

<b>Committee Date</b>	09.11.2023	
<b>Address</b>	15 Madeline Road Penge London SE20 8AY	
<b>Application Number</b>	22/03824/FULL1	<b>Officer</b> - Lawrence Stannard
<b>Ward</b>	Crystal Palace and Anerley	
<b>Proposal</b>	Demolition of existing 5 bedroom three storey detached house and erection of detached building for 6 self-contained flats over four storeys with associated parking and amenity spaces	
<b>Applicant</b>	<b>Agent</b>	
Mr Yogesh Patel	AA Drafting	
15 Madeline Road Penge London SE20 8AY	3-7 Sunnyhill Road London SW16 2UG	
<b>Reason for referral to committee</b>	<b>Call-in</b>	<b>Councillor call in</b>
		Cllr. McGregor Reason - Loss of light to adjacent properties.

<b>RECOMMENDATION</b>	Permission
-----------------------	------------

<p><b>KEY DESIGNATIONS</b></p> <p>Adjacent – Metropolitan Open Land Article 4 Direction Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Renewal Area Smoke Control SCA 6 Views of Local Importance</p>
---

<b>Representation summary</b>	<ul style="list-style-type: none"> <li>Neighbour notification letters were sent on the 6<sup>th</sup> October 2022.</li> </ul>
Total number of responses	7

Number in support	0				
Number of objections	7				
<b>Residential Use</b>					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total
Market	4	1	1	0	6
Affordable (shared ownership)					N/A
Affordable (social rent)					N/A
Total	4	1	1	0	6

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	1	3	+2

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character of the area or visual amenities of the street scene.
- The development would not result in an unacceptable impact upon the amenities of neighbouring residential properties.
- The development would provide a suitable standard of accommodation for future occupiers.
- The development would not result in an unacceptable impact upon highways matters.

## 2 LOCATION

2.1 The application site hosts a two storey detached dwelling located on the south-eastern side of Madeline Road.

- 2.1 It currently comprises a period style Victorian era building arranged over three floors (lower ground to first floor). The building is located towards the front of the site and predates its neighbours which are of the post war era and of a lower height. To the south west No17 (detached property) is set back within its plot with its front elevation approximately aligning with the original rear elevation of the existing building. To the north east No 1 (part of a 3 unit terrace of post war properties) is set approximately 2.2m forward of the existing site building. It is noted that the topography of the site slopes to the rear with a lower ground level of approximately 2.7m between the front and rear elevations of the existing building.
- 2.2 The site lies within areas considered views of Local Importance, including from Crystal Palace Park and from Addington Hills, and within the Crystal Palace, Penge & Anerley Renewal Area.
- 2.3 The site is not located within a conservation area nor is the building listed.



**Figure 1: Site Location Plan**

### **3 PROPOSAL**

- 3.1 The application seeks permission for the demolition of the existing 5 bedroom three storey detached house and erection of a detached building for 6 self-contained flats over four storeys with associated parking and amenity spaces.



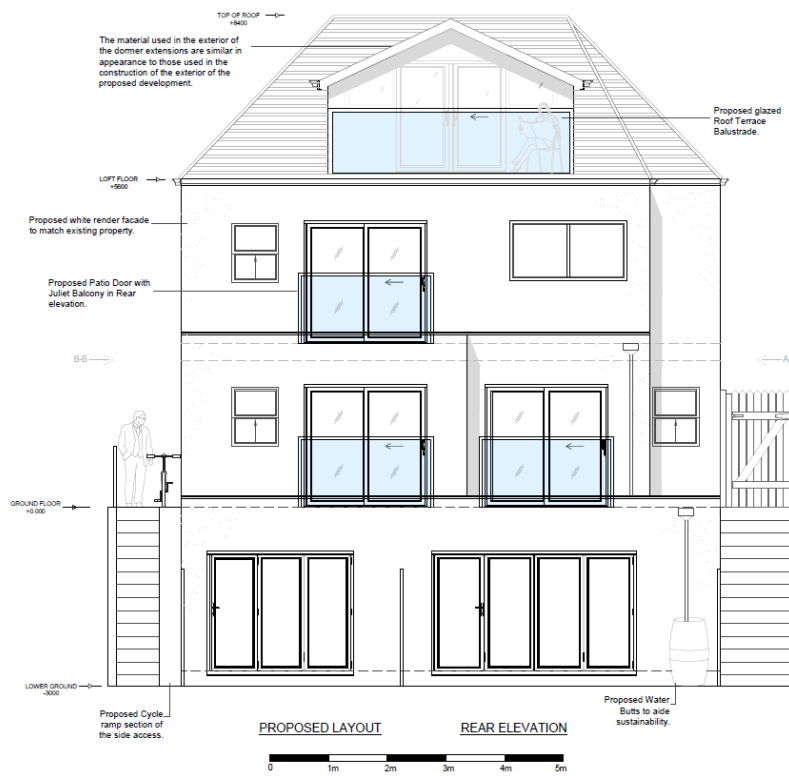
**Figure 2: Existing Front Elevation**



**Figure 3: Proposed Front Elevation**



**Figure 4: Existing rear elevation**



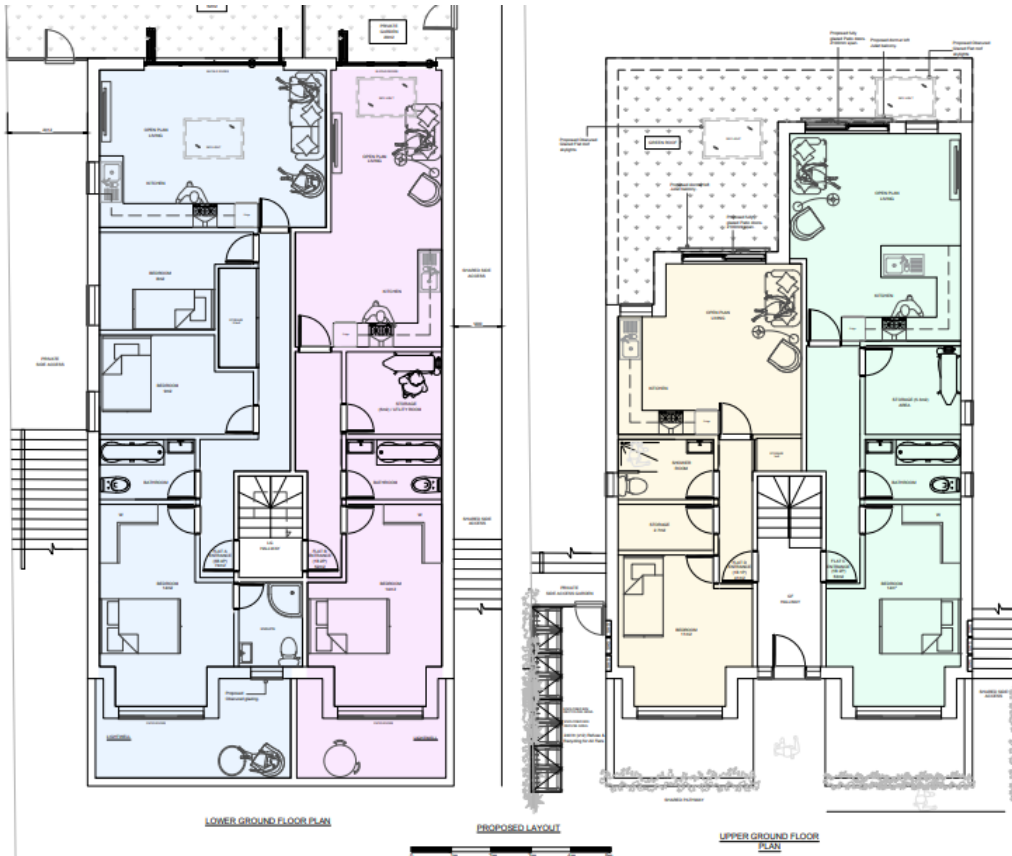
**Figure 5: Proposed Rear Elevation**



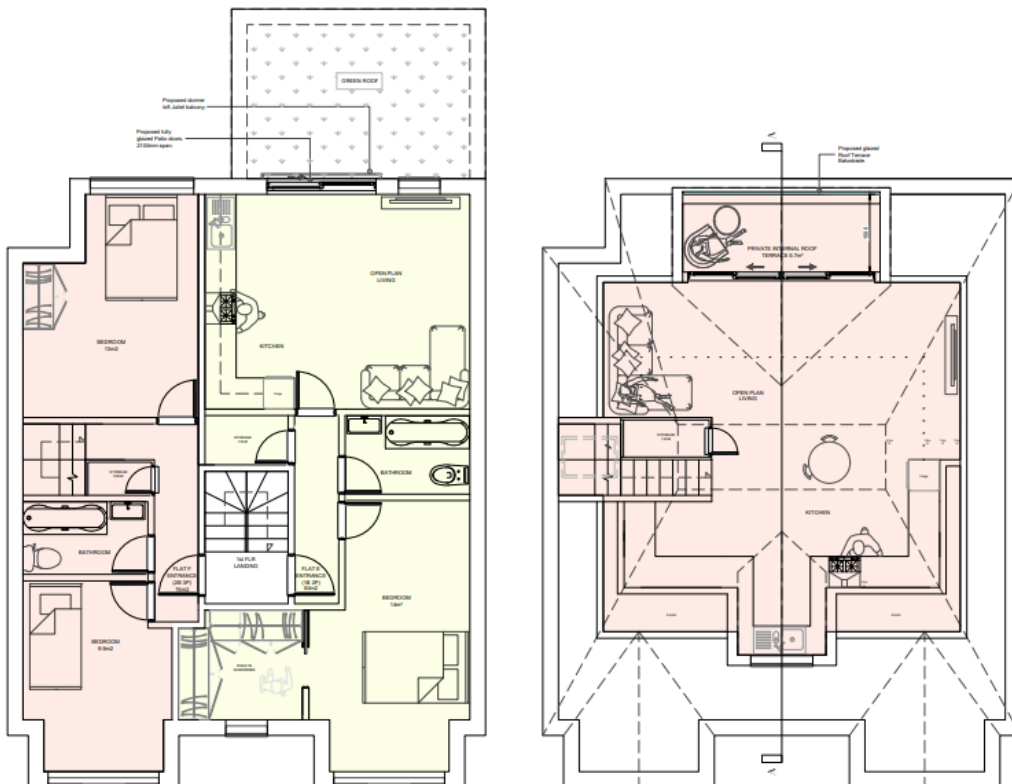
**Figure 6: View Towards No. 17 From Rear Garden of Site.**



**Figure 7: View Towards No. 11 From Rear Garden of Site.**



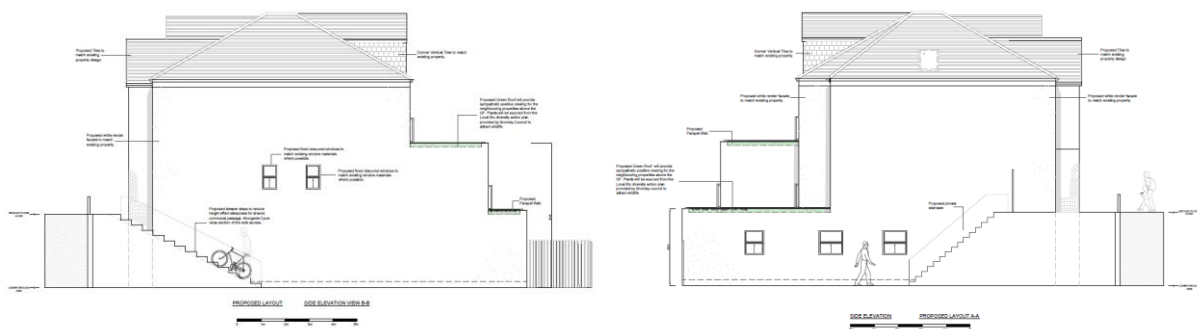
**Figure 8: Proposed Lower and Upper Ground Floor Plan**



**Figure 9: Proposed First and Loft Floor Plans**



**Figure10: Existing Elevations**



**Figure 11: Propsoed Side Elevations**





Figure 12: Existing Site Plan

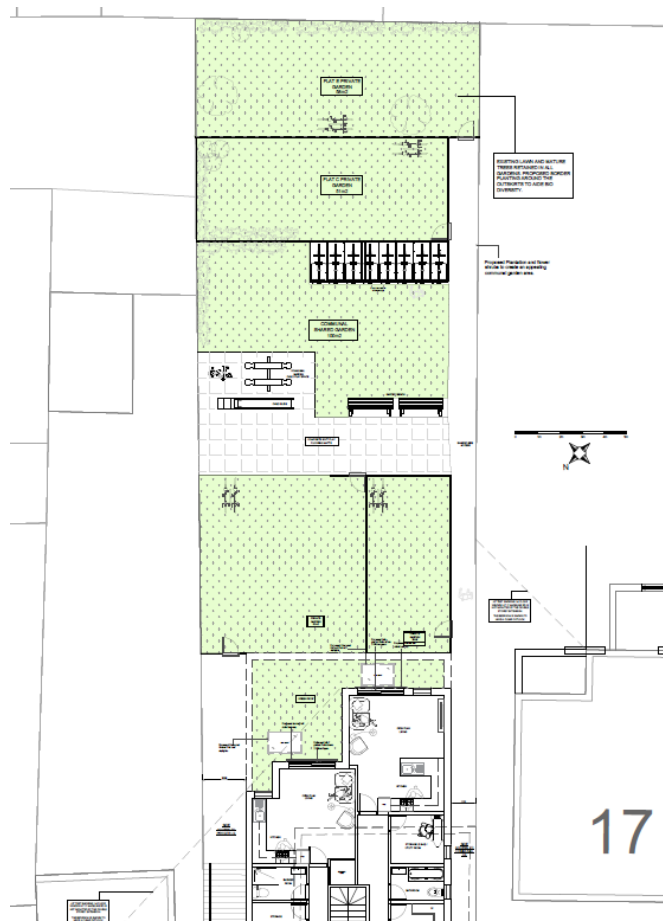
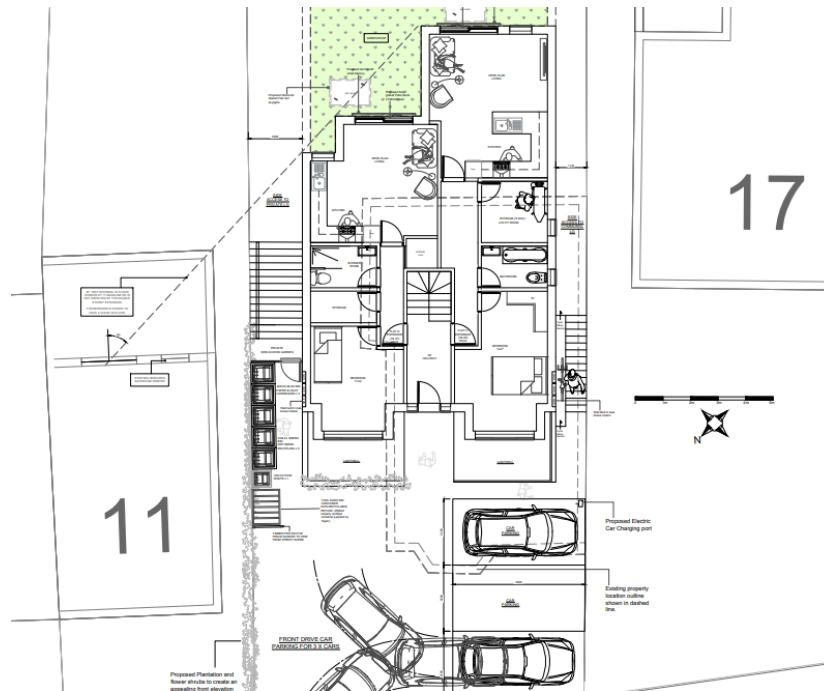


Figure 13: Proposed Garden Layout Plan



**Figure14: Proposed Front Layout Plan**

#### **4 RELEVANT PLANNING HISTORY**

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

- 84/00277/FUL – Use of premises as residential accommodation for nine mentally handicapped adults – Refused

#### **5 CONSULTATION SUMMARY**

##### **A) Statutory**

Highways:

- The site is located on the southeast side of Madelaine Road, also the development is located within a PTAL area of 5 (on a scale of 0 – 6b, where 6b is the most accessible).
- Vehicular access- utilising the existing access arrangement leading to the front forecourt parking.
- Car parking- three substandard parking spaces are indicated. the applicant must be made aware that a standard bay should be 2.4m wide x 4.8m long.
- Cycle parking- indicated and acceptable.
- Bin store- indicated; however please also consult the Waste Management Team.
- Please include conditions to retain the parking and for the submission of a Construction Management Plan.

Following the submission of revised plans, Highways Officers considered that the car parking bay sizes and part cycle ramp for cycles are acceptable.

Drainage Officer:

- It is not clear what materials to be used to construct the proposed access drive and car park areas.

- We require the incorporation of permeable paving with type 3 sub-base to be part of the proposed drainage system.
- I am not imposing any condition before the above is confirmed.

Following further information submitted by the agent, the Drainage Officer confirmed no objection subject to a condition to seek detailed designs of the measures in the submitted Flood Risk Assessment Report to be approved prior to the commencement of any works on site.

Environmental Health Officer:

- No objection to the application subject to conditions and informatives.
- Provided the recommendations in the External Building Fabric Assessment report are carried out in practice I would have no concerns in relation to the impact of external noise on future occupiers.
- Informative recommended to alter the applicant to the need to consider, when choosing the sound insulation, improved sound reduction where there is the stacking of different room types.
- The premises is within an Air Quality Management Area and therefore a condition is recommended concerning Low NOx boilers and the provision of Electric Vehicle Charging Points.
- An informative is also recommended to following Bromley's Code of Construction Practice.

Thames Water:

- Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team.
- With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.
- The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "No piling shall take place until a PILING 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 terms of the approved piling method statement."
- As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what

measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team

- Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).
- On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

#### Waste Services:

- For six flats with a shared bin area, we would recommend a minimum of:
  - 1 x 1100 Euro container for non-recyclable refuse. (Available on a hire agreement with LBB, or can be bought privately)
  - 2/3 blue wheeled bins for paper and light cardboard. (Provided free of charge by LBB)
  - 2/3 green wheeled bins for dry mixed recycling – plastic bottles, tins and glass. (Provided free of charge by LBB)
  - 1 x 140 wheeled bin for food waste. (Provided free of charge by LBB)
- Regarding the refuse container, as the flats are freehold, I presume the Developer will provider an 1100. If this is the case, we require an EN840 industry certified container. Our preferred supplier is Taylor with the spec sheet attached as this is a long lasting and robust container.
- For all private containers, we will require a private container notification form to be sent to Planning or Neighbourhood Management prior to site completion and collections going live.

#### **B) Local Groups**

No Comments were received from local groups.

#### **C) Adjoining Occupiers**

The following comments were received from adjoining occupiers (summarised);

#### Objections

##### Principle / Use (addressed in Paras 7.1 and 7.2)

- Lack of need for a block of flats in the middle of Madeline Road.
- Road has been subjected to 2 recent major developments totalling 470 new apartments.
- Looks like a House in Disproportionate Multiple Occupancy.
- No social housing provided / benefit to the local area.

### Design (Addressed in Para 7.2)

- LBB refused the original planning application on the grounds of scale and design.
- Inspector said that the architect had taken a notably different design on the rear elevations which would consist of mostly large glass windows – design would lead to loss of privacy.
- More open frontage is basically a car park with 12 bins in it.
- Number of dwellings is disproportionate to the amount of space available.
- Disproportionate to surrounding homes – significant increase in footprint and volume.
- Out of character with the road.
- Massive imposing building.

### Neighbouring Amenity (Addressed in Para 7.4)

- I would not object to the plan w.r.t. size of the building as a maximum. Any increase in the size would significantly restrict my daylight.
- Loss of sunlight / daylight.
- Unhygienic location for bins next to neighbours access.
- Will be overlooked by many different families.
- Increased noise levels.
- Daylight testing was done on the existing property, not proposed.

### Highways (Addressed in Para 7.5)

- Pressure has already been placed on parking within Madeline Road.
- Inadequate provision for parking.
- Concerns over emergency vehicle and refuse collection truck access to the road due to parking.

### Other Matters

- Concerns over impact of works in terms of timescales and health / safety.

## **6 POLICIES AND GUIDANCE**

6.1 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.

6.2 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.

6.3 The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.

6.4 The application falls to be determined in accordance with the following policies:-

### **6.5 National Policy Framework 2023**

### **6.6 The London Plan (2021)**

- SD1 Opportunity Areas
- D1 London's form and characteristics
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of change
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small sites
- H5 Threshold Approach to application
- H8 Loss of existing housing and estate redevelopment
- H9 Ensuring the best use of stock
- H10 Housing Size Mix
- S4 Play and informal recreation
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- S11 Improving air quality
- S14 Managing heat risk
- S15 Water infrastructure
- S17 Reducing waste and supporting the circular economy
- S112 Flood risk management
- S113 Sustainable drainage
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T7 Deliveries, servicing and construction

### **6.7 Bromley Local Plan 2019**

- 1 Housing supply
- 4 Housing design
- 8 Side Space
- 13 Renewal Areas
- 14 Development Affecting Renewal Areas
- 15 Crystal Palace, Penge and Anerley Renewal Area
- 30 Parking
- 32 Road Safety

33	Access for All
34	Highway Infrastructure Provision
37	General design of development
77	Landscape Quality and Character
112	Planning for Sustainable Waste management
113	Waste Management in New Development
115	Reducing flood risk
116	Sustainable Urban Drainage Systems (SUDS)
117	Water and Wastewater Infrastructure Capacity
118	Contaminated Land
119	Noise Pollution
120	Air Quality
121	Ventilation and Odour Control
122	Light Pollution
123	Sustainable Design and Construction
124	Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

## 6.8 Bromley Supplementary Guidance

Urban Design Supplementary Planning Document (July 2023)

## 7 ASSESSMENT

### 7.1.1 Housing Supply - Acceptable

7.1.2 The current published position is that the FYHLS (covering the period 2021/22 to 2025/26) is 3,245 units or 3.99 years supply. This position was agreed at Development Control Committee on the 2nd of November 2021 and acknowledged as a significant undersupply. Subsequent to this, an appeal decision from August 2023 (appeal ref: APP/G5180/W/23/3315293) concluded that the Council had a supply of 3,235 units or 3.38 years. The Council has used this appeal derived figure for the purposes of assessing this application. This is considered to be a significant level of undersupply.

7.1.3 For the purposes of assessing relevant planning applications this means that the presumption in favour of sustainable development may apply. It is noted that the appeal derived FYHLS figure assumes the new London Plan target of 774 units per annum applies from FY 2019/20 and factors in shortfall in delivery against past targets since 2019.

7.1.4 The NPPF (2023) 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.

7.1.5 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.

7.1.5 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.

7.1.6 This application includes the provision of five additional dwellings and would represent a minor 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 Design, Layout, Scale – Acceptable

7.2.1 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. London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

7.2.2 The existing building predates much of its surroundings and differs to the design of the adjacent properties on this part of Madelaine Road which results in it appearing somewhat as an anomaly in terms of its greater height and lower ground floor level visible to the street scene. No objection is raised to the principle of the loss of the existing building, however careful consideration is required to be given to the design and siting of the replacement.

7.2.3 In terms of the siting of the proposed building, the development would relocate the footprint of the building so that it would be set further back on its site, with its front elevation set between the front elevations of each of the adjoining neighbours to create a larger frontage. It is considered that this would improve the openness of the site somewhat and would benefit the continuity of the street scene.

7.2.4 Policy 8 of the Bromley Local Plan normally requires proposals of two or more storeys in height to have a minimum 1m space from the side boundary of the side for the full height and length of the building, and where higher standards of separation already exist a more generous side space will be expected.

7.2.5 The existing dwelling abuts the shared boundary with No.17 and would not comply with the normal requirements of this policy. The proposed replacement building would provide a 1m separation to this boundary and a minimum of 1.85m (increasing to 2m) to the shared boundary with No.11. Furthermore, the proposed building would be set back further in its plot compared to the existing dwelling. As such, it is considered that



it would comply with the requirements of Policy 8 and not harm the spatial standards of the area.

- 7.2.6 In terms of the overall scale and massing of the building, it is considered that its scale would be acceptable when viewed from the street scene. The ridge height of the building would be 8.4m from ground level when viewed from the front, compared to the existing building at 9.55m. Whilst the ridge height would extend further in its width, the reduced height would mitigate the overall visual impact of the building and it is not considered that it would appear excessive in its overall scale and bulk.
- 7.2.7 The building would feature a front dormer window at second floor level. It is noted that there are a number of other examples within the street scene of dormers within the front roof slopes and therefore it would not appear unduly out of keeping within the street scene. Furthermore, the proposed external materials including a mix of white render and brick bay windows are considered acceptable in principle subject to a condition to seek further details of these in order to safeguard quality.
- 7.2.8 The proposed development indicates that the existing lawn and mature trees would be retained in all gardens to the rear, with border planting around the outskirts to aid biodiversity. To the front, proposed planting is indicated to the front / side boundary of the site with a timber protective fence also proposed to screen the refuse storage. It is considered that the proposed landscaping and fence would not impact detrimentally upon the visual amenities of the area, however a condition is recommended to provide full details of any proposed landscaping / fencing in order to ensure that this would be the case.

### 7.3 Standard of Accommodation - Acceptable

- 7.3.1 Policy 4 of the BLP sets out the requirements for new residential development to ensure a good standard of amenity. The London Plan Guidance - Housing Design Standards (June 2023) 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. The London Plan Guidance - Housing Design Standards (June 2023) and also 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.
- 7.3.2 The London Plan Guidance - Housing Design Standards (June 2023) and London Plan 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.
- 7.3.3 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 application is supported by a M4(2) Adaptable Plans floor plan and an Accessible / Adaptable Homes Statement which outlines the 2 flats located at ground floor level provide option M4 adaptable living. It is considered that this would be acceptable in principle, but that the relevant category of Building Control Compliance should be secured by planning conditions.

7.3.4 The application proposes units consisting of the following;

- Flat A = 3 bedroom, 4 person – 74sqm GIA.
- Flat B = 1 bedroom, 2 person, 52sqm GIA.
- Flat C = 1 bedroom, 2 person, 53sqm GIA.
- Flat D = 1 bedroom, 1 person, 41sqm GIA.
- Flat E = 1 bedroom, 2 person, 50sqm GIA.
- Flat F = 2 bedroom, 3 person, 74sqm GIA.

All units are set over one floor, aside from Flat F which is set over two floors.

7.3.5 The proposed units would meet the minimum space standards set out for units and the indicated shape, room size and layout of the rooms in the proposed building are also considered satisfactory.

7.3.7 All properties would benefit from some outdoor amenity space, with four properties (Flats A, B, C and E) benefitting from private garden spaces. Flat F would benefit from an internal roof terrace and access to the communal shared garden, whilst Flat D would also benefit from access to the communal shared garden. It is considered that the properties would all benefit from suitable outdoor amenity space.

7.3.8 Furthermore, the development would include the provision of outdoor play space including a slide and soft play flooring mats. It is therefore considered that each unit would benefit from appropriate outdoor amenity space.

7.3.9 Environmental Health Officers have reviewed the submission in relation to the standard of accommodation for future occupiers. It is considered that provided the recommendations in the External Building Fabric Assessment report are carried out in practice there would be no concerns in relation to the impact of external noise on future occupiers. An informative is recommended to make the applicant aware then when choosing the sound insulation, improved sound reduction should be considered where there is the stacking of different room types.

7.3.9 The proposed replacement dwelling would therefore provide a suitable level of residential amenity for future owner / occupiers.

#### 7.4 Residential Amenity – Acceptable

7.4.1 Policy 37 of the Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

7.4.2 Policy 4 of the Bromley Local Plan also 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.

- 7.4.3 With regards to the impact on No.11, the proposed building would project for a maximum of approx. 9.6m beyond the rear elevation. However, this depth would comprise the lower ground element which would be set below the neighbours due to the topography of the site and would not have a significant visual impact. Furthermore, the upper ground floor level would be stepped away from the shared boundary so that its deepest projection would be sited approx. 6.3m away from the shared boundary. The submitted site plan indicates that the upper ground floor level and the first and second floors would not project beyond the 45 degree line when taken from the rear window of the neighbouring property. Having regard to this and the minimum separation of 2m from the shared boundary, it is considered on balance that it would not result in any unacceptable loss of outlook or visual amenity to this neighbour.
- 7.4.4 The adjacent neighbour at No.17 is set back further than the existing dwelling at No.15, and the proposed replacement building would not project beyond its rear. Furthermore, whilst it would project beyond its front, the replacement building would be set further from the boundary (approx. 1m) than the existing and would not project as far beyond the front as the existing. Having regard to this, it is not considered that the development would harm the outlook or visual amenities of this neighbour.
- 7.4.5 With regards to the impact light, a daylight and sunlight assessment has been submitted to support the application. Given the orientation of the site with No.17 set to the west and the proposed dwelling not projecting beyond its rear, it is considered that the main impact would be towards No.11.
- 7.4.6 The submitted daylight and sunlight assessment concludes that there would not be any adverse impact on neighbouring residents given that all windows would retain in excess of 80% of the existing sunlight hours and that the neighbouring garden would also retain over 80% of its existing area which receives 2 hours or more of sunlight on March 21st.
- 7.4.7 It is considered that the development would have some impact on light to the neighbouring properties, in particular No.11. However, the design of the building would include the stepping away from the boundary of the upper floors so that the upper ground floor would be set significant from the shared boundary, whilst the full height of the flank wall (to include the first and second floors) would project a maximum of approx. 4.6m beyond the rear and be set a minimum of 2m from the shared boundary. On balance, given the separation distance, layout & design of the property and the details indicated within the sunlight assessment, it is considered that the development would not result in a sufficient level of harm to the light of adjoining properties as to warrant a refusal of the application on these grounds.
- 7.4.8 With regards to the impact on privacy, a condition is proposed to ensure that the flat roof of the lower ground floor is not used as a terrace. The development would include limited windows in the flank elevation. The lower ground floor windows are not considered to provide any opportunities for overlooking given the topography of the site, whilst the upper floor flank windows are indicated to be obscure glazed. Subject to a condition to ensure that the upper floor windows and rooflight are obscured glazed, it is not considered the flank windows would result in any harm to the privacy of neighbouring properties. Furthermore, the rear and front facing properties are not considered to result

in any uncommon relationship between residential properties and would not provide significant or unacceptable opportunities for overlooking.

## 7.5 Highways - Acceptable

- 7.5.1 London Plan and BLP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and BLP should be used as a basis for assessment.
- 7.5.2 The application site lies within an area which has a PTAL rating of 5 (on a scale of 0 – 6b, where 6b is the most accessible).
- 7.5.3 The proposed scheme would utilise the existing access arrangement which would lead to the front forecourt parking which is considered acceptable by Highways Officers.
- 7.5.4 Concerns were initially raised by Highways Officers regarding the size of the three parking spaces indicated, however revised plans were submitted to ensure that the parking spaces would comply with the standard bay measurements of 2.4m wide and 4.8m long. The provision of 3 parking spaces and the proposed layout are now considered acceptable by Highways Officers.
- 7.5.5 As such, no objection is raised from a highways perspective. A condition is however recommended for a construction management plan to ensure that the works would not adversely impact upon highways matters or neighbouring amenity. A further condition to retain the proposed parking layout is also recommended.

### *Cycle Storage / Refuse Storage*

- 7.5.6 The proposed layout would include outdoor cycle storage space in the rear communal garden area and within the rear private garden areas. Access would be provided by a cycle ramp section to the side of the property. It is considered that the cycle storage would be acceptable in principle, though details of the type of storage provided would be sought by way of condition. It is further noted Highways Officers have raised no objection to the cycle parking.
- 7.5.7 With regards to refuse storage, this would be located to the front of the site, adjacent to the boundary with No.11 Madeline Road, and would include provision for 3x 240L paper & cardboard bins, 2x 240L mixed recycling bins, a 140L food waste bin, and a 1100L euro bin container, set behind a timber protected screen to minimise the visual impact from the street scene. The Council's Waste Service Officers have confirmed that this would provide appropriate refuse provision and that they would have no objections to the proposed siting.

## 7.6 Drainage / Thames Water – Acceptable

- 7.6.1 The Council's Drainage Officer requested clarification on the materials used to construct the access drive and car park areas, and to ensure the incorporation of permeable paving with type 3 sub-base to be part of the proposed drainage system. The agent has confirmed by email (dated 25<sup>th</sup> October 2023) that the surface water flood risk on site will be mitigated using hard permeable paving surface for the driveway and that permeable driveway/pathways will use sub-base materials similar to 4/20 and type 3 sub-base that allows water to pass through and also provides a water buffer store.

Following this, the Drainage Officer has confirmed no objection to the development subject to a condition to seek detailed designs of the measures in the submitted Flood Risk Assessment Report to be approved prior to the commencement of any works on site.

- 7.6.2 Thames Water have reviewed the application and have not raised any objections to the proposed scheme with regards to the impact on the water network and water treatment infrastructure capacity. Furthermore, provided the developer follows the sequential approach to the disposal of surface water no objection would be raised to any surface water impacts.
- 7.6.3 However, it is noted that the development is located within 15m of a strategic sewer and therefore a condition is recommended to ensure that no piling shall take place until a piling method statement has been submitted and approved by the local planning authority.
- 7.6.4 Thames Water would also request the applicant to incorporate protection to the property to prevent sewage flooding by installing a positive pumped device (or equivalent).
- 7.6.5 Informatives are also recommended by Thames Water to ensure that the applicant is aware a groundwater risk management permit would be required, that the developer should take account of the minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute when designing the proposed development.

## **8 CONCLUSION**

- 8.1 Having had regard to the above it is considered that the proposed development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the site optimisation and unit type of the proposed scheme is acceptable and that the development would not be detrimental to the character and appearance of the area and locality. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.
- 8.2 On balance the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply.
- 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**

#### **Subject to the following conditions:**

- 1. Time Period**
- 2. Compliance with approved plans**
- 3. In accordance with submitted materials**
- 4. Construction and Environmental Management Plan**

5. Landscaping Plan
6. Parking to be retained
7. Low NOx boiler
8. Piling Method Statement
9. Drainage Details
10. Obscure glazed windows to upper floor flank elevations
11. Accessible Dwelling Compliance
12. Restrict Use of Flat Roofs (not used as balcony / terrace)
13. Electric Charging Points
14. Compliance with approved refuse details
15. Cycle Storage Details

#### **Informatives**

1. Internal Noise Transmission
2. Code of Construction Practice
3. Thames Water pressure
4. Groundwater risk management permit
5. Street Naming and Numbering
6. CIL

**And delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary.**