

Item No.	Classification:	Date:	Meeting Name:
7.4	Open	11 December 2012	Planning Sub-Committee B
Report title:	Development Management planning application: Application 12/AP/2619 for: Full Planning Permission Address: HILLSIDE, 9 FOUNTAIN DRIVE, LONDON, SE19 1UP Proposal: Demolition of existing 2 storey dwelling and erection of 5 x 4-bedroom 3-storey plus basement houses with associated car parking, bin and bicycle storage and landscaped gardens (Use Class C3).		
Ward(s) or groups affected:	College		
From:	Head of Development Management		
Application Start Date 21 August 2012		Application Expiry Date 16 October 2012	

RECOMMENDATION

- 1 That planning permission be granted, subject to conditions. This application is referred to Members following an agreed referral request.

BACKGROUND INFORMATION

Site location and description

- 2 The application site is located on the eastern side of Fountain Drive in the College area of the borough. This site contains two parts, 9 Fountain Drive (known as Hillside) which comprises a dwelling and garden, and a vacant plot which adjoins this to the north and which would have originally formed part of the garden to 11 Sydenham Hill which adjoins to the east. The site has a moderate slope, and although much of the vacant plot is grassed, there are a number of trees located around the site boundaries.

- 3 The surrounding area is characterised by a combination of large detached houses and some more recent terraced housing located opposite on Fountain Drive. 11 Fountain Drive (Northside) is a detached dwelling which adjoins the northern boundary of the vacant plot. The site is located within the suburban density zone.

Details of proposal

- 4 Full planning permission is sought for the erection of 5 x 4-bedroom houses on the site, following the demolition of the existing building at 9 Fountain Drive (Hillside). The houses would be three-storeys high plus a basement, although the basement would effectively be at entry level.
- 5 The houses would be arranged to form a terrace of three houses on the northern part of the site closest to 11 Fountain Drive, and a pair of semi-detached houses on the southern portion of the site where 9 Fountain Drive is currently located. Each house would have an off-street parking space accessed from a shared driveway.

- 6 The materials proposed are as follows:
- 7 External walls - Brick to lower ground floor front elevation with timber cladding above, timber cladding to the remainder of the elevations (Chestnut);
Roofs - Green roofs;
Windows and doors - triple glazed within hardwood frames.
Boundary treatment - brick retaining walls to the street, timber fencing and hedging to the rear.

Amendments

- 8 The plans have been amended to remove a dining room window from the side elevation of the northernmost house facing 11 Fountain Drive, and the property names / addresses and elevation heights have been added to the drawings.

Planning history

- 9 The following applications relate to the vacant part of the site and not the part which contains 9 Fountain Drive (Hillside), for which there is no planning history:
- 10 08-AP-1267 - Redevelopment of site to provide a detached dwellinghouse with access from Fountain Drive (application for outline planning permission with Access and Scale to be determined at this stage). Illustrative plans show a 3 storey building with undercroft parking for 2 cars. Planning permission was REFUSED in June 2009 for the following reason:
- 11 The proposed dwelling by reason of its height, mass, and bulk would fail to respond positively to its surroundings. The inappropriate scale the building would be an incongruous feature within the street scene having a visually detrimental impact upon the character and appearance of Fountain Drive. As such the proposal is considered contrary to Policies 3.2 Protection of Amenity, 3.11 Efficient use of Land and 3.13 Urban Design of The Southwark Plan 2007.
- 12 An appeal was subsequently lodged and was ALLOWED, the Inspector finding that the scale and height of the building would appropriately respond to the local context with no unacceptable harm to the character or appearance of the area, and that it would not cause any loss of amenity to neighbouring properties (reference:APP/A5840/A/09/2118471/WF).
- 13 07-AP-1328 - Erection of a two-storey detached house with double garage, 2 parking space and 6 bike parking spaces. Outline planning permission was REFUSED in September 2009 for the following reasons:
- 14 1. The siting and layout of the dwellinghouse due to its extensive footprint, in particular the 18 metre frontage parallel to the road, is considered to have a harmful visual impact upon the character of the local area, which is for buildings to be more subservient to the mature gardens. The development would therefore be contrary to policies 3.2 'Protection of Amenity' , 3.11 'Efficient Use of Land' and 3.12 'Quality in Design' of The Southwark Plan [UDP] July 2007.
- 15 2. The development would require the removal of mature vegetation, the extent of clearance and impact on the health and vitality of retained vegetation has not been assessed, and likewise there is no detail of avoidance, protection or mitigation measures. There are potentially significant adverse effects on the natural environment, habitat, streetscene and public amenity from these works, and therefore it is considered that the development would be contrary to policies 3.1 'Environmental

Effects' and 3.2 'Protection of Amenity' of The Southwark Plan [UDP] July 2007.

- 16 3. There is an overall lack of detailed information provided in support of the outline planning application, and therefore it is not possible to assess accurately the likely impacts on privacy, overlooking, character of the area, streetscape, transport, waste, and general amenity of the site and wider neighbourhood. Therefore it has not been demonstrated that the development would have acceptable impacts and as such it is considered to be contrary to policies 3.1 'Environment Effects', 3.2 'Protection of Amenity', 3.11 'Efficient Use of Land', 3.12 'Quality in Design', 4.2 'Quality of Residential Accommodation', 5.2 'Transport Impacts', 5.3 'Walking and Cycling' and 5.6 'Car Parking' of The Southwark Plan [UDP] July 2007.
- 17 4. The proposed building height shown on the plans has been taken from the top of the boundary fence rather than at true ground level. This combined with the lack of a topographical survey or heights shown on other (side) elevations results in an inaccurate building height, in particular the height relationship with the adjacent buildings along Fountain Drive. Insufficient information has been provided to demonstrate that the indicated height of the building would not cause harm to the amenity of the neighbouring properties or to the streetscape, therefore the development is considered to be contrary to policies 3.2 'Protection of Amenity' and 3.12 'Quality in Design' of The Southwark Plan [UDP] July 2007.

Planning history of adjoining sites

11 Fountain Drive (Northside)

- 18 Planning permission was GRANTED for the erection of a first floor side extension in 1987 (reference: TP/2343/13/JS).

11 Sydenham Hill

- 19 07-AP-1303 - Conversion of main house to form 8 flats, with alterations to the windows and doors in all elevations and the provision of two new front dormers, a new dormer to each side roof plane and three new rear dormers, creating new accommodation within the basement, ground, first and second floors. Single storey rear extension and refurbishment of lodge (to remain a single dwelling), removal of rooflights from side roof plane and the replacement / provision of new doors and windows to side elevations. Provision for landscaping, 6 car parking spaces, 9 cycle parking spaces and refuse store to front. All in association with the creation of additional residential accommodation. Planning permission was GRANTED in October 2007.

11a Sydenham Hill

- 20 10-AP-0132 - Partial demolition and rebuilding of existing dwelling to include extension of lower ground floor to North elevation, erection of solar chimney in rebuilt roof, addition of new window and door openings to rebuilt front, side (North) and rear elevations at lower ground, ground and first floor, and revisions to parking layout to front of dwelling (Use Class C3). Planning permission was GRANTED in July 2010.
- 21 08-AP-2843 - Change of use from single dwelling to 2 houses and window / door alterations at lower ground and ground floor level (north, east and west facing elevations) (Use Class C3). Planning permission was REFUSED in March 2009 for the following reason:
- 22 The removal of 6 car parking spaces shown in connection with the development of the lodge and the main house (approved under ref 07-ap-1303) and replacement with 2

spaces only for occupiers of the lodge, is considered to be unacceptable in parking terms and would lead to inadequate off street parking for the proposed occupiers of both 11 and 11a Sydenham Hill. As such, in this low PTAL area, this would lead to additional on street parking demands and detrimental impacts on highway and pedestrian safety. The proposal is therefore contrary to Policy 5.6 Car Parking of the Adopted Southwark Plan 2007.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- a) principle;
- b) amenity;
- c) transport;
- d) design;
- e) trees;
- f) sustainability;
- g) ecology.

Planning policy

Core Strategy 2011

- 24 Strategic policy 1 - Sustainable development
Strategic policy 2 - Sustainable transport
Strategic policy 5 - Providing new homes
Strategic policy 7 - Family homes
Strategic policy 11 - Open spaces and wildlife
Strategic policy 12 - Design and conservation
Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 25 3.2 - Protection of Amenity
3.7 - Waste reduction
3.11 - Efficient Use of Land
3.12 - Quality in Design
3.13 - Urban Design
3.28 - Biodiversity
4.2 - Quality of Residential Accommodation
5.2 - Transport Impacts
5.3 - Walking and Cycling
5.6 - Car Parking

Residential Design Standards SPD (2011)
Sustainable Design and Construction SPD (February 2009)
Dulwich SPD (draft - March 2009)

26 London Plan 2011

Policy 3.3 Increasing housing supply
Policy 3.5 Quality and design of housing developments
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking

Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.21 Trees and woodlands

National Planning Policy Framework (NPPF)

- 27 The NPPF came into effect on 27 March 2012 and is a material planning consideration.
- 28 Section 4 - Promoting sustainable transport
Section 6 - Delivering a wide choice of high quality homes
Section 7 - Requiring good design
Section 10 - Meeting the challenge of climate change, flooding and coastal change
Section 11 - Conserving and enhancing the natural environment

Principle of development

- 29 There is already a dwelling on the site of 9 Fountain Drive and the principle of a residential development on the vacant part of the site has been established through the granting of outline planning permission for a dwelling (reference: 08-AP-1267). This permission remains extant and the applicant can apply for approval of the reserved matters up until June 2013.
- 30 Family sized houses are proposed and strategic policy 7 of the Core Strategy states that development will provide more family housing with 3 or more bedrooms for people of all incomes to help make Southwark a borough which is affordable for families.
- 31 The draft Dulwich SPD seeks to resist development on back gardens (paragraph 38) and whilst this is noted and the vacant plot part of the site has characteristics of a backland site, there is a pattern of subdivision between Sydenham Hill and Fountain Drive that is well established, and the proposed houses would front the street and be set within generous plots rather than being located behind existing houses.

Density

- 32 A number of residents have raised concerns that the proposed development would represent an overdevelopment and overcrowding of the site which would be out of character with the area.
- 33 The appearance of the proposed development is considered in the design section of this report but with regard to numerical density, the proposal would only equate to 147 habitable rooms per hectare and strategic policy 5 of the Core Strategy permits a density range of between 200-300 habitable rooms per hectare in the suburban density zone. Whilst the proposed density falls slightly short of the specified range, the site banks up steeply towards Sydenham Hill which results in a more limited area for development. The density is considered appropriate for the site context. The quality of the proposed accommodation must also be taken into account when considering whether overdevelopment would occur, and this is considered in full in the amenity section of this report.

Impact of proposed development on amenity of existing and future occupiers

- 34 Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers and 4.2 requires new residential development to provide a good standard of accommodation; further guidance is contained within the Residential Design Standards SPD (2011).

- 35 It has not been possible to make accurate comparisons between the consented outline permission and what is now proposed, because the outline permission appears to have been based on inaccurate survey details. A more detailed survey has been carried out for this application, which the planning agent has confirmed is correct. On 13th November 2012 officers visited the site to view two poles connected by a length of rope which had been erected marking out the height and position of the rear elevation of the southern-most house within the terrace of three; this house was selected because it would be closer to its neighbours than any of the other proposed houses. The poles were viewed from the rears of 11 and 11a Sydenham Hill and this was carried out to enable officers to complete their assessment of the impact upon the neighbouring properties.

Existing occupiers

- 36 Concerns have been raised that the proposed development would result in an unacceptable loss of outlook, loss of privacy and overshadowing and these matters are considered below in respect of the adjoining properties. Noise and air pollution have been raised as concerns and whilst the proposal would certainly introduce activity onto the site, it is not considered that any unacceptable pollution would occur. There may be some temporary impacts during the construction process but if this is deemed to be causing a nuisance to neighbouring residents, it can be dealt with under environmental protection legislation. It is also noted that the application includes an outline construction environmental management plan which seeks to minimise these impacts.

11 Fountain Drive (Hillside)

- 37 This is a property comprising garage space at ground floor level with a bungalow above. It has most of its habitable windows in its southern elevation facing the application site, and it benefits from a large garden on various levels owing to the topography of the site.
- 38 There would be approximately 11m between this property and the proposed northernmost house on the application site, which would be at an oblique angle because the proposed houses would be set slightly further back than number 11. This separation distance is considered to be sufficient ensure that no significant loss of light or outlook would occur and it is not considered that the enjoyment of the garden would be compromised. Whilst the orientation of the site is such that some shadow would be cast towards number 11 throughout the day, this would fall onto a small part of the garden and would not be unduly harmful.
- 39 No windows are shown in the side elevation of the northernmost house and the insertion of windows or dormers into this elevation could give rise to unacceptable overlooking, therefore a condition removing permitted development rights is recommended.

37-45 Wavel Place

- 40 This is a block of flats located to the south-east of the site and which fronts and is accessed from Sydenham Hill; it has windows in its rear elevation facing down the slope towards Fountain Drive. There would be a separation distance of 22m between the rear of Wavel Place and the proposed southernmost house. This would be sufficient to maintain an adequate level of light and outlook, particularly as Wavel Place is at a higher ground level and the structures would be at an oblique angle to each other rather than back-to-back. The Residential Design Standards SPD recommends a 21m window-to-window separation distance to maintain privacy and this would be exceeded in this instance.

9 Sydenham Hill

- 41 This property is located to the east of the site and would be back-to-back with the proposed pair of semi-detached houses. The separation distance would be a minimum of 28m and as this house occupies an elevated position in relation to the proposed houses, the development would not result in any unacceptable loss of light, outlook or overshadowing. Whilst the view from this property would undoubtedly change, this cannot be taken into account and it is not considered that its amenity would be unduly compromised; the Council's recommended 21m privacy distance would be exceeded.

11 Sydenham Hill

- 42 This large building contains a number of flats and has a patio area at the rear which adjoins the application site. The separation distance to the proposed houses would be 22m and again, when combined with the elevated position this building occupies in relation to the site, it is considered that no significant loss of light or outlook would occur and acceptable levels of privacy would be maintained.

11a Sydenham Hill

- 43 This is a former coach house within the curtilage of number 11 and is currently undergoing extension and refurbishment. The separation distance to the proposed houses would be a minimum of 24m which is considered adequate to maintain acceptable levels of light, outlook and privacy.

13 Sydenham Hill

- 44 This large detached house is located to the north-east of the site with views from its rear windows and gardens facing down towards 11 Fountain Drive (Northside). The northernmost dwelling would be approximately 29m from the rear elevation of this house which would be sufficient to ensure that no loss of amenity would occur.

Hogarth Court

- 45 This development comprises three terraced blocks located on the western side of Fountain Drive which is at a lower ground level. The separation distance would be approximately 30m across a road and no loss of amenity would occur.
- 46 Objections have been received from 5, 6 and 7 Fountain Drive which are located on the opposite side of the road, between 60-100m away from the site. Whilst there would be views of the proposed development from these houses, given the separation distance it is not considered that they would experience any loss of amenity with regard to light, shadow, outlook and privacy. Objections have also been received from Greenbanks (Fountain Drive), 15a Sydenham Hill, 2 and 6 Rockhill, both of which are much further north and would not experience any loss of amenity as a result of the proposal.

Future occupiers

- 47 Each of the proposed houses would measure 238sqm, significantly exceeding the minimum (average) requirement of 110sqm as set out in the Residential Design Standards SPD and all of the individual room sizes would comply with the Council's standards.
- 48 The top floor accommodation comprising bedrooms, bathrooms and storerooms would only be lit by way of rooflights and whilst it would generally be preferable for windows

to be provided, they would provide adequate light and ventilation, particularly as bedrooms are generally considered to be less sensitive given that they are predominantly used at night.

- 49 Concerns have been raised that the top floor accommodation may in the future require dormer windows, although the proposed roof form is such that this could be difficult to accommodate. In any event, given that the separation distances to the properties at the rear would exceed the Council's standards, it is not considered that the addition of dormers would result in any loss of amenity. As previously stated it is recommended that the northernmost house has its permitted development rights removed, and also the southernmost house because windows or dormers in its side elevation could cause blight to the adjoining site were it ever to come up for development.
- 50 With regard to amenity space, section 3 of the Residential Design Standards SPD requires new housing to have a minimum of 50 sqm of private garden space; the gardens should be at least 10m in length and should extend across the entire width of the dwelling. The proposed development would comply with these standards with the gardens measuring 231, 121, 190, 210 and 179sqm and all exceeding 10m in length and being full width. Refuse storage would be provided in a convenient location at the front of the houses.

Traffic issues

- 51 Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions, 5.3 considers the needs of pedestrians and cyclists and 5.6 establishes maximum parking standards.
- 52 The site has a public transport accessibility level (PTAL) of 3 (medium) and is not located in a controlled parking zone, although there is a cycle lane on the eastern side of Fountain Drive which passes outside the site and on which vehicles are not permitted to park.
- 53 Concerns have been raised that the proposed development would be harmful to highway safety, would lead to on-street parking on Fountain Drive, and that the width of the road is narrower than stated in the transport statement submitted with the application.
- 54 The application has been reviewed by the Council's Transport Planning Team and no objections are raised with regard to the siting of the proposed off-street parking spaces on the grounds of highway safety, subject to the submission of more detailed plans for the proposed vehicle crossovers which can be secured by way of a condition.
- 55 Saved policy 5.6 of the Southwark Plan requires a maximum of between 1.5 and 2 off-street parking spaces for residential properties in the suburban density zone, and concerns have been raised by both Transport Planning Team and neighbouring residents that this would be insufficient provision and is likely to result in cars parking on-street. Whilst this is noted, the use of maximum standards is a measure to encourage people to use alternative modes of transport other than the private car and providing less parking is one way of achieving this. Fountain Drive is on a bus route and it is approximately an 11 minute walk from Sydenham Hill station and 15 minutes from Crystal Palace Station, and in light of this it is not considered that a refusal of planning permission on the grounds of lack of parking could be substantiated. Sufficient space is shown on the plans to enable cars to turn on site avoiding the need to reverse onto the road, and a condition to maintain the manoeuvring space is recommended.

- 56 Five cycle parking spaces would be provided for each of the houses and a condition is recommended to ensure this is provided prior to occupation and retained as such thereafter.

Design issues

- 57 Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments are of a high standard of architectural and urban design.
- 58 Concerns have been raised that the proposed houses owing to their number, height, scale and massing, detailed design and materials would be out of character with the area, which consists predominantly of detached houses set within large gardens. There are concerns that the proposal would be harmful to the visual amenities of the street and contrary to the Council's policies.
- 59 Whilst this is noted, at paragraph 6 of the appeal decision which granted outline consent for a dwelling on the vacant part of the site the Inspector concludes that the site is in an attractive residential area, but one that displays no particular architectural style or uniformity. The current proposal would make a contemporary response to the site and no objections are raised in this regard given the mixed character of the area. In terms of scale and building line the proposal is considered to sit comfortably within the streetscene, responding to the curve in the road and the topography of the site. Concerns have been raised regarding the durability and long-term appearance of the timber cladding, and a condition requiring this to be treated is recommended.
- 60 The Dulwich Wood Conservation Area is approximately 80m to the north-west of the site and given this separation distance it is not considered that its setting would be affected.

Impact on trees

- 61 An arboricultural report has been submitted with the application and has been reviewed by the Council's Urban Forester, who has advised that whilst the development would alter the notable woodland character of the site, the plot layout and design successfully seeks to retain the trees of greatest amenity value. Of the 23 trees affected by the proposed development, 9 would require removal in order to facilitate the development and suitable mitigation by way of replanting would be required through a landscaping plan; further conditions to protect the retained trees on the site are recommended.

Sustainable development implications

- 62 The proposed houses would achieve Code for Sustainable Homes level 5 which would exceed the Council's target of level 4 as required by strategic policy 13 of the Core Strategy; a condition to secure at least level 4 is recommended. The applicant is also proposing to use ground source heat pumps and photovoltaic and solar thermal panels and these measures are welcomed.

Ecology

- 63 Saved policy 3.28 of the Southwark Plan states that the Local Planning Authority will take biodiversity into account in its determination of all planning applications and will encourage the inclusion in developments of features which enhance biodiversity, requiring an ecological assessment where relevant.
- 64 An ecological survey has been undertaken and a report submitted with the application.

The report concludes that the primary features of ecological value are the mature trees to the north of the site, the majority of which are to be retained and that the proposal would not have a significant impact upon the ecological or biodiversity value of the site. The report has been reviewed by the Council's Ecologist who agrees with its findings and recommends a number of conditions, including a condition for the eradication of Japanese knotweed which is present on the site.

- 65 The ecological assessment considered the presence of bats, and a separate bat survey was carried out in relation to 9 Fountain Drive (Hillside), which would be demolished as part of the proposals. The findings of the survey are that the building was highly unlikely to support roosting bats and this too has been agreed by the Council's Ecologist. Natural England have been consulted on the application and have raised no objections. In addition to landscaped gardens, the proposals would incorporate green roofs, bird and bat boxes.

Other matters

Mayoral Community Infrastructure Levy (CIL)

- 66 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.
- 67 The existing dwelling on the site is lawfully occupied at present therefore its floor area (250sqm) can be subtracted from the proposed new floorspace for the purposes of CIL. In this instance a total of 940sqm of new floorspace would be provided and a CIL payment of £32,900 is due (940sqm x £35).

Conclusion on planning issues

- 68 The proposed development would be acceptable in landuse terms, would provide an acceptable standard of accommodation for future occupiers and would not result in any significant loss of amenity to neighbouring occupiers. The design of the proposal would be acceptable and replacement tree planting could be secured by condition. The houses would exceed the Council's Code for Sustainable Homes targets and there would be no adverse impacts with regard to ecology. It is therefore recommended that planning permission be granted.

Community impact statement

- 69 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

Details of consultation responses received are set out in Appendix 2.

70 Summary of consultation responses

13 representations have been received objecting to the proposal, from the following addresses:

5, 6, 7, 11 and Greenbanks on Fountain Drive, 9, 13 and 15a Sydenham Hill, 2 and 6 Rockhill, Wavel Place (no number provided), 5 Hogarth Court and one response with the address withheld.

- 71 One representation has been received in support of the proposal from Flat 6, 11 Sydenham Hill.

Human rights implications

- 72 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

This application has the legitimate aim of providing 5 houses. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2092-9 Application file: 12/AP/2619 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5410 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Victoria Lewis, Senior Planning Officer	
Version	Final	
Dated	5 October 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	29 November 2012	

Consultation undertaken

73 **Site notice date:** 12/09/2012

Press notice date: Not required.

Case officer site visit date: 12/09/2012

Neighbour consultation letters sent: 03/09/2012

Internal services consulted:

74 Ecology Officer
Transport Planning
Urban Forester

Statutory and non-statutory organisations consulted:

75 Natural England
Thames Water

Neighbours and local groups consulted:

03/09/2012	20 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	21 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	22 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	2 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	17 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	18 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	19 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	27 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	28 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	29 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	26 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	23 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	24 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	25 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	16 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	FLAT 9 HOGARTH COURT FOUNTAIN DRIVE LONDON	SE19 1UY
03/09/2012	HILLSIDE FOUNTAIN DRIVE LONDON	SE19 1UP
03/09/2012	RIDGEWAY 6 FOUNTAIN DRIVE LONDON	SE19 1UW
03/09/2012	FLAT 8 HOGARTH COURT FOUNTAIN DRIVE LONDON	SE19 1UY
03/09/2012	FLAT 5 HOGARTH COURT FOUNTAIN DRIVE LONDON	SE19 1UY
03/09/2012	FLAT 6 HOGARTH COURT FOUNTAIN DRIVE LONDON	SE19 1UY
03/09/2012	FLAT 7 HOGARTH COURT FOUNTAIN DRIVE LONDON	SE19 1UY
03/09/2012	13 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	14 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	15 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	12 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	1 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	10 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	11 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	3 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	7 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	8 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	9 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	6 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	44 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	45 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	5 WAVEL PLACE LONDON	SE26 6SF
03/09/2012	11A SYDENHAM HILL LONDON	SE26 6SH
03/09/2012	15A SYDENHAM HILL LONDON	SE26 6SH
03/09/2012	9 SYDENHAM HILL LONDON	SE26 6SH
03/09/2012	13 SYDENHAM HILL LONDON	SE26 6SH
03/09/2012	15 SYDENHAM HILL LONDON	SE26 6SH

Re-consultation:

- 76 The applicant was asked to annotate detailed dimensions and heights on the drawings and to supply a detailed rear elevation and a drawing showing how much of the buildings could be seen from the rear of 11a Sydenham Hill. Following this neighbouring residents were reconsulted on 23rd October 2012 and given until 8th November 2012 to make any additional comments.

Consultation responses received

Internal services

Ecologist

- 77 The habitat survey is acceptable and I agree with the findings. The habitat report mentions a separate bat survey which should be submitted as soon as possible.
- 78 The Design and Access statement covers biodiversity in Para 6.6 and landscaping in Para 7. The statement mentions green roofs, bat and bird boxes and retention of mature trees along Fountain Drive. I welcome all of these features inclusion in the development and once delivered they would mitigate for any habitat loss and enhance the site for biodiversity. There is no landscape plan submitted, it would be very helpful to see a landscape plan so we could determine this plan in relation to biodiversity.
- 79 Following receipt of the bat survey for Hillside:
- 80 The survey is acceptable. Light pollution should be kept to a minimum as recommended in the bat and habitat reports. Conditions recommended.

Transport Planning

81 **Vehicular Access**

Two points of access are proposed, with the existing access outside Hillside amended and a new point of access proposed to the north. An existing crossover which will be made redundant will need to be reinstated as footway.

- 82 More detailed plans of the proposed vehicle crossovers are required which show that the applicant can demonstrate the principles of design contained within Appendix 4 of the *Southwark Council Sustainable Transport Supplementary Planning Document* which provides information related to LBS's Vehicle Access Policy. In addition to planning consent, any new or altered access must have the approval of the Highways Authority, before construction. Please include the following informative:

- 83 "The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer through entering into a S278 agreement. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal Engineer, Infrastructure Group (020 7525 5509), at least 4 months prior to any works commencing on the public highway. The applicant is recommended to view Appendix 4 of the Southwark Council Sustainable Transport Supplementary Planning Document "

Vehicular Visibility Splays

- 84 Visibility splays and safety will be assessed by the Highways Authority, but guidance can be found in Appendix 4 of the Southwark Council Sustainable Transport Supplementary Planning Document and the DfT's Manual for Streets Section 7.

Policy 5.3 (Cycle Storage)

- 85 Table 6.3 of the Mayor's London Plan 2011 states that for residential units there is a requirement for a minimum of 1 space per 1 or 2 bed unit; and a minimum of 2 spaces for each 3+ bed unit. Policy 5.3 of the Southwark Plans requires cycle parking to be

secure, convenient and weather proof.

86

We recommend Sheffield stands as the preferred cycle storage method in all cases and request that the applicant makes every attempt to provide these in the design of the development. The applicant has provided a lower ground floor plan which shows how each unit will be provided with a space for 5 cycles. Although this level of provision is welcomed, it is noted that a two-tier system is proposed which are not recommended; although manufacturers will often state the ease of use of such systems, it is known that the elderly, children and the mobility-impaired often have difficulty in using them.

Requirement

87

Given that this is a new development involving the demolition of existing buildings it cannot be argued that there are site constraints to providing cycle parking which conforms to the minimum standards of our best practice guidance. The applicant is required to submit to the Council, for approval, detailed and scaled drawings to demonstrate the storage to be of the dimensions, and be of a recommended style as stated in our best practice guidance:

- Cycle Parking Guide for New Residential Developments produced by Transport Initiatives LLP;
- Manual for Streets, sections 8.2.21-8.2.24 produced by the DfT;
- Workplace Cycle Parking Guide produced by TfL.

88 **Policy 5.6 (Car Parking)**

This proposed development is located in an area with a TfL PTAL rating of 3 reflecting the area's medium level of access to all forms of public transport and is not located within a CPZ. Developments are required to provide off street parking to avoid any overspill parking associated with the development.

89 Table 15.4 in the Southwark Plan, states that for residential developments the parking standard for the suburban zone is 1.5 to 2 spaces per unit. Given that these are 4-bedroom family units we would expect that some, if not all of the units would have more than one car.

90 As stated by the applicant, there are no parking controls along the western kerbside of Fountain Drive, however we would not welcome any development which leads to vehicles being parked on the road especially in this location where the road bends and the council have invested in improving cyclist safety.

91 The applicant has proposed only 1 space per unit which is considered unacceptably low, especially as there are no site constraints to providing a sufficient level parking.

92 **Refuse and Recycling Storage**

Each unit at the site will be provided with a 240l bin for recycling and a further 240l bin for refuse. Where space allows, these must be placed to the front of the property within the site boundary. Further bins for garden waste will also be provided and should be accommodated.

93 **Service Parking and Access**

Servicing and refuse collection will be undertaken from Fountain Drive. Due to site constraints no off street serving facilities can be provided. Given the nature of the proposed development and the location of the bin stores it is not thought there will be:

- many service vehicle movements associated with the above application; or
- refuse vehicles stationary in the highway for an extended period.

94

Construction Management Plans

Should the construction of a development require the occupation or closure of the carriageway or footway, involve a high volume of construction related vehicle trips, or any other significant impact on the highway network then a Construction Management Plan is required prior to any demolition or construction works on site.

95 This development is not expected to create a vehicular trip generation which will have a significant negative impact on the highway network.

The Transport DC team do not object to this application in principle. However, until the above issues are addressed we cannot recommend an approval.

In summary, the applicant is required to revise plans/ provide further details regarding:

- I. Cycle Parking;
- II. Car parking;
- III. Vehicle access.

Urban Forester

96 The plot layout and design successfully seeks to retain the trees of greatest value to amenity. However, development will unavoidably alter the notable woodland character of the site which is characterised by the existing large, mature trees and extensive canopy cover. Although an arboricultural report has been submitted, which correctly identifies root protection areas, the recommended protection measures require further confirmation in order to adequately ensure retained trees will not be damaged. This is of most concern in relation to the proposed major excavation and necessary ancillary works, including the prevention of site access between the two plots as envisaged.

97 The report itself adheres to the former British Standard 5837 (2005) which has since been superseded. Recommendations with an arboricultural report should therefore be updated in light of this, especially in relation to supervision by a site arboriculturalist.

98 Of the 23 trees affected by the proposed development 9 will require removal in order to facilitate construction, representing a loss of 39% of the total stem diameter (8.32m² tree girth). Suitable mitigation will be required within a landscape plan; conditions recommended.

Statutory and non-statutory organisations

Natural England

99 Natural England has adopted standing advice for protected species. The protected species survey has identified that bats, a European protected species may be affected by this application. Natural England supports the precautionary measures detailed in the bat survey.

Neighbours and local groups

100 13 representations have been received objecting to the application on the following

grounds:

- Overdevelopment and overcrowding of the site;
- The area is characterised by houses within large plots;
- Inappropriate design, height, scale and massing and harm to the character and appearance of the area;
- It is not clear whether the applicant owns the Hillside part of the site which could result in partial completion of the development;
- Lack of detailed information and difficulty in obtaining detailed information including building heights;
- Loss of privacy and outlook;
- Overshadowing and loss of light;
- Access, parking and highway safety;
- Impact on trees, wildlife and ecology;
- Difficulties in enforcing sustainability measures;
- Unreliable information in the application;
- Noise and air pollution including during construction;
- Discrepancy in consultation documents regarding whether 3 or 4 bedroom houses are proposed;
- It is not clear what vegetation will remain on the site;

101 One representation has been received in support of the application on the following grounds:

- it would make a positive contribution to the area;
- the site needs to be used / developed;
- it promotes sustainable and green development;
- there is a need for family housing.

Re-consultation

102 Following re-consultation representations have been received from 5, 6, 7 and 11 Fountain Drive, 9 Sydenham Hill and 5 and 35 Hogarth Court, objecting to the proposal on the following grounds:

- Parking, road safety and road widths marked inaccurately on the application drawings;
- overshadowing, loss of light and overlooking;
- the additional details provided increases concerns regarding impact on the neighbouring properties;
- overdevelopment and overcrowding;
- lack of detailed information;
- loss of trees;
- questions the need to demolish an existing building which fits well into the landscape;
- questions what powers are available to ensure the development is completed in accordance with the plans;
- lack of outdoor amenity space;
- there was a delay in the objections from residents being posted on the Council's website;
- visual impact of the sedum roofs if they are not properly maintained;
- request that a site visit be undertaken from 9 Sydenham Hill - response - a site visit was undertaken from the rears of 11 and 11a Sydenham Hill which would be the closest neighbours to the proposed houses;
- increased traffic.