

LONDON BOROUGH OF BROMLEY

TOWN PLANNING RENEWAL AND RECREATION DEPARTMENT

DELEGATED DECISION on 22nd August 2018

18/02909/FULL1

**Trees
Coniston Road
Bromley
BR1 4JB**

Russell Penn

Description of Development

Demolition of existing dwelling and detached garage and erection of a three storey terrace of 5 no. dwellings (2 x 4 bedrooms and 3 x 3 bedrooms) with associated car parking, landscaping, cycle and refuse storage.

Proposal

Planning permission is sought for the demolition of the existing dwelling and detached garage and the erection of a three storey terrace of 5 no. dwellings (2 x 4 bedrooms and 3 x 3 bedrooms) with associated car parking, landscaping, cycle and refuse storage.

The terrace buildings principle elevation will face Coniston Road. The terraced building footprint is set back in a staggered format varying in average front curtilage depth from 4.73m at the minimum to 7.99m at the most with also varying internal depths of each house. The north end terrace dwelling Plot 5, measures 8.3m depth and the southern end terrace dwellings Plots 1 and 2 are 8.3m. Plots 4 and 5 are 10.3m depth. The widths of all of the units are approximately 5.3m. The height of the houses vary between 9.6m for Plots 1, 2 and 5 and 10m for Plots 3 and 4 with a dual pitched roof structure. Front feature gables are indicated on all the units. Front elevation design indicates slight variation between units.

The footprint of the terrace is set in from the flank boundaries at the front elevation building line point by 2.52m to the property boundary to the south and to the north by 9.49m tapering sharply inwards to the rear. The rear curtilages will be 11m for plots 1 to 4 and an average depth of 7.75m for Plot 5 with a tapering boundary. An external refuse store is located within the front curtilage of each house adjacent to the footway and cycle parking is located in the rear curtilage.

Parking arrangements are provided with a single space in the front curtilage of each unit and to the north west boundary of the site in a linear parking area for 5 vehicles within the public realm area of Elstree Hill. It has been indicated that this is within the site boundary.

Materials are indicated as brickwork for the elevations with a plain tiled roof.

The application was supported by the following documents

- o Design and Access Statement
- o Planning Statement
- o Transport Technical Note

- o Arboricultural Survey.

Location and Key Constraints

The site is located on the west side of Coniston Road on large roughly triangular plot that backs on to Elstree Hill. The site is approximately 200-400mm lower than Coniston Road street level. To the rear of the site the topography slopes significantly down to Elstree Hill. The site currently comprises a single detached dwelling and detached garage.

To the front and within the vicinity of the site are a number of three storey terraced and semi detached town house style developments dating from approximately the 1970's. To the rear east of the site are larger detached properties.

The site is not in a conservation area nor is the building listed. A site forms part of a blanket Tree Preservation Order area with a variety of species of tree.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received. Many letters have reiterated points in other letters. The main issues and points raised are summarised as follows:

Objections

- o Development will add to pollution problems from extra traffic and dust.
- o Disagreement that the existing dwelling is of no particular merit due to personal viewpoints of the original architect.
- o Existing dwelling should be extended not demolished.
- o Over development of the site.
- o Loss of views to Crystal Palace radio mast.
- o Concern regarding the findings of the Arboricultural Report.
- o Loss of the existing house is due to its unusual design to be replaced by a terrace will reduce variety in the area.
- o Concerns that if the road is 'made up' it will increase traffic and create rat run.
- o Concerns regarding lack of parking.
- o Additional house acceptable but not this scheme.
- o A lesser terrace at two stories may be acceptable.
- o Concerns regarding loss of trees on site.
- o Concerns with impact to wildlife on the site and loss of a connected green space.
- o Concerns regarding the impact of the construction process.
- o Will result in loss of privacy from overlooking to adjacent houses at front and rear.
- o Concerns regarding loss of daylight and sunlight and the effect of this on wellbeing.
- o Linear parking of Elstree Hill is outside the site.
- o Increased number of occupants will add to the pollution and noise levels in the general area.
- o Siting of end house too close to boundary.
- o Three storey height will cause loss of outlook to surrounding property.
- o Siting, number, design and height of development of townhouses to three storeys with pitched roofs is excessive and over development of the site.
- o Distances between frontages of town houses is a concern.
- o Impact to streetscene views.

- o The road is not capable of supporting this scheme. This will affect its compliance with Part M of the building regulations.
- o Existing house should be listed. Loss will impact negatively on the character of the site and immediate area.
- o Overbearing scale will have negative impact on amenity.
- o Site should be considered for its historical context.
- o Property is in a conservation area and on the green Chain walk.
- o Proposed design is characterless and not a sustainable development.
- o Developer should contribute to cost of making up Coniston Road.

Local Groups

- o Ravensbourne Valley Preservation Society has commented that the development is unsympathetic to the streetscene due to scale and size with also a detrimental impact to amenity of neighbouring property. Further comments relate to loss of historical significance, effects to trees and negative impacts to traffic and highways.
- o Orpington Field Club have commented in relation to excessive level of tree removal on the site and the requirement for a preliminary bat survey prior to demolition and trees to be felled.

Comments from Consultees

Environmental Health Pollution Officer:

No objections.

Drainage Engineer:

Further details regarding a surface water drainage strategy to be sought by planning condition.

Highways:

Elstree Hill translocated from the London Borough of Lewisham to Bromley in April 1994, as the result of boundary changes. Lewisham advised Bromley that they had always regarded Elstree Hill as an "unmaintained public highway", viz. an "unadopted highway", except for the access to Nos. 8,10, 12 and 14, on the southern side, which is maintainable. Bromley has accepted this view.

As an unadopted highway, the public right of passage extends between the boundaries of the street and, notwithstanding that the Applicant may own the soil of part of the Elstree Hill, this cannot be used for the parking of vehicles as illustrated in this application without causing an obstruction of the public right of passage.

The parking shown in drawing number P8772 101 Rev6 is therefore unsatisfactory.

Arboriculture:

The removal of all proposed tree felling is considered justified, with the exception of the Oak tree and Whitebeam tree situated along the front boundary. Both trees are category B on the appended tree survey and have a useful retention span. I would like to see more efforts to retain these two trees, but have no objections to the other

aspects of the proposal. The design of the development and associated landscaping should be revised and condensed.

The application currently conflicts with Policy NE7, H7 and BE1. This leads to me recommending refusal.

Policy Context

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

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

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

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

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to Hearings from 4th December 2017 and the Inspectors report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

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

London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy

- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity.
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Unitary Development Plan

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE3 Wildlife Features
- NE5 Protected Species
- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T17 Servicing of Premises
- T18 Road Safety

Emerging Local Plan

- 1 Housing supply
- 4 Housing design
- 8 Side Space
- 30 Parking
- 32 Road Safety

33	Access for All
34	Highway Infrastructure Provision
37	General design of development
70	Wildlife Features
73	Development and Trees
77	Landscape Quality and Character
79	Biodiversity and Access to Nature
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
122	Light Pollution
123	Sustainable Design and Construction

Supplementary Planning Guidance

Supplementary Planning Guidance 1: General Design Principles
Supplementary Planning Guidance 2: Residential Design Guidance
Housing: Supplementary Planning Guidance. (March 2016)
Technical housing standards - Nationally Described Space Standard (March 2015)

Planning History

There is no relevant planning history relating to the application site on record.

Considerations

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

- o Principle
- o Design
- o Standard of residential accommodation
- o Highways
- o Neighbouring amenity
- o Sustainability
- o Trees and Ecology.
- o Other (drainage/flooding/noise/pollution)
- o CIL

Principle

The NPPF (2018) 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.

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

Policies including 3.3 of The London Plan 2016, H1 of the UDP 2006 and Draft Policy 1 have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025.

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

The site is currently developed for a single unit of occupancy for residential use. In this location the Council will however, consider a higher density residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore, the provision of greater number of housing units on the land as opposed to a single dwelling appears acceptable in principle subject to an assessment of the impact of the proposal on the level of density of the units, unit mix, appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 of the plan and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).

The site has a PTAL rating of 1b and is within a suburban setting. In accordance with Table 3.2, the recommended density range for the site would be 35-55 dwellings per hectare. The proposed development would have a density of 41 dwellings per hectare.

Therefore, the proposed development of the site would be within the suggested range and maybe considered a suitable level of development for the site. However, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development and Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity which are assessed below.

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

Policies 3.4 and 3.5 of the London Plan reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 127 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

The public realm is also an important aspect of any development as it ensures that the development is integrated into and enhances the existing character and use of the area. All residential and commercial development is required by policy to contribute towards good design which extends to the consideration of the public realm (London Plan Policy 7.5).

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy H9 of the UDP requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained and where higher standards of separation already exist within residential areas. Proposals will be expected to provide a more generous side space.

The submitted Design and Access Statement goes some way to explain the design process and rationale that has led to the current proposed design.

The predominant character in the locality of the site can be categorised into different periods of design style and layout. To the front and within the vicinity of the site are a number of three storey terraced and semi-detached town house style developments dating from approximately the 1970's that were built on land that was not previously developed. To the rear east of the site are larger detached properties formally within the London Borough of Lewisham. The site itself although always within the Bromley boundary represents one of the latter as a detached property built within extensive grounds in the interwar period. Within the streetscene of the site today this represents a relatively low density site in comparison to its immediate more recent surroundings opposite on the same ground level. The sites context is therefore considered to relate to the east and south areas of the site, the context of which is detailed above.

In this case, the proposed terraced houses are three storey in height to the streetscene elevation with feature front facing gables at roof level. In terms of mass and scale with pitched roofs and a terraced town house style form, as well as maintaining front and rear building alignments, ridge heights and soft/hard landscaped front garden areas the scheme strikes a balance between the existing building lines and the local building pattern. The terrace building also provides comparative unit widths to each dwelling to that found locally and maintains a distance of approximately 25m to the properties opposite between front elevations. The building is also slightly sunk below street level which reduces scale to the street scene and responds to the topography of the site. The building height, proportions, roofscape and window proportions are considered to echo the adjacent context.

Therefore, the impact of the building in terms of its mass and scale is considered acceptable to the context of the streetscene representing an infill development in keeping with its related surroundings.

The justification paragraph in respect of Policy H9 details that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. This is to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas.

The terrace scheme has provided adequate separation distances from each end terrace unit to adjacent property in the context of the prevailing pattern of development and on balance, it is considered that the level of separation indicated between properties is sufficient to maintain the established and individual qualities of the area given the predominance of similar styled properties in the immediate locality of Coniston Road.

In terms of design approach, the opportunity to construct a similar style of development has been achieved with the design style undertaken which takes its cues from the locality. Traditional brick and tile materials are indicated and as such it is considered that the impact on the character and context of the locality is positive as the building adds a suitable contemporary infill building.

Standard of residential accommodation

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

Policy H7 of the UDP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Government's National Technical Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

A Part M compliance paragraph has been submitted as part of the Design and Access Statement that details compliance with the relevant sections of Part M. A compliance condition is recommended with any permission in this regard.

The floor space size of each of the houses ranges between 123m² for the smallest three bedroom unit and upto 149m² the largest four bedroom unit respectively. The nationally described space standards require a GIA of 99m² for a three bedroom five person unit and 112m² for a four bedroom six person unit in relation to the number of persons, floors and bedrooms mix. On this basis, the floorspace size provision for all of the units is compliant with the required standards and is considered acceptable.

The internal layout of the units has a staggered form, however the shape and room size in the proposed units is generally considered satisfactory for the units where none of the rooms would have a particularly convoluted shape which would limit their specific use.

In terms of amenity space the depth and width of the rear gardens of Plots 1 to 4 are of sufficient proportion to provide a usable space for the purposes of a family dwellinghouse and is representative of the proportions of rear gardens in the vicinity. Plot 5 has a triangular form to the rear, however with the addition of the wide side space area a suitable quantum and quality is provided.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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

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

The Council's Highway Officer has reviewed the current application and raised an objection to the level of parking provided off road at the site as detailed above. It is therefore considered that there will be a significant impact on parking in the vicinity and obstruction to the right of passage within the highway due to the use of this area for parking. Therefore the proposal is considered generally unacceptable from a highways perspective.

Cycle parking

Cycle parking is required to be 2 spaces for dwellinghouses as proposed. The applicant has provided details of a location for cycle storage within the rear garden area of each unit. This is considered acceptable. A planning condition is recommended with any permission in this regard for further details to ensure the storage is secure and lockable.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a refuse storage area adjacent to the front curtilage boundary of the site on Coniston Road. A planning condition is recommended with any permission in this regard for further details of a containment structure and capacity.

Neighbouring amenity

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

In terms of outlook, the fenestration arrangement will provide front and rear outlook for Plots 1 to 4 overlooking amenity space or overlooking the street. Plot 5 has an additional side outlook over its extended side curtilage from first and second floor levels. Views beyond this are to the streetscene north on Coniston Road and Elstree Hill. There are no flank windows in the southern end of the terrace building. The outlook from windows from the proposed properties is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property.

Concerns have been raised regarding the terrace blocking outlook to Crystal Palace and the environs beyond from neighbouring property. The buildings are three storey to the streetscene with a massing arrangement and footprint position representative of neighbouring housing and the prevailing development in the locality. While outlook may change to the opposite properties it is not considered that there will be a loss of natural light or outlook altered to any significant extent that would warrant withholding planning permission on this basis.

On balance, it is considered that the building will not be detrimental to neighbouring residential amenity.

Sustainability

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

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

Trees and Landscaping.

Policy NE7 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to landscaping. The site lies in an area protected by a blanket Tree Preservation Order. A number of trees are indicated to be removed on site to facilitate the development. The Council's Arboricultural Officer has reviewed the scheme and raised objections in this respect with regard to the Oak tree and Whitebeam tree situated along the front boundary. Both trees are category B on the appended tree survey and have a useful retention span and should be retained.

Notwithstanding the assessment on design as detailed above the loss of the protected trees to facilitate the proposed building is not considered acceptable.

Full details of hard and soft landscaping and boundary treatment are recommended to be sought by condition as necessary.

Ecology

London Plan Policy 7.21 states that development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

A local ecology group has commented in respect of the potential for protected species to be present on site as detailed above.

Officers are satisfied that a suitable condition with any recommendation for permission, requiring preliminary surveys in this regard prior to the commencement of works can ensure there is no ecological harm in this respect.

CIL

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

Conclusion

Taking into account the issues discussed above the proposed replacement development would not provide an adequate layout of car parking on site and would be liable to obstruct the public right of passage and prejudice the free flow of traffic and conditions of general safety along the adjacent highways.

The development would also result in the loss of protected trees to the front of the site which in the interests of amenity and environmental importance are considered desirable to maintain.

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.

Decision

Application Refused

For conditions or grounds of refusal please refer to the Decision Notice