

PART 5: Planning Applications for Decision

Item 5.2

1 SUMMARY OF APPLICATION DETAILS

Ref: 20/05471/FUL
 Location: Land rear of 24-28 Canning Road, London, CR0 6QD
 Ward: Addiscombe West
 Description: Erection of 4 terraced dwellings with associated amenity space, waste and cycle stores.
 Drawing Nos: 2906-106/G, 2906-107/C, 2906-108/C, 2906-109/C, 2906-111/A, 2906-112/B
 Applicant/Agent: Montague Evans LLP
 Case Officer: Christopher Grace

	2 bed	3 bed	4 bed
Houses	0	4(5/6 person)	0

Type of floorspace	Existing Floorspace	Proposed Floorspace	Net gain
Residential	0 sqm	500 sqm	500 sqm
Number of car parking spaces		Number of cycle parking spaces	
0		12	

- 1.1 This application is being reported to committee because the ward councillor (Cllr Jerry Fitzpatrick) made representations in accordance with the Committee Consideration Criteria and requested Committee Consideration.

2 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- a) £6,000 financial contribution to sustainable transport measures.
- b) Restriction on future occupiers to obtain car parking permits in CPZ.
- c) Membership of car club for 3 years.
- d) Any other obligation(s) considered necessary by the Director of Planning and Strategic Transport

- 2.2 That the Director of Planning and Strategic Transport is delegated authority to negotiate the legal agreement indicated above.

- 2.3 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Time limit of 3 years
- 2) Built in accordance with approved plans
- 3) Materials to be submitted for approval
- 4) Details to be provided:
 - a) Hard and soft landscaping – including paving surfaces, parking spaces, planting and species and management plan to be submitted
 - b) Windows (head/cills) dormers, roof details, ridge detail, terrace parapet walls at scale 1:10; main entrance scale 1:10, rooflights, joinery openings, architectural key junctions, rain water goods and ventilation extracts
 - c) Boundary treatment including front pedestrian approach
- 5) Refuse Storage Area including management plan to be submitted
- 6) Cycle storage Area to be submitted
- 7) Details of land levels prior to construction
- 8) Construction method statement
- 9) 19% reduction in carbon emissions
- 10) 110 litre water consumption target
- 11) Details of security lighting (taking into account of biodiversity)
- 12) Details of sustainable urban drainage measures
- 13) Details of tree maintenance, means of protection and new tree planting scheme
- 14) House 1 M4(3) accessibility requirements and remaining houses M4(2)
- 15) Ecological appraisal recommendations in accordance with applicants submitted reports
- 16) Non-evasive species (in relation to Japanese Knotweed)
- 17) Biodiversity habitat strategy (protection and priority species/habitats)
- 18) Removal of permitted development rights
- 19) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

Informatives

- 1) Community Infrastructure Levy (CIL)
 - 2) Code of Practice regarding small construction sites
 - 3) Highways works and or/damage to the existing highway during the construction phases to be made good at developer's expense
 - 4) Best management practices for the treatment of Japanese Knotweed
 - 5) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport
- 2.3 That the Committee confirms that it has paid special attention to the desirability of preserving or enhancing the character and appearance of the East India Conservation Area(s) as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.4 That the Committee confirms that it has had special regard to the desirability of preserving the settings of listed buildings and features of special architectural or historic interest as required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2.5 That the Planning Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.
- 2.6 That, if by 1st October 2021 the legal agreement has not been completed, the Director of Planning is delegated authority to refuse planning permission.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal involves the construction of four two storey houses with accommodation within the roofspace.



Image 1: proposed site plan

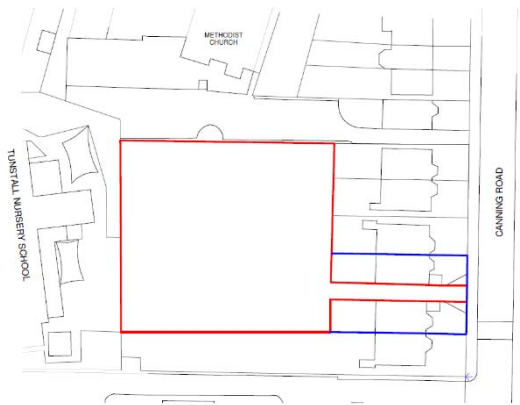
- 3.2 Each proposed house would be 9.2m high and combined would form a small terrace 24m wide, 10m deep across the site running north to south, providing 12 bicycle spaces and refuse store.
- 3.3 The proposal would include the removal of two groups of Category C trees and part of a group of Category B trees, with the creation of an extensive landscaped communal garden with each house benefiting from their own private garden area.
- 3.4 Following neighbour comments the applicant has clarified details contained in the arboriculture and ecology reports and provided additional heritage statement. These were points of clarification and did not require formal re-consultation.

Site and Surroundings

- 3.5 The 0.2ha sites is located on the west side of Canning Road on an area of land which originally formed part the rear gardens of 5 four-storey semi-detached residential properties nos. 24-28 Canning Road but is now fenced off (since 2004).

- 3.6 The site is largely overgrown but contains a number of mature trees (subject to Tree Preservation Order) along the surrounding boundaries and within the centre of the site. A pedestrian access exists between nos. 24 to 25 (the freeholder of which is also the applicant/freeholder of the site).

Images 2 and 3: site boundary and aerial photograph



- 3.7 The area is residential in character, with a mixture of detached, semi-detached houses and blocks of flats, and the site lies within the East India Conservation Area. To the north of the site is Christ Church Methodist Church, to the south is the rear garden of no.23 Canning Road and beyond that four-storey residential block Edward Jobson Court, to the west is Tunstall Nursery School and Children's Centre.
- 3.8 The site is located within close proximity to the Grade II* Church of St Mary Magdalene and Grade II adjacent vicarage building (17 Canning Road), approximately 100m south. The site is located within Flood Zone 1 and has a Public Transport Accessibility Level of 4.

Planning History

20/01757/PRE: Redevelopment of land to provide seven family dwellings

20/03098/PRE: Redevelopment of the land to provide seven family dwellings comprising of 1 detached dwelling and 6 semi-detached dwellings

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The proposed development would provide an appropriate scale for a development making effective use of the residential site and increasing the Council housing stock.
- 4.2 The proposed new houses would preserve the character of the conservation area and the setting of the nearby listed buildings, and would not harmfully affect the appearance of the immediate surroundings.

- 4.3 The proposed new houses would not have a detrimental effect on the residential amenities of the adjoining occupiers and would provide an acceptable living environment for the future occupiers.
- 4.4 The development would encourage sustainable modes of transport other than the car, incorporate safe and secure bicycle access and servicing arrangements to and from the site and would have an acceptable impact on the highways network.
- 4.5 The development would incorporate sustainability requirements and incorporate sustainability techniques as part of the overall drainage strategy.

5 CONSULTATION RESPONSE

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6 LOCAL REPRESENTATION

- 6.1 The application has been publicised by way of neighbour consultation letters, a site notice and press notice. The number of representations received from neighbours, local groups etc. in response to initial consultation notification and publicity of the application were as follows:

No of individual responses: 7 Objecting: 5 Supporting: 1 Commenting: 1

- 6.2 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

Summary of objections	Response
<i>Principle of development</i>	
Potentially setting a precedent of damage to the Conservation Area.	Refer to paragraphs 8.4 – 8.6 of this report.
<i>Conservation Area</i>	
Out of keeping with Conservation Area; that development within back gardens will not generally be permitted, should preserve view across gardens; harm to and loss of heritage asset should refuse; justification for development. Paragraph 191 of NPPF; notes incorrect boundary south of the plot; Details required of neighbouring boundary heights, hedges and materials;	Refer to paragraph 8.7 to 8.19 of this report.
<i>Privacy, outlook</i>	
Overlooking of and be seen from 23 Canning Road; development so close to a nursery school	Refer to paragraph 8.22– 8.28 of this report.
<i>Waste</i>	

Bins to be located 40m from Canning Road; substantial waste lures rats and other pests; location of communal bin serious concern;	Refer to paragraph 8.18 and 8.38 of this report.
<i>Trees and Ecology</i>	
Loss of established trees; Arboricultural report missing a several trees along southern boundary in garden of 23; ecology report inaccurate; care should be taken when working on T7; Japanese Knotweed; loss of wildlife, natural flora and fauna	Refer to paragraphs 8.31 to 8.35 of this report.
<i>Transport</i>	
No space to provide parking; 106 agreement required to prevent any parking permits; Parking congestion problems to existing residents in Canning Road. Twenty-four households immediately backing on to the site will be greatly impacted by the construction of this development. Families in the road use that stretch to get to and from various schools and pre-schools / nurseries. All vehicles have to access the site from the northern end (from Lower Addiscombe Road). Reducing the impact on local residents' amenities to be more rigorous in terms of site manager responsibility, hours of operation, deliveries, noise reduction in deliveries, minimise dust, clean pavement .Refuse/recycling-collections (and goods-delivery & collection) will be severely hampered,	Refer to paragraphs 8.36 to 8.39 of this report.
<i>Other</i>	
Drawings show incorrect boundary south of the plot; houses not within 45m required under building regulations for fire services.	Refer to paragraphs 8.25, 8.35 of this report.
Summary of support	Response
<p>Strikes a balance between preserving key historic features along Canning Road where visible whilst providing a welcoming entrance route between the properties as one enters the Site on foot.</p> <p>Could be considered back garden development however the area sold off many years ago and is no longer associated with the houses in Canning Road.</p> <p>Area has become very overgrown and neglected over many years.</p> <p>Overall layout the development is spacious by the standards of many such developments in Croydon.</p>	Refer to paragraphs 8.7 - 8.19 of this report.

Design of the dwellings themselves will easily sit within the character of the area and the Panel particularly like the overall style and the inclusion of pitched roofs instead of the usual unimaginative flat roofs so often proposed for such developments.	
Summary of comment	Response
New entrance is proposed then can it be clarified if the existing pillars will be replaced with notable capstones. These pillars including the wall are supposed to identify the special character of the area and are already dangerously ignored by the owners of the 24-28	Refer to paragraphs 8.7 - 8.19 of this report.
Whilst the Church Council are happy with the development as it stands, it will not allow or permit any access across the rear church car park or through the fence line for site or construction traffic.	Refer to paragraphs 8.36 to 8.39 of this report

6.3 Councillor Jerry Fitzpatrick has made the following representations

- Incorrect understanding that the boundary to the south of the plot belongs to Edward Jobson Court and not the gardens of 23 Canning Road. The boundary is incorrectly described.
(Officer comment: the applicants have clarified the application boundary of the site).
- Development will have a significant impact on the owners of the gardens of 23 Canning Road, not just the disruption during the works, but the privacy implications.
(Officer comment: the impact of the proposal on no.23 has been fully assessed see paragraphs 8.14 - 8.20)
- Tree 'T7(c)' in the Arboricultural Report is owned by Flat 4, 23 Canning Road.
(Officer comment: the applicants have confirmed that T7 lies within no,23 garden)
- Japanese Knotweed has been spotted on the plot
(Officer comment: the applicants have acknowledged the presence of species and potential action)
- Additional information about the perimeter hedge.
(Officer comment: the applicants have clarified the proposed boundary treatment of the site).
- 6.1 in the Ecological Survey notes plans for six houses and car parking.
(Officer comment: the applicants have submitted a corrected ecology report with correct number of houses and no parking).
- If planning permission is successful, can the applicant provide an estimated start date for the works and length of the project?
(Officer comment: The applicants have estimated that the proposed works would involve a 10 month timescale, but this cannot be controlled by the LPA; the standard time limit of 3 years is recommended).

- Due to the nature of the current perimeter fence, there is no privacy from the works taking place, issue with debris from the works coming through onto our plot.
(Officer comment: the report clarifies the boundary with neighbouring sites, details to be controlled by condition, an approved construction logistics plan will safeguard neighbours amenity along the application boundary of the site)
- The villas on Canning Road are an integral part of Croydon's local history.
(Officer comment: The report includes an assessment on the impact of the proposal on the surrounding properties)

7 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the London Plan 2021 the Croydon Local Plan 2018.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) most recently updated in February 2019. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Achieving sustainable development (Chap 2)
- Delivering a sufficient supply of homes (Chap 5)
- Promoting sustainable transport (Chap 9)
- Making effective use of land (Chap 11)
- Achieving well designed places (Chap 12)
- Meeting the challenge of climate change, flooding and coastal change (Chap14).
- Conserving and enhancing nature environment (Chap 15)
- Conserving and enhancing the historic environment (Chap 16)

7.3 London Plan 2021

- GG2 Making best use of land
- 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
- D7 Accessible housing
- D12 Fire safety
- D14 Noise
- H1 Increasing housing supply

- H2 Small sites
- HC1 Heritage conservation and growth
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning

Croydon Local Plan 2018:

- SP2 Homes
- SP4 Urban design and local character
- SP6 Environment and Climate Change
- SP8 Transport and communication
- DM1 Homes
- DM10 Design and character
- DM13 Refuse and recycling
- DM18 Heritage and Conservation
- DM23 Development and construction
- DM25 Sustainable drainage systems
- DM27 Protection and enhancing biodiversity
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- DM45 Shirley

7.4 There is relevant Supplementary planning Guidance as follows

- London Housing SPG, March 2016.
- National Technical Housing Standards, 2015.
- National Planning Practice Guidance, 2014.
- Supplementary Planning Document (SPD2) Suburban Design Guide 2019.
- East India Estate Conservation Area Appraisal and Management Plan (CAAMP) April 2014

- Conservation Area General Guidance April 2013

8 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

1. Principle of development
2. Townscape and visual impact
3. Housing quality for future occupiers
4. Residential amenity for neighbours
5. Sustainability and flooding
6. Trees and ecology
7. Transport

Principle of development

- 8.2 In considering this proposal the local planning authority has had regard to delivering a wide choice of homes in favour of sustainable development in line with the principles of the NPPF, Policy GG2 of the London Plan relating to making best use of sites; policies SP2 of the Croydon Local Plan in providing a choice of housing for all people at all stages of life and DM1 in supplying new housing.
- 8.3 Both the London Plan and the NPPF place significant weight on housing delivery and focus on the roles that intensification and small sites in particular will play in part resolving the current housing crisis. The Croydon Local Plan 2018 further identifies that a third of housing should come from windfall sites and suburban intensification, in order to protect areas such as Metropolitan Green Belt.
- 8.4 This is a backland development, within a residential setting which would provide 4 family sized houses and therefore would make a suitable contribution to the boroughs housing stock which exceeds the Council's overall strategic objective of 30% of new homes over the Plan period to have 3 or more bedrooms and therefore complies with policy SP2 and DM1.
- 8.5 The application land was previously part of the rear gardens to 24-28 Canning Road. As stated by the applicant, and substantiated by resident representations, this was sold off some years ago and is now a separate parcel of land, no longer associated with the houses in Canning Road. Therefore policy DM10.4(e) of the Croydon Local Plan 2018, in relation to rear garden retention, does not strictly apply.
- 8.6 Therefore subject to an appropriate design (including its appearance impact on the setting of the East India Conservation Area), amenity, transport and sustainable considerations, the proposal would not set an un-warranted precedent and would be appropriate in line with Councils aspirations for the site and surrounding East India Conservation Area.

Townscape and visual impact

- 8.7 Chapter 16 of the NPPF (para 189) states that when determining applications local planning authorities should require an applicant to describe the significance of any heritage assets affected including, any contribution made by the their setting. The level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on the significance.
- 8.8 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that, when granting planning permission with respect to any buildings or other land in a conservation area, or to grant planning permission for development which affects a listed building or its setting, the local planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of that area and to special regard to the desirability of preserving the building, or its setting. In this context, "preserving", means doing no harm.
- 8.9 The Court of Appeal has determined that, in order to give effect to the statutory duty under sections 66(1) and 72(1), in respect of development proposed to be carried out in a conservation area, a decision-maker must give a high priority to the objective of 'preserving or enhancing the character or appearance of the area', when weighing this factor in the balance with other 'material considerations' which have not been given this special statutory status.
- 8.10 If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, although, in exceptional cases the presumption may be overridden in favour of development which is desirable on the ground of some other public interest. But if a development would not conflict with that objective, the special attention required to be paid to that objective will no longer stand in its way and the development will be permitted or refused in the application of ordinary planning criteria.
- 8.11 Neighbours have objected to the proposal as out of keeping with Conservation Area; should not generally be permitted as it involves development within back gardens; that the proposal should preserve views across gardens and would result in loss of a heritage asset without justification.
- 8.12 The site lies in the East India Estate Conservation Area and there are statutorily listed buildings in the vicinity. The area is characterised by a concentration of high-quality historic buildings, formal street layout, and spacious character with generous gardens.
- 8.13 The applicant's heritage impact statement describes the site and its immediate environment and regards the development as providing a well-considered design which responds positively to the East India Conservation Area. Officers, acknowledge that the site historically formed the rear gardens of nos.24-28. However, equally it is understood that the site has been subdivided from the rear gardens of these properties since 2004, is not accessible, heavily overgrown and neglected. The main buildings of Nos 24-28 remain set within substantial

gardens with the bulk of the proposed site and location of the proposed houses set back by 35m from these properties.

- 8.14 The proposal involves a modest terrace of housing suitably positioned on site. The subservient nature of the proposal and degree of separation means that a feel of openness with views across the site from the rear of those properties immediately surrounding would continue to exist. More widely the proposal would preserve the characteristics of the conservation area; it would be to the rear of the nos.24-28 and generally not visible from the public realm, with only glimpse between nos. 24-25 from the streetscene.

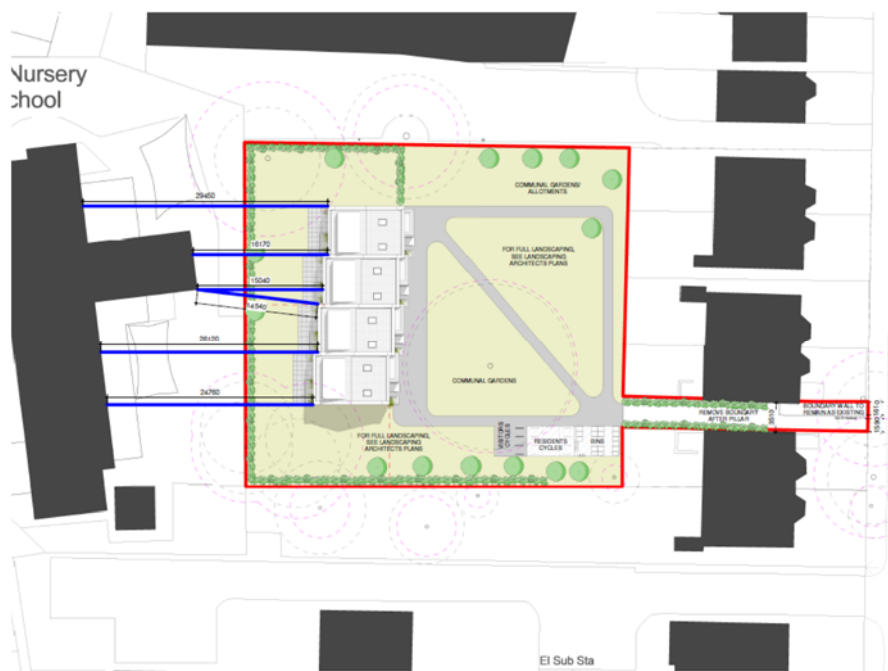


Image 4:
proposed site
plan

- 8.15 Officers do not consider that this proposal would result in harm or indeed less than substantial harm to the heritage asset. Guidance in the East India Estate CAAMP 9.2 New Development is that *“all proposed development should respect the established plot layout and building lines present, as well as the height, scale and massing of nearby buildings”* and *“construction of new dwellings in small gaps between buildings will generally not be permitted due to the likelihood of over-cramped development and incongruous plot size”*. Guidance note 9.3 Back Garden Development says that *“development in back gardens will generally not be permitted due to the potential disruption to the area’s spacious character and loss of green spaces. All small-scale outbuildings in back gardens should preserve views across gardens and not cause the removal of existing trees”*.

- 8.16 The proposed development has been designed to reflect the established plot layout of the immediate surroundings and mirrors the existing street scene layout. In terms of massing and form the buildings would be subservient to the Canning Road houses making effective use of roof space to create an additional floor of accommodation. The proposal would not result in cramped form of development due to its modest massing, scale and overall site coverage. The

design of the proposed houses would be appropriate, finished in brick with mansard roof form, large windows and defined openings. The overall detail of materials would be subject to condition to ensure a high quality finish' key for this conservation area location.

- 8.17 The terrace houses would be appropriately positioned and provide a generous ratio of green space to the built environment with the inclusion of the large communal landscaped area immediately to the front. The applicants have supported this with a detailed planting strategy. This approach would maintain the spacious character of the area, encourage green space with minimal removal of trees. Details of a management plan to maintain landscaping, species, boundary treatment, external lighting would ensure the maintenance and appearance of the area. This approach would preserve the spacious character and setting of the Conservation Area. Officers consider the positive aspects of the proposal would preserve the heritage asset and justifies the recommendation.



Image 5: CGI of the scheme from the front

- 8.18 The bin and bike storage have been carefully considered and access to the site would have minimal impact on the street scene. Details of the refuse and cycle storage area and the walkway entrance would be controlled by condition to ensure suitable arrangement and access.
- 8.19 Overall, the proposed scheme is considered to be a sensitive intensification of this site. No objections have been raised by the Mid Croydon Conservation Area Panel who consider that the proposal would easily sit within the character of the area and would be of a suitable appearance. The proposal would bring back into use this enclosed area of land in a sensitive way. Officers consider the design would preserve this site, local character, character and appearance of the Conservation Area and the nearby listed buildings in line with the NPPF, London Plan and CLP policies.

Housing quality for future occupiers

- 8.20 The proposed houses would accord with the National technical housing standards guidelines in terms of floor space requirements including areas for storage. Each house would have dual aspect, receive good levels of light with their own private garden. The proposal includes a large communal garden area which would enhance the overall setting and approach to the houses and create

a suitable green environment for potential occupiers. This arrangement is, therefore acceptable. The proposal would be in accordance with the principles of the NPPF in delivering a wide of choice of quality homes and London Plan Policies, and Croydon Local Plan 2018.

- 8.21 In terms of accessibility, the Housing SPG recognised that for developments of four-stories or less the provision for new build homes should be accessible and adaptable. Potential occupiers and visitors will be able to access the site directly off Canning Road with suitable landscaping to ensure step-free access throughout the site. The applicants have amended the layout of one of the houses to be M4(3) compatible, ensuring that the house will be wheelchair accessible with remaining houses to be M4(2). The proposal would therefore be in line with London Plan policies D6 and Local Plan policy DM10.

Residential amenity for neighbours

- 8.22 Policy DM10.6 states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties, or have an unacceptable impact on the surrounding area. This can include a loss of privacy, a loss of natural light and a loss of outlook.
- 8.23 The proposed terrace would be significantly separated from adjoining neighbouring properties to the east. The proposed terrace would be between 36m to 37m from the rear of the four storey houses which front Canning Road (nos.24 to 28), to the east. The proposal would not result in any loss of light, undue overlooking or loss of privacy or outlook to these neighbours. Details of boundary treatment would protect gardens with these neighbouring properties.
- 8.24 The proposed site adjoins the boundary with the rear garden with no.23 Canning Road to the south. The proposed terrace would be 39m from the rear building of 23. No windows would be contained within the south facing elevation of the proposed house nearest to the rear garden boundary with no.23 (10m away). The proposal would not result in loss light, direct outlook or privacy for this neighbour. In response to neighbour objections the applicants have clarified that the site boundary of the development is with no.23. Officers are satisfied that the proposal would not involve development within any neighbour garden plot. The proposal would include a 1.8m high Hornbeam Hedge and behind that within the site 1.8m high fencing which would safeguard neighbouring privacy, details of which would be controlled by condition. The proposed refuse storage area along the south of the site would be controlled by condition to ensure that it is suitably kept and managed including lighting and cleaning facilities to protect neighbouring amenity along the boundary with no.23.
- 8.25 The proposed terrace would be between 14.5m to 29m from the two-storey primary school to the west. Officers consider that there would be reasonable separation between the proposed terrace houses and the neighbouring school and that the proposal would not result in undue overlooking or loss of privacy. It is not uncommon for residential buildings to have a degree of overlooking to school sites in urban locations.

- 8.26 The proposed terrace would be 18.5m from the rear of Christ Church Building to the north. There are no windows in the flank elevation of the proposed end of terrace house nearest to the Church Building and the proposal would not impact in terms of light, outlook or amenity towards this neighbouring site.
- 8.27 It is acknowledged that there will be some noise and disturbance during the construction process, with pollution and access also a concern expressed by neighbours. The applicants have confirmed that in the event of planning permission being granted, they anticipate a construction period of 10 months to complete the development. A planning informative is recommended to advise the applicant to follow the Councils "Code of Practice on the Control of Noise and Pollution from Construction Sites". A condition requiring Construction Logistics Plan to be approved prior to the start of building works, in order to limit amenity impacts, traffic impacts and safeguard the development during the build. Further informatives would ensure the reinstatement of the highway with the developers to meet the cost of reinstatement of any work. The proposal would therefore be in accordance with policy DM23.
- 8.28 A condition requiring details of lighting and illuminance to the rear and along the front entrance to the site would ensure that neighbours amenity is protected. The applicants have also confirmed that as the travel distance is less than 90m from the road to the furthest point in the furthest house, the proposal would include installation of a sprinkler system, to safeguard further occupiers and neighbouring sites in the event of fire. Based on the above Officers are satisfied that the proposal would not have an undue impact on neighbouring amenity and would be in line with policy DM10.

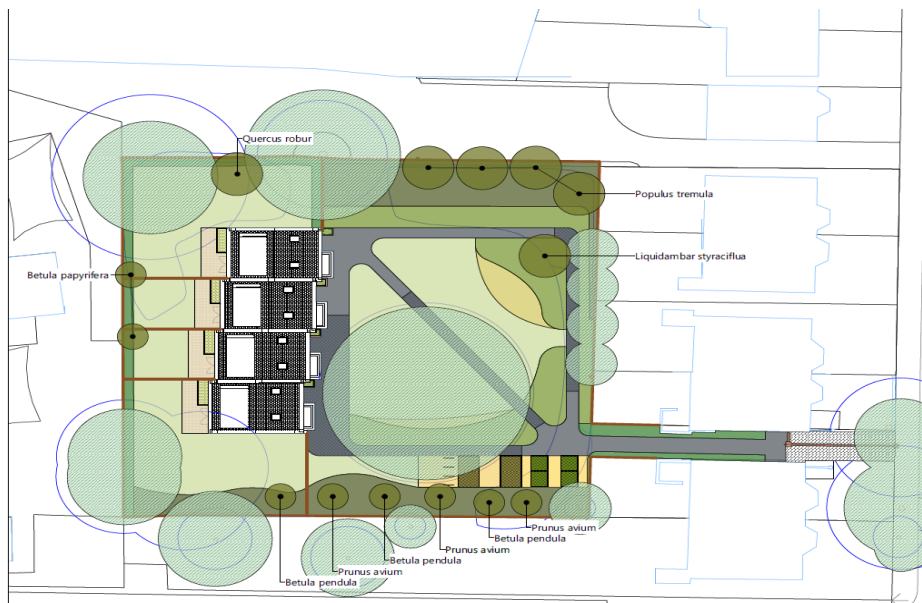
Sustainability and flooding

- 8.29 The Council would seek new homes to meet the needs of residents over a lifetime and be constructed using sustainable measures to reduce carbon emissions. In line with Policy SI2 of the London Plan, the development proposals should make the fullest contribution to minimising carbon dioxide emissions. In addition, the Council would require the development to achieve a water use target of 110 litres per head per in line with London Plan Policy SI5. Subject to conditions the development would need to achieve sustainable requirements in line with national, regional and local level.
- 8.30 The site does not fall within a major flood risk area. The applicants map identifies Canning Road as falling within a surface water area but the site itself outside. The site is also identified as an area with a low groundwater flood risk. Therefore the potential for both surface water and groundwater risk is considered low. Due to the site being 1m above Canning Road access level the risk from flooding of sewers or water mains is also considered to be very low. The applicants flood risk report identifies surface water discharge will be possible via geo-cellular/soakaway storage crates located beneath the communal garden on the north corner of the site, which is supported and will be conditioned. In addition finished floor levels of the development will be set at 150mm above adjacent ground levels (in line with building regulations). All connections will be made in accordance with the building regulation requirements and those of Thames Water including retention and slow release

systems (SUDS) to reduce the outflow to limit the risk of adding to flooding elsewhere in the vicinity. The proposal would therefore be in line with London Plan Policies S112 and S113, details to be secured by condition.

Trees and ecology

- 8.31 Neighbours have raised several issues in respect to the details submitted as part of the applicants Tree Report Statement. Several trees on the site have been identified as generally being low quality along the boundary of the site with the exception of a high quality tree positioned centrally (T3). The report identifies a number of the trees as requiring pruning. The report also assesses trees located within the neighbouring gardens to the north and south, due to their proximity to the site boundary and the need to protect their roots and canopies during the construction stage.
- 8.32 Officers are satisfied that the correct information has been supplied which identifies the trees involved, measures to be taken, and location of those trees in neighbouring sites (T7 in garden of no.23). The applicants report identifies that the development has been designed to retain the most-healthy trees. The report identified 10 individual trees and three groups of trees identified on the site categorised as A (high quality, T3), B (moderate, 6 trees) and C (low quality, 6 trees).



*Image 6:
landscaping
proposals*

- 8.33 The proposal would involve removal of one mature tree (G2, category B) to the south west corner of the site, however a planting programme would ensure that a suitable replacement is made for the removal of this tree. The proposal would also include clearance of two groups of trees (G1 and G3, category C) with minor pruning to the other trees. The applicants have amended the ecological report and Officers are now satisfied that the report is now correct and the Council's Tree Officers agree with the report findings and have not raised any objection to the pruning works, tree removal, protection and subsequent

replanting. The proposal is therefore in accordance with policy DM28 of CLP and G7 of the London Plan.

- 8.34 The arboriculture report has identified the presence of Japanese Knotweed on the site. The report acknowledges that measures would be required to ensure that the plant is not spread as a result of works, through an effective eradication strategy. This would need to be devised and undertaken by a specialist contractor. An informative would be required to remind the applicant of the need to ensure that the method statement is appropriately managed and that it reflects the best management practices for the treatment of the species.
- 8.35 An ecological desk study has been undertaken to determine the presence of any designated nature conservation sites and protected. The report has been updated to reflect neighbours concerns and recommends that in view of the existing habitat the development be designed (where feasible) to allow for the retention of existing notable habitats to ensure net gains for biodiversity. The Councils Ecological consultant is satisfied that sufficient information has been presented to assess the likely impact of the proposal on protected and priority species and habitats. The conclusion is that the development can be made acceptable if the appropriate mitigation measures are secured through ecological conditions. The assessors also support the proposed biodiversity measures identified. Officers are therefore satisfied that proposed development would therefore be in accordance with Policy DM27.

Transport

- 8.36 The applicants have submitted a Transport Statement in support of the proposal. The site has a PTAL of 4, which is identified as being located in an area with a good level of public transport accessibility close to bus, trams and railway services. The site is also located in a Controlled Parking Zone (CPZ) which is operational Mon-Sat 9am-5pm.
- 8.37 There is no vehicle access. Officers consider that a car free development would be acceptable in this location subject to a legal agreement (s106) to remove access to resident parking permits and contracts in council run car parks for the future occupiers. Furthermore, this justifies the need for securing a financial contribution of £6,000 towards improvements to sustainable transport including but not limited to on street car clubs with EVCP's as well as EVCP's and car club support and membership in general as per policies in the Local Plan and transportation improvements.
- 8.38 The location of the proposed bin store would be more than 30m from the point of collection. Details of a management plan, including procedure to deliver bins to collection point, in addition to 10sqm area to provide for bulk collection and refuse storage facilities would need to be secured by condition.
- 8.39 The applicants have proposed occupier and visitor cycle storage areas which is welcomed. The proposed cycle storage must be to London Plan standards in terms of numbers of cycles that need to be able to be secured for the houses ie. at least 8 cycles. 5% of the Sheffield stands must be placed so that wider and adapted bikes can be secured to them. Final details of the cycle storage is

recommended to be conditioned. In order to safeguard the highway appearance a condition survey of the public highway will be required prior to any works commencing with any damage to the highway to be meet by the applicants. The proposal is therefore consider in line with Policies DM29 and DM30.

Conclusion

- 8.40 The principle of development is considered acceptable. The design of the scheme is of an acceptable standard and subject to the provision of suitable conditions as set out in paragraph 2.2, the scheme is acceptable in relation to residential amenity, transport, sustainability, trees and environmental matters. Thus the proposal is considered in general accordance with the relevant polices.
- 8.41 The recommendation is to grant planning permission subject to the completion of a s106 agreement to secure the heads of terms identified in 2.2.