relationship with No. 30 Bredhurst Close:

“However, when taking into account the scale of the existing buildings within the application site and outlook currently experienced by this neighbour, it is clear that the height and length of the development immediately adjacent to this neighbour would be very visible from the rear windows and garden, and there would be some impact on the residential amenities of this property in terms of enclosure and dominance.”

7.4.4 With regards to the assessment of the impact of windows on neighbouring properties, the report made clear that flank facing windows were capable of being obscure glazed, while noting that:

“whilst this would provide direct mitigation, there could still be greater perceptions of overlooking from the development as a result of its scale, proximity with the boundary and number of windows along the western elevation which could adversely affect the neighbours terrace starting at 30 Bredhurst Close.”



Proposed west elevation (facing courtyard at rear of No. 30 Bredhurst Close)



West elevation approved under reference 19/03523/FULL1

7.4.5 Following the deferral of the determination of the application at the Committee meeting held on 29th October, the application was amended to reduce the number of units to 7 which had the associated benefit of the reduction in the bulk, massing and projection of the third storey of development. The assessment of impact on neighbourhood amenity was consequently amended to “acceptable” with the report noting:

“The revised plans have reduced the three storey depth of the development, however, to the extent that the three storey development would no longer project beyond the rear elevation of the neighbouring terrace (which is also positioned at an angle to the proposed building).”

7.4.6 With regards to loss of privacy, the report emphasised at Paragraph 7.4.13:

“...it is acknowledged that there could be a perceived loss of privacy associated with the number of windows along the western elevation. On balance, it is not considered that the perceived loss of privacy would represent a strong ground for refusal on the basis that the other impacts on residential amenity are considered acceptable.”

7.4.5 The current application does include annotation of obscure glazing to be provided within the flank elevation facing No. 30. However, as stated in the previous report it was acknowledged that in view of the function of the windows in serving dual aspect rooms and circulation space that there should be no significant barrier to imposing a condition to achieve this in any case. It is not considered that the concern expressed regarding impact on neighbouring amenity was limited to the glazing, but the assessment was of the development “in the round” and noted the height and depth of the building in relation to the neighbouring property as having potential to result in unacceptable enclosure and dominance.

7.4.6 The height and depth of development in relation to the boundary with No. 30 is as was considered in the officer report and by Members at the meeting held on 30th October (with Members having been advised of a typographical error in the published report, with the depth of development at three storeys projecting by 8m beyond the rear of No. 30 rather than the 4m originally reported). The report to that meeting assessed the impact on neighbouring amenity as unacceptable, although the balancing exercise at the conclusion of the report resulted in the overall recommendation that permission should be granted.



- 7.4.7 On the basis that the material changes to the proposals considered in the report of 29th October are limited to plan annotation indicating obscure glazing that could in any case have been achieved by way of conditions, the previous assessment on impact on residential amenity is maintained (i.e. that the impact on neighbouring amenity is on balance unacceptable).
- 7.4.8 The principal impact on neighbouring amenity would relate to that upon the amenities of No. 30 Bredhurst Close resulting from the height, massing and third storey projection of the development. The height and length of the building immediately adjacent to this neighbour would be very visible from the rear windows and garden of that property. It is considered that there would be an impact on the residential amenities of this property in terms of a heightened sense of enclosure and the visual dominance of the development viewed from the neighbouring site.
- 7.4.9 It is noted that the application as submitted under 19/03523/FULL1 included a daylight, sunlight and overshadowing report in support of the application as originally submitted. The report concluded that the impact on the amenities of the immediate neighbours was within acceptable BRE limits, and that due to the orientation any impact on light and overshadowing would be limited to the morning period.
- 7.4.10 Comments received have expressed concern at the impact of the proposal on 'right to light' and to the solar panels at the neighbouring property. The solar panels are located on the rear (southern) roofslope of that property. In view of the siting on the panels on the southern elevation, with the development proposed being focussed to the west of the neighbouring property, it is not considered that this impact would be materially significant, notwithstanding the overall assessment on amenity being that

that the height and length of the proposed building beyond the rear of the neighbouring property would result in an increased visual dominance and heightened sense of enclosure when viewed from the neighbouring property.

7.5 Highways – Acceptable

- 7.5.1 Policy 30 (Parking) sets out the Council's standards for residential parking for new development. Policy T6.1 of the new London Plan relates to Residential Parking and states that reduced parking provision can facilitate higher density development and support the creation of mixed and vibrant places that are designed for people rather than vehicles.
- 7.5.2 The application site has a PTAL rating of 4. In accordance with Policy 30, developments providing 1-2 bedrooms should have a minimum of 0.7 parking spaces per unit. However, the London Plan states that in areas of good public transport accessibility, such as the application site (PTAL4), developments should aim for a reduced car parking provision as a maximum (Outer London PTAL 4 = up to 0.5 - 0.75 spaces per dwelling).
- 7.5.3 The proposal would provide 5 off-street parking spaces to the rear, accessible from Bredhurst Close. These spaces would be created on an existing grass verge, which currently includes several large trees (Members are advised that consent has been granted for the removal of three trees subject to TPO 2690). The application form states that 1 of the spaces would provide an active electric vehicle charging point.
- 7.5.4 Objections have been raised with respect to local parking stress, but no technical highways objections have been raised to the level of parking provision or the potential for an increase in on-street parking pressures. However, the area to be used for parking is currently outside of the applicant's ownership and the applicant would be required to purchase the land from the Council. The applicant has had discussions with the Council's asset department relating to the purchase of this land, and these discussions are on-going. Therefore, if the application was deemed acceptable, it would be reasonable and necessary to impose a Grampian condition requiring the purchase of this land prior to commencement of the development in order to ensure that the provision of adequate parking could be provided. This would be needed prior to commencement of the development in order to avoid the situation where development starts, and the sale of the land then falls through and no parking would then be achievable.
- 7.5.5 The parking spaces are also located on a grass verge with three street trees, which are the subject of a Tree Preservation Order. An application for their removal was permitted earlier this year and this is set out within the History section of this report. Therefore, provided that the land was purchased by the applicant there would be no constraint to their removal. The Grampian condition outlined above would also adequately deal with these trees, as until the land is within the applicant's ownership their removal would be at the Council's agreement.

7.6 Trees – Acceptable

- 7.6.1 Policy 73 relates to development and trees. This states that proposals for new development will be required to take particular account of existing trees on site and on adjoining land, which in the interest of visual amenity and/or wildlife habitat, are considered desirable to be retained.
- 7.6.2 As outlined above, the development site includes a grass verge to the rear, which sits within Bredhurst Close. This land is currently within the Council's ownership, but the applicant is seeking to purchase this land. This verge includes three large Sycamore Trees, which are subject to a Tree Preservation Order. The grass verge and trees contribute to the visual amenity of the area. However, their removal would be necessary to facilitate the area of proposed parking. The applicant has made a Tree Application to have these trees removed and this has been granted consent. This consent is a material consideration. Provided that the land is purchased by the applicant, there would be nothing to prohibit their removal. The removal of the trees and verge would result in an increase in hardstanding, and as such there would be some impact on the appearance of the street scene as a result of the loss of the trees. However, the area is urban in character and a landscaping plan can be conditioned. Therefore on balance this impact is considered to be acceptable. Two trees are also located within the courtyard to the west. From an arboricultural perspective no objections have been raised in respect of harm to these trees from the development.

7.7 Contamination – Acceptable

- 7.7.1 The site has been used for commercial purposes and therefore in accordance with Policy 118 a Phase 1 Desktop Study has already been carried out by Contaminated Land Solutions. which assesses the risk to construction workers and future residents. Several risks have been identified which are classified as Moderate and the recommendation in the report is to carry out further intrusive sampling. The Council's EHO has not objected to this approach or to the findings of the report, provided that a contaminated land Condition is attached to any permission, requiring further investigation. This is a reasonable and necessary condition to protect future occupants. Therefore, no objections are raised in respect of land contamination. The recent Officer comments on the current proposal have recommended the use of a pre-commencement construction and environment management plan condition. It is noted that in the grant of planning permission under reference 19/03523/FULL1 for the reduced 7 unit scheme, that condition 3 required this.

7.8 CIL

- 7.8.1 The Mayor of London's CIL is a material consideration. CIL is payable on this application.

8. CONCLUSION

- 8.1 The development would result in provision of 8 new residential dwellings within a sustainable location, which all achieve a satisfactory standard of accommodation. The development contributes modestly to the borough's overall housing provision. Additionally, the proposal would provide an acceptable level of parking and would not result in an unacceptably highway impact. In respect of neighbouring amenities, there would be some harm to neighbouring residential amenities in terms of dominance, visual bulk and perceptions of overlooking.
- 8.2 In respect of the Council's 5 year housing land supply and the Inspectors conclusions surrounding the recent appeal outlined within the 'principle' section above, paragraph 11d (ii) of the Framework would be applicable. In this case, when weighing up benefits of the development and Inspectors conclusions surrounding the 2019 appeal on this site, considerable weight is attributed the provision of new housing within a sustainable location and that the harm arising from the proposal would not significantly and demonstrably outweigh the benefits of the development. Therefore, in the planning balance the proposal is considered to acceptable.
- 8.3 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

SUMMARY OF CONDITIONS AND INFORMATIVES

Standard Condition(s)

- 1. Time limit of 3 years**
- 2. Standard compliance with plans**

Prior to commencement Condition(s)

- 3. Surface Water Drainage**
- 4. Construction Management Plan**
- 5. Grampian Condition requiring the purchase of land.**
- 6. Contamination**

Prior to commencement of Groundwork

- 7. Landscaping Plan (Hard and Soft Landscaping)**
- 8. Materials**
- 9. Details for Refuse Storage and Management**
- 10. Details of Bicycle Storage**
- 11. Scheme of Lighting for Access**

Compliance Conditions

- 12. Parking Space Arrangement**
- 13. Obscure Glazing**
- 13. M4(2) Compliance.**

Any other planning condition(s) considered necessary by the Assistant Director of Planning

Informatives

- 1. CIL**
- 2. Contamination**
- 3. Crossover**
- 4. Movement of street furniture**
- 5. Street naming and numbering**