

DM2020/01062

Development Land North Side And Adjoining 1 To 12 Bishops Place, Sutton

<b>Committee</b>	Planning Committee
<b>Committee Date</b>	5 May 2021
<b>Committee Chair</b>	Councillor Drew Heffernan
<b>Report From</b>	Simon Latham, Interim Strategic Director of Regeneration, Housing and Planning
<b>Site Reference</b>	DM2020/01062
<b>Site Address</b>	Development Land North Side And Adjoining 1 To 12 Bishops Place, Sutton
<b>Time taken</b>	42 weeks 6 days
<b>Applicant</b>	Gelbray Capital Projects Ltd
<b>Agent</b>	Miss Heidi Duncan (Nexus Planning)
<b>Ward(s) Affected</b>	B07 - Sutton Central

## 1 Summary

- 1.1 The application seeks planning permission for the demolition of existing buildings on site and the erection of a three storey terrace comprising 9 dwellings, 6 of which are 3+ bedroom plus in size, including the provision of car parking and cycle parking, refuse storage and private amenity space.
- 1.2 The proposed development has been reduced from 10 units to 9 following the adoption of the New London Plan 2021, which requires developments of 10 or more units to provide affordable housing unless it can be demonstrated they are not viable enough to do so. Previously the minimum threshold for providing affordable housing was 11.
- 1.3 This application has been referred to the committee because more than 10 public representations have been received contrary to the officer's recommendation.

## 2 Recommendation

- 2.1 To **GRANT** planning permission, subject to the conditions outlined at Appendix B and completion of the Section 106 agreement (with the obligations secured outlined at 3.2) by 30 July 2021, or a later date as agreed in writing by the Interim Strategic Director of Regeneration, Housing and Planning.

### Summary of reasons for recommendation

- 2.2 The principle of a residential development on the site is acceptable in land use terms.

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- 2.3 The design of the proposal is acceptable and would provide a policy compliant building in terms of height, bulk, character, design and would not result in harm to the character of the surrounding street-scene or that of the wider Newton Area of Special Local Character.
- 2.4 The proposed density is acceptable for the site and the development would provide a valuable source of family housing close to Sutton Town Centre.
- 2.5 The proposal would not adversely affect the amenity of neighbouring residential occupiers.
- 2.6 The proposal would provide an acceptable standard of accommodation along with private amenity space.
- 2.7 The proposal would not result in significant cumulative harm to the Public Highway network and would provide an adequate level of car parking for the town centre location in accordance with the Local Plan car parking standards.
- 2.8 The proposal would be a carbon neutral development, with a contribution of £18,692 to the Council's Carbon Offsetting Fund.
- 2.9 The proposed development would be air quality neutral and would therefore not result in increased emissions that would be harmful to local residents. It would also not generate a significant amount of noise and nuisance over an above what would be associated with the existing permitted use.
- 2.10 The proposal would result in no net loss of biodiversity and would not result in harm to any trees with significant amenity value.
- 2.11 The proposed Sustainable Urban Drainage Scheme (SuDS) is acceptable and would not result in surface water flooding within the site or elsewhere.

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### 3 Background and Key Information

#### Conditions

- 3.1 The conditions proposed to be included if planning permission is granted are attached at Appendix B.

#### Section 106 obligations secured

- 3.2 A financial contribution of £18,692 towards the Council's Carbon Offsetting Fund.
- 3.3 To prohibit the future occupiers of the proposed dwellings from obtaining residents car parking permits in the Sutton Town Centre Controlled Parking Zone.

#### Site and surroundings

- 3.4 The site is located on land to the rear of St Barnabas Road, Carshalton Road and Lind Road. The application site is accessed from St Barnabas Road to the east and from Bishops Place via Lind Road to the west. The land accommodates a number of single storey industrial buildings, all of which are in a poor state of repair, and is mainly surfaced with concrete hard standing. The last known use of the land is considered to have been within uses found within Class B2 (general industrial) of the new Town and Country Planning (Use Classes) Order 2021. The site has been wholly vacant since April 2017.
- 3.5 The surrounding area has a mixed character, with some small scale industrial uses including an MOT centre (Sui Generis use class) and a vehicle repair shop (B2 use class) situated immediately to the west of the site. The wider area is predominantly residential and is characterised by two storey residential dwellings, some of which have roof accommodation or three storey flatted developments.
- 3.6 The site lies within the Newton Area of Special Local Character, which is largely characterised by two-storey Victorian terraced housing with small front gardens, which are finished in a combination of render and brickwork.

#### Site specific designations

- 3.7 Area of Potential Intensification, Newton Area of Special Local Character, Decentralised Energy Opportunity Area.

#### Planning History

- 3.8 **90/35191/FUL** - Erection of a two-storey building comprising workshop / warehouse at ground floor level with office accommodation over and provision of four car parking space. **Refused 14th January 1991.**
- 3.9 **91/36403/EUC** - Use of land as a scrap yard. **Granted 18th December 1991.**

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- 3.10 **95/39908/FUL** - Erection of building for light industrial purposes. **Granted 18th September 1995.**
- 3.11 **DM2018/00952** - Outline application to determine access, appearance, layout and scale of a part one, part two storey building with accommodation within the roof, comprising of 24 self-contained units (15 x 1-bed and 9 x 2-bed) with 2 parking spaces, cycle and refuse stores, amenity space and with access to St. Barnabas Road. **Refused 31 October 2018.**
- 3.12 This application was refused for the following reasons:
1. Lack of affordable housing
  2. The proposal would have amounted to an overdevelopment of the site
  3. The proposal by reason of its scale and massing would have been detrimental to the character of the Newton ASLC and the surrounding street-scene.
  4. The proposal would have created a situation that would have resulted in harm to the privacy and residential amenity of the occupiers of neighbouring dwellings on Vernon Road and St Barnabas Road.
  5. The proposal by reason of its close proximity of the MOT Garage to the west of the site would result in noise disturbance to future occupiers of the development.
  6. Lack of 3-bed family housing
  7. Insufficient information provided in relation to the air quality impacts of the scheme.
  8. Insufficient information provided in relation to the energy strategy of the development.
  9. Insufficient information provided in relation to drainage strategy of the development.
  10. Insufficient information provided to demonstrate that the proposal would not result in harm to or jeopardize the future retention of the significant oak tree to the rear of 73-75 Carshalton Road.
  11. The proposal would result in overspill car parking to the detriment of other users of the public highway and the safe operation of the highway due to the lack of a legal agreement to prevent occupiers being able to secure a parking permit.

#### Pre-application History

- 3.13 There is no pre-application history for this site.

#### **4 Application Proposals**

- 4.1 Planning permission is sought for the demolition of the existing three industrial buildings on the site and the erection of a three storey terrace comprising 9 new residential units, including five 4-bed dwellings, one 3-bed dwelling and three 2-bed dwellings, along with associated parking, access and landscaping.
- 4.2 The proposed development takes the form of an east to west terrace designed with multi-aspect dual pitched and mansard roofs, with parapet delineations between the individual properties. The development would be constructed with two tone London brick elevations and slate effect roof tiles and would feature stonework fenestration detailing and anthracite coloured standing seam panelling for the dormer elements. The overall development would measure 38.6m in width by 11.4m in depth and would have a maximum ridge height of 9.95m, with a height to the eaves of 6.42m. The terrace is not a

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completely straight line footprint because the eastern half deviates slightly forward in a southerly direction.

- 4.3 The scheme incorporates private rear gardens for each of the 7 dwellings, as well as for a proposed ground floor flat that measure between 40m<sup>2</sup> and 50m<sup>2</sup> (with the exception of unit 5 which measures 90m<sup>2</sup>), whilst the first floor flats would be served by private balcony areas that measure between 6m<sup>2</sup> and 8m<sup>2</sup>.
- 4.4 The new dwelling units would be accessed from St Barnabas Road and Lind Road via the existing driveway into the site, and would be served by an internal parking area that would accommodate 10 vehicles. In addition to parking spaces, the area to the front (south) of the site would be laid with a mixture of hard and soft landscaping. Secure bin and cycle storage areas would also be located within this area, providing for 3 x 270l bins and 2 x cycle spaces per unit.

#### Amendments

- 4.5 Following concerns relating to the design and massing of the original submission, the application has been amended by plans submitted on 22nd October 2020, which reduced the height of the proposed development by 1.1m and simplified the elevational arrangements by removing roof lights. The proposed terrace/balcony areas were also moved from the northern side of the building to its southern side in response to concerns that were raised in relation to impact on the levels of privacy enjoyed by the occupiers of dwellings to the north of the site on Vernon Road.
- 4.6 The applicant has also provided a noise and vibration report together with plans that incorporate associated mitigation measures, including the provision of a 2.7m deep and 2.0m high timber acoustic screen to mitigate potential noise nuisance from the adjacent industrial site.
- 4.7 Following the adoption of the new London Plan 2021, the applicant has submitted amended plans that detail a re-arrangement of the internal floor areas of the development, which have had the effect of reducing the number of proposed units from 10 to 9 units.
- 4.8 All neighbours that were originally consulted have been re-consulted on these amendments.

## **5 Publicity**

### Consultation

- 5.1 A total of 155 letters were sent on 24th August 2020 to addresses on Carshalton Road, Bishops Place, St Barnabas Road, Lind Road and Vernon Road. Following the submission of amended details a further round of letters was sent on 13th November 2020.

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- 5.2 Two site notices were originally posted on St Barnabas Road and Lind Road on 5th August 2020. Two more site notices were posted on 20th November 2020 and 11th April 2021 following the submission of amended details
- 5.3 A press notice was originally published on 6th August 2020, and further notices have been published on 18th March and 1st April 2021.

Number of letters received in response to the proposal

- 5.4 In total 32 letters of representation were received from the following addresses:
  - 81, Carshalton Road (4 letters)
  - 83 Carshalton Road
  - 166 Carshalton Road
  - 4 Vernon (2 letters)
  - 24 Vernon Road
  - 39 Vernon Road
  - 30 Vernon Road (3 letters)
  - 32 Vernon Road (3 letters),
  - 16, 24, 26, 39 (Buchanan Court), Vernon Road
  - 1 St Barnabas Road (6 letters)
  - 9 St Barnabas Road (3 letters)
  - 15 St Barnabas Road
  - 3, 5 St Barnabas Road
- 5.5 2 letters of representation were received in support of the proposed development from the following addresses:
  - 18 Bishops Place

Representations received

- 5.6 Material objections:

Objection Letters Received	Response
Loss of Privacy to Vernon Road	There were significant concerns in relation to the potential impact of the original proposal on the privacy enjoyed by the occupiers of the dwellings to the north of the site on Vernon Road. In response, the applicant has submitted amended plans which have reduced the height of the development by 1m and removed raised terrace/balcony areas along with roof level windows. The development would maintain a distance of 20m from the rear elevations

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	<p>of the properties on Vernon Road and a distance of 9m from the shared rear garden boundary. As such it is not considered that the amended scheme would have a significant impact on the privacy of the occupiers of these dwellings.</p>
<p>Loss of Sunlight/daylight to Vernon Road</p>	<p>As mentioned above, the height of the proposed development has been reduced by 1m, and the ridge height of the development would be lower than many 2 storey dwellings within the surrounding area. The restricted heights, coupled with the fact that the development would be situated 20m away from the neighbouring properties on Vernon Road would ensure that the development would not lead to a significant or harmful loss of light to these properties.</p>
<p>Both access' to the site from St Barnabas Road and Lind Road are not suitable for residential development due to their narrow width. The development would therefore lead to congestion and safety concerns.</p>	<p>It is acknowledged that both access routes to the site are narrow, although the site in recent years has been used by larger vehicles associated with the permitted industrial use, as well as serving the rear of dwellings situated on Carshalton Road. The scheme would provide 10 dwellings with only 9 parking spaces, and no objections have been received from TFL or the Council's Highways Officer in terms of the quantum of development. In addition, it should be noted that the access opens up to allow 2 vehicles to pass at the central portion of the site, and that a turning head has been incorporated to enable vehicles to turn around in the event of one of the accesses being obstructed, which would reduce instances of vehicles needing to reverse for an extended distance.</p>
<p>The access is too narrow for waste and emergency vehicles</p>	<p>Both the London Fire Brigade (LFB) and the Council's Waste and Recycling Officer have confirmed that there are no objections to</p>

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	<p>the proposed development, with LFB noting that there is no need to provide an additional fire hydrant on site. In addition, the site access complies with the minimum width requirements for waste and fire vehicles as set out within national design guidance. However, the applicant has agreed to provide a fire hydrant within the site for fire appliances to connect to if the access was blocked and they could not gain access to the proposed development. They have also agreed to provide a private waste collection arrangement which would avoid the need for large waste lorries to gain access.</p>
<p>The proposed development would provide insufficient parking provision</p>	<p>The development benefits from being located within an area that has a high level of accessibility to public transport, and is therefore assessed as having a low level of car dependency. As such, the proposed 9 car parking spaces is considered sufficient for the site's sustainable location and this is acceptable to the Council's Highways Officer.</p>
<p>The proposal due to its height and design would harm the character and appearance of the area</p>	<p>It is considered that the height, general scale and design of the proposed development is acceptable as it responds to the surrounding constraints (including neighbouring dwellings). The terraced form and arrangement is similar to the pattern of other developments within the surrounding street-scene and the materials chosen would be sympathetic to the general palette of the area. In addition, due to the concealed nature of the site, the development would not be prominent within the area and would not have a significant impact on the character and appearance of the wider Newton ASLC.</p>
<p>The proposal would have an adverse impact in terms on the highway by increasing traffic in the immediate vicinity</p>	<p>The proposed development has been assessed by both Transport for London and the Council's Senior Highways Engineer</p>

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	and no concerns have been raised in relation to the impact of the development on the functioning of the local highway network.
The proposal would cause unacceptable levels of noise and nuisance whilst under construction	It is acknowledged that the development would create noise and nuisance throughout its build process however conditions are attached to this recommendation which would require the applicant to submit a dust management scheme and a construction logistics plan prior to the commencement of work, in order to reduce the potential construction impacts on neighbouring amenity.
The development would lead to a loss of light industrial sites within Sutton	The applicant has provided details of an extended marketing period, which demonstrates that no significant interest has been received for purchasing or renting the site for the existing permitted industrial uses. As such, the proposal would be compliant with Policy 14 of the Sutton Local Plan, which requires evidence to be provided that demonstrates a lack of demand prior to the redevelopment of an industrial site. Furthermore, the site does not fall within one of the borough's strategic industrial locations.
The existing light industrial uses on Bishops Place would have a detrimental impact on the amenity of potential future occupiers of the development.	The applicant has submitted a noise and vibration assessment which demonstrates that adequate mitigation can be provided to ensure that all of the proposed units would not be exposed to detrimental levels of internal noise levels.
<b>Support letters received</b>	
The proposal would bring a derelict site back into positive use, and The removal of the existing buildings would improve the visual appearance of the area	It is agreed that the proposed development would improve the visual appearance of the building and its relationship with the surrounding area and would provide a valuable source of much needed family housing within the borough.

Internal and external consultations

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5.7 The following internal consultees were consulted and the comments are listed in the table below:

<b>Internal Consultation</b>	<b>Comments Received</b>
Sustainability	Raised no objection subject to securing a contribution of £18,692 towards the Council's Carbon Offsetting Fund through a S106 legal agreement and conditions to ensure the development is built out in accordance with the agreed energy strategy.
Biodiversity	Acknowledged the site is of poor ecological value and raised no objection subject to conditions securing a construction environmental management plan (including Precautionary Methods of Working and pre-demolition surveys) and biodiversity enhancement management plan (including an updated BNG calculator)
Waste Management	No objection.
Highways	No objection to the parking provision or trip generation of the proposed development subject to conditions securing the final design of the cycle storage, a Construction Logistics Plan and a S106 legal agreement to secure a S278 agreement to prevent occupiers from being able to obtain a Council parking permit.
Tree and Landscape Officer	No objection.
Lead Local Flood Risk Authority	No objection subject to conditions securing final details of the SUDS scheme and confirmation of the implementation of the SUDS scheme.
Environmental Health	No objection subject to conditions in relation to emissions standards of construction vehicles, securing a dust management plan, boiler details, land contamination, hours of construction, being constructed in accordance with the recommendations of the noise and vibration report.

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Opportunity Sutton	No comments received
Planning Policy	No comments received
Housing Enabling Officer	No objection due to the reduction in units.

5.8 The following external consultees were consulted and the comments are listed in the table below:

<b>External Consultation</b>	<b>Comments Received</b>
Transport for London	<p>Given the site's high PTAL rating, the proposed parking provision should be removed entirely.</p> <p>TfL understands that a continuous link from Lind Road to St Barnabas Road through Bishop's Place will be created as part of the proposals. Servicing vehicles will use this link to access the site, which is welcomed.</p> <p>A restriction on residents applying for parking permits in the local CPZ should be secured through a section 106 agreement.</p> <p>A Construction Logistics Plan should be submitted prior to commencement.</p>
Environment Agency	No objection subject to conditions to secure details of a contamination site investigation scheme and associated verification report prior to the commencement of works, to secure a verification report to demonstrate that the development has been carried out in accordance with the agreed remediation strategy, to ensure works cease in the event of any unexpected contaminants being found, to prevent drainage systems that filtrate water into the ground, and to secure detailing of any piling works if required prior to the commencement of works.
Thames Water	No objection
London Fire Brigade	No objection
Secured by Design Officer	No comments received.

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Surrey and East Sutton Water	No comments received
Woodland Trust	No comments received

**6 Material Planning Policies**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise. The development plan for the London Borough of Sutton comprises the following documents:

- London Plan 2021
- Sutton Local Plan 2018

6.2 **Also a material consideration in determining planning applications are:**

- National Planning Policy Framework (NPPF) 2019.
- National Planning Policy Guidance (NPPG).
- Adopted London Borough of Sutton Supplementary Planning Guidance Documents.
- Human Rights Act 1998
- Equality Act 2010
- Publication London Plan 2020

6.3 **Public Sector Equality Duty (PSED) and Human Rights.**

6.4 In making your decision you must have regard to the Public Sector Equality Duty (PSED) under s149 of the Equality Act (2010). This means the Council must have due regard to the need (in discharging its functions) to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s). · Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

6.5 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.6 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s149 as all the factors that need to be considered may be balanced against other relevant factors.

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6.7 Whilst the proposal would result in the loss of a small light industrial site, it has been vacant since April 2017 and therefore would not result in a loss of employment. It would also provide much needed family sized housing within the Borough, which the Council has found difficult to deliver close to the Town Centre. It is therefore considered that the proposal would not result in any adverse impact on people with protected characteristics.

6.8 **Material Planning Policies in the Determination of this Application:**

6.9 **London Plan 2021 Policies:**

- GG2 Making the best use of land
- GG4 Delivering the homes Londoners need
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Noise
- H1 Increasing housing supply
- H2 Small sites
- H10 Housing size mix
- E4 E4 Land for industry, logistics and services to support London's economic function
- E7 Industrial intensification, co-location and substitution
- G1 Green infrastructure
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 13 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

6.10 **Sutton Local Plan 2018 Policies**

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- 1 Sustainable Growth
- 7 Housing Density
- 9 Housing Sizes and Standards
- 14 Industrial Use
- 26 Biodiversity
- 28 Character and Design
- 29 Protecting Amenity
- 31 Carbon and Energy
- 32 Flood Risk and Sustainable Drainage
- 33 Climate Change Adaptation
- 34 Environmental Protection
- 36 Transport Impact
- 37 Parking

#### 6.11 **Supplementary Planning Documents**

- SPD1 Designing Out Crime
- SPD14 Creating Locally Distinctive Places

### **7 Planning Considerations**

7.1 The main issues addressed within this report relate to the following (including whether any material planning objections have been reasonably addressed) as being most relevant to this application are:

- A) Principle of development**
- B) Design**
- C) Impact on residential amenity**
- D) Future occupier's amenity and quality of accommodation**
- E) Transport and highways**
- F) Waste and recycling**
- G) Sustainable design and energy efficiency**
- H) Drainage and flood risk**
- I) Trees and landscaping**
- J) Biodiversity**
- K) Air quality**
- L) Planning contributions**
- M) Recommendation**

#### 7.2 **A) Principle of development**

7.3 The National Planning Policy Framework (NPPF) requires the Council to make the most efficient use of land by maximising the re-use of previously developed land and the conversion of existing buildings.

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- 7.4 Policy 1 of the Sutton Local Plan states when considering development proposals the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The council will create the conditions for sustainable growth to deliver homes, jobs, thriving centres and improved infrastructure. The council will protect and enhance the borough's natural and historic environment. The council will harness the benefits of sustainable development for those who live and work in the borough.
- 7.5 The London Plan outlines the need for residential development within London through Policy 3.3 Increasing Housing Supply.
- 7.6 Policies 1 and 7 of the Sutton Local Plan 2018 acknowledge the NPPF's presumption in favour of sustainable development, but expect that the majority of housing to be provided within Sutton Town Centre and the other district centres and their surrounding Areas of Potential Intensification.
- 7.7 Paragraph b of policy 1 of the Sutton Local Plan 2018 states "The council will enable the delivery of at least 6,405 new homes over the plan period 2016-2031 (427 homes per annum), subject to any subsequent borough target approved by the Mayor of London." Paragraph d sets out where the plan expects these homes to be delivered with 10% (635 new homes) are to be located within the suburban heartlands.
- 7.8 Paragraph d of policy 7 of the Sutton Local Plan 2018 states "As a guide, the council will expect new developments to be within the Urban Setting of the London Plan Density Matrix (see below). This will be applied to an area within approximately 400 metres walking distance of a district centre (see Appendix 1, Maps 1.2 to 1.8 and Policies Map)."
- 7.9 The previous and last known use of the site was as a builders / storage yard, which are B2 / B8 uses. The proposal would provide residential dwellings on a brownfield site which is supported by national and regional policy. Policy E7 of the London Plan 2021 establishes that the residential development of non-designated industrial sites can be supported where there is no reasonable prospect of the continued use of the site for industrial purposes, and paragraph d of Policy 14 of the Sutton Local Plan states "Outside the Strategic Industrial Locations and Established Industrial Areas, proposals resulting in the loss of industrial/business floorspace will not be granted planning permission unless it can be demonstrated that:
- (i) The retention of existing use will have an adverse effect on residential amenity and there is no reasonable prospect that this effect can be alleviated by retaining the use.
  - (ii) There is genuine evidence that the site has been marketed for a period of 12 months at a reasonable market rent for its location and condition.
- 7.10 The proposal would result in the loss of industrial land outside an established industrial area, and as such it should be demonstrated that the continued use of the land for industrial purposes is no longer viable.
- 7.11 The applicant has submitted two marketing reports. The first was carried out by Centro property agents dated August 2017, which provides evidence of the site being marketed

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as early as January 2015. The second is dated July 2020 and sets out a further marketing exercise carried out by Hunters property agents since October 2018. Both of these documents demonstrate that the freehold and leasehold of Bishops Place Yard has been marketed since 22nd January 2015 on a number of forums, including through online advertising, direct contact through the property agent, national branch networks and commercial portals.

- 7.12 The marketing exercises have resulted in a number of enquiries, however no serious interest has been expressed in relation to the site's continued use as a builders/storage yard. On the contrary, all expressions of interest have been in relation to the redevelopment of the site for residential purposes. It is stated within the report that feedback from potential purchasers indicates that the reasons for a lack of interest relate to the site being contained by residential development and that the site access is only single lane width.
- 7.13 Noting the above and that the site is bound to the north, south and east by residential properties, it is considered that the principle of the change of use of this isolated industrial land for residential purposes is acceptable in land use terms, as the applicant has demonstrated that the site has been unsuccessfully marketed for its existing use. Furthermore the continued use of the site for industrial purposes could result in noise and disturbance to the neighbouring residential dwellings.
- 7.14 In addition to the above, it is considered that the proposal would provide an acceptable amount of residential units of the site, and would not lead to a form of development that would enclose or encroach upon neighbouring developments or would provide insufficient amenity and parking space. The quantum, scale and massing of the proposed scheme is also considered to be responsive to and appropriate to the surrounding area.
- 7.15 The scheme initially sought to provide 10 residential units, however, amended plans were submitted in March 2021 which reduced this number to 9. This alteration has been made in response to the adoption of the new London Plan 2021, which requires development schemes proposing 10 units or more to deliver affordable housing, unless there is a lack of viability. Prior to the adoption of the new London Plan 2021, the threshold for providing affordable housing was 11 units, meaning that the scheme would not have been required to deliver any or to provide information relating to the viability of the scheme. Rather providing a comprehensive viability assessment and delaying the application, the applicant has chosen to remove a unit to ensure the scheme remains under the affordable housing threshold. It should also be noted that the development covers an area of approximately 989m<sup>2</sup> and would therefore not be expected to provide affordable housing due to its square meterage, as assessed against Policy 8b of the Sutton Local Plan which also establishes that development schemes in excess of 1000m<sup>2</sup> should provide affordable contributions.
- 7.16 As such it is considered the development would be acceptable in principle in land use terms having regard to all other relevant policy and material considerations. The application is therefore considered to be in accordance with Policies GG2, GG4, H1, E4 and E7 of the London Plan as well as Policies 1, 7 and 16 of the Sutton Local Plan.

7.17 **B) Design**

- 7.18 The NPPF states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The London Plan Policies D1 - London's form, character and capacity for growth, D4 - Delivering Good Design and D8 - Public realm, state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes high quality architecture and design.
- 7.19 Policy 28 of the Sutton Local Plan states The council will grant planning permission for new development, including new buildings, alterations and extensions, provided the new development is of a high quality design, respects the context and character of the area and creates attractive public spaces.
- 7.20 The proposed redevelopment is for the demolition of the existing 3 warehouse buildings and the erection of a terrace encompassing 8 dwellings along with landscaping works to create a residential setting. It is considered that the development, through the provision of well designed housing, new tree planting and soft landscaping, would significantly improve the overall condition and appearance of the site, which is characterised by hard surfacing and buildings that are in a general state of disrepair.
- 7.21 The 10 new residential units will be arranged in a terrace situated within the central part of the site and would be provided with rear gardens that back onto the properties in Vernon Road. The properties will front onto a parking area and a through an access that would link St Barnabas Road (to the east) and Lind Road (to the west) via a private lane known as Bishops Place. A further parking area providing 2 vehicle spaces and a bin / cycle store for the two first floor flats would be provided on the southern side of access to the rear of properties at Carshalton Road. The development would have the appearance of a two storey terrace (with incorporated loft space accommodation) made up of four distinctive building blocks, which would be broken up through the use of alternating shades of brickwork and variation in roof forms and heights. The buildings would incorporate boxed dormer elements to the front elevation along with associated integrated balconies which would be accessed from second floor level, whilst the rear elevations would be more simplistic in character with the roof pitches extending to just behind the main facade. The main front and rear elevations would extend beyond eaves height to create parapets, which would tie in with dividing parapet features positioned between each of the building blocks. The two most westerly blocks along with the most easterly block would feature a simple mansard type roof structure, whilst the remaining block would feature a Gambrel roof design. The height of the terrace ridge line would increase from 6.2m at its western edge to 6.4m at its eastern edge in response to the land levels, although the tallest element would be the Gambrel roofed block (second from the eastern edge) which measures 7.0m.
- 7.22 The proposed development would be consistent in scale and height to the surrounding residential properties and the general amount of massing that would result from the terrace layout would be compatible with the area as all four of the surrounding streets incorporate terraces of a similar width. As such, it is considered that the proposed

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development would be responsive to and respectful of the general scale and massing of the area.

- 7.23 The design would be different to the prevailing character of the surrounding streets, and that of the Newton Area of Special Local Character, but this is a backland site characterised by industrial uses in which this development would represent a new development typology. It is difficult to replicate Victorian housing designs given the more generous space standards required by current policies and so it will not be a facsimile of the properties typically found in the surrounding streets. Because the site forms a backland area, it is reasonable to consider designs that are different but complementary to the wider area. In this instance the proposed designs are intended to reflect some of the industrial character typically found in these secondary service areas in this part of Sutton and it is considered an appropriate approach as the terrace would sit discretely within its setting.
- 7.24 The external materials of the building would consist of slate roof tiles, heather and golden buff coloured brickwork, anthracite coloured standing seam panelling and anthracite window units. The choice of materials will ensure that the development is sympathetic to the surrounding context despite its contrasting architectural form. A condition is included to ensure that samples of the external materials are submitted for approval prior to the commencement of development.
- 7.25 The proposed plot sizes are generally in keeping with many of the properties that surround the site, and present a similar arrangement by providing a designated parking forecourt and rear gardens. It is recognised that the garden areas would be smaller than those of surrounding dwellings, but at a minimum of 40m<sup>2</sup> in area, it is considered that they are all of a reasonable size, particularly given the constrained nature of the site and the fact that the site is located within a built up area.
- 7.26 In terms of landscaping, the proposed scheme incorporates a balance of hard and soft landscaping which would improve the overall condition and visual appearance of the site. By removing the existing buildings that are in a general state of disrepair and by softening its industrial environment through the introduction of a structured scheme of planting and shared surfaces, the development would represent an improvement in the environment in and around the site.
- 7.27 The proposed dwellings are considered to provide good quality family housing, incorporating high quality design and attractive external materials. The overall built form is considered to respect the appearance of the area and will improve the use and appearance of this backland site.
- 7.28 To ensure that the development remains cohesive and uniform in its appearance, it is recommended that permitted development rights are removed; this will ensure that the Council has control over any changes to external appearance of the terrace of properties.
- 7.29 Overall, it is therefore considered that the development would provide good quality housing, would incorporate high quality design and attractive materials, and that the scale and built form would respect the character and appearance of the local area as well as

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the special characteristics of the Newton Area of Special Local Character. For these reasons above, the development is deemed to be in accordance with Policies D1, D4 and D8 of the London Plan 2021 and Policy 28 of the Sutton Local Plan.

7.30 **C) The impact on residential amenity:**

7.31 Policy 29 of Sutton's Local Plan states that the council will not grant planning permission for development if it adversely affects the amenities of future occupiers or those currently occupying adjoining or nearby properties, or has an unacceptable impact on the residents of the surrounding area. As such, in assessing the impact of a proposed development, the council will take into consideration: privacy, sunlight or daylight exposure, noise and disturbance, whether the development creates a sense of enclosure and whether it would lead to a loss of outlook.

7.32 Given the location of the site, there are several groups of neighbouring properties to take into consideration, namely 1-11 (odd numbers) St Barnabas Road, 71-89 (odd numbers) Carshalton Road and 14-32 (even numbers) Vernon Road.

St Barnabas Road:

7.33 The nearest properties located on St Barnabas Road would be situated in excess of 21m from the eastern side elevation of the terrace, and a 5.2m gap would be retained from the rear garden boundaries of those properties. As the development would be two storeys in height and does not feature any windows within the east facing side elevation of the terrace, the proposal would not have a significant impact on the residential amenity of the occupiers of these dwellings as it would not result in an unacceptable increased sense of enclosure, be overbearing or lead to a significant loss of light, outlook or privacy.

7.34 As the scheme is for 10 dwellings and 10 car parking spaces, there will not be an unacceptable increase in use of the access compared to that which might occur if the existing lawful use was in operation, which allowed larger vehicles to frequently enter and exit the site from St Barnabas Road. It is also of relevance that should the application be approved, any permission would be subject to a condition that would prevent future occupiers of the development from obtaining a parking permit, which would further serve to limit the number of vehicles that would be entering and exiting the site via St Barnabas Road.

Vernon Road:

7.35 There are a number of properties on the southern side of Vernon Road between numbers 14 and 32, which would share a rear garden boundary with the proposed new dwellings. Despite the proximity of the gardens, the rear elevations of these properties would be located in excess of 20m from the northern rear elevations of the proposed development, and a distance of 9m would be retained from the rear elevation of the proposed development and the end of the gardens that would serve the new homes. The applicant has sought to address concerns that were raised in relation to the original design, which incorporated an excessive amount of windows and balconies within the rear elevation. The balcony elements have since been removed from the rear of the development along

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with some first floor and roof level windows, which has sought to reduce the potential for overlooking of neighbouring properties.

- 7.36 Given the above, it is not considered that the scheme would be overbearing or lead to a significant loss of light, privacy or outlook to the occupiers of these properties.

Carshalton Road:

- 7.37 The properties situated on the southern side of the site between 71 and 89 Carshalton Road lie approximately 29m from the south facing principal elevation of the proposed development. As such it is not anticipated that there would be any direct impacts on privacy and residential amenity of the occupiers of these properties. It is recognised that these neighbouring properties back onto the site access and some benefit from parking areas that are accessed from the site, but the proposal would not seek to alter or impede the existing access arrangements to the property. There are no formalised rear garden areas backing onto the site at this side that would be directly affected by noise and nuisance associated with the vehicular activity that the scheme would generate. It is noted that the development proposes to locate two vehicle parking spaces and a cycle/bin store within part of the site that extends to the south of the site access, but this would not interfere with any existing access or parking arrangements associated with neighbouring properties. The arrangement of this part of the site would maintain a rear access to 77 Carshalton Road.
- 7.38 While the proposed new dwellings would result in some noise and disturbance to existing residential occupiers, this must be considered in the context of the lawful existing use and on this basis it is considered that the levels of noise and disturbance are unlikely to be harmful.
- 7.39 It is therefore concluded that the proposal complies with the aims and objectives as set out in Policy 29 of the Sutton Local Plan.
- 7.40 **D) Future occupier's amenity and quality of accommodation**
- 7.41 Policy D6 of the London Plan 2021 and Policy 9 of The Sutton Local Plan 2018 is relevant in the assessment of the application.
- 7.42 The proposed development would provide six 4-bed dwellings, three 3-bed dwellings and one 1-bed dwelling, thereby providing 90% of units as 'family' sized dwellings, and exceeding the desired standards for housing with 3 or more bedrooms as set out in Policy 9 of the Sutton Local Plan, which seeks that 50% of units proposed outside of Sutton Town Centre are 'family' sized dwellings. Considering the sustainable location of the site, it is considered that this represents a valuable contribution towards the Borough's family housing stock, which is in high demand.
- 7.43 With regards to outside amenity space, the London Plan Housing Standards SPG requires that each new dwelling is provided with a minimum amenity space of 5 sqm with an additional 1 sqm for each additional person. However the Council's Urban Design SPD

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14 states that flats should provide a minimum of 25 sqm of private amenity space. Whilst dwellings with 3 or more bedrooms should be served by private gardens measuring at least 70m<sup>2</sup>, the SPD states that in some circumstances, particularly in Areas of Potential Intensification, this minimum standard may be considered more flexibly, and in this instance, due to the constrained nature of the site and the fact that it is located within a built up area, this is considered to be a situation where a more flexible approach can be appropriately applied. All of the proposed dwellings would be provided with private rear gardens of at least 40m<sup>2</sup>. Whilst this represents a significant shortfall when compared to the 70m<sup>2</sup> standard set out within Policy 14, it is recognised that providing larger garden areas would be problematic due to the need to factor in sufficient space for parking and access at the front of the site, and that a 40m<sup>2</sup> garden provides a reasonable amount of amenity space for the enjoyment of future occupiers of these units. Similarly, it is appreciated that the constrained nature of the site makes it difficult to provide 25m<sup>2</sup> of amenity space for the two flats that would not have access to a garden, but as these flats would be served by balcony areas that would comply with the Mayor's Housing SPG, they would still provide a valuable source of outdoor amenity space. It should also be noted that the site is within 350m of Manor Park which would also provide a nearby source of landscaped public space.

- 7.44 During the consideration of the application, there have been concerns over the proximity of the development to the existing MOT and vehicle repair businesses that are situated alongside the western boundary of the site, as such uses often produce levels of noise that are not conducive to a residential environment. The applicant has subsequently submitted a noise and vibration assessment which states that subject to the implementation of a number of noise mitigation measures, including the incorporation of an acoustic wall alongside the rear elevation of the most easterly dwelling, and ensuring that the windows within the rear elevation of this unit are to be fixed shut, the proposed development would provide a suitable living environment for the future occupiers of this development. The Council's Environmental Health Officer has assessed the submitted noise and acoustic report and has concluded that that subject to securing the suggested mitigation measures, there are no objections as the report demonstrates that acceptable noise levels can be provided within all of the proposed dwelling units.
- 7.45 Overall, it is therefore considered that the proposal would provide a satisfactory level of accommodation for future occupiers and would be in accordance with Policy D6 of the London Plan 2021 and Policy 9 of the Sutton Local Plan
- 7.46 **E) Transport and highways:**
- 7.47 Policies D12, T1, T2, T3, T4, T5, T6.1, and T7 of the London Plan 2021 as well as Policies 36 and 37 of the Sutton Local Plan are relevant for the assessment of the application.
- 7.48 The site has a public transport level of 5/6a, which is considered extremely good and is located close to Sutton town centre and its railway station. In addition to this Lind Road is currently located in the Sutton Controlled Parking Zone and St Barnabas Road is due to be introduced into the Sutton Green CPZ in October / November 2021. Carshalton Road to the south of the site is a Red Route under the control of TfL.

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- 7.49 The proposal would provide 9 car parking spaces for the proposed scheme as well as secure storage facilities for 2 bicycles per dwelling. The development seeks to utilise the existing access from St Barnabas Road to the east of the site for vehicle and pedestrian access and to implement a through access to Bishops Place and Lind Road to the west of the site.
- 7.50 The Council's Senior Highways Engineer has assessed the proposed development in respect of the access and parking and has confirmed that there are no objections to either of these elements or to the implementation of a link between the site access from St Barnabas Road and Bishops Place/Lind Road. However, it was recognised that the layout could be improved by providing a vehicle turning head within the site in order to make it easier for larger vehicles such as delivery vehicles to turn around in the event of either Bishops Place or the access from St Barnabas Road being obstructed by other vehicles. Given the high PTAL rating of the site and the fact that the development could be car free in such a location, the applicant has agreed to remove a parking space in order to provide a turning head at the southern end of the site.
- 7.51 Transport for London has raised no objection to the proposed access arrangements or cycle parking provisions, although they suggested that all of the parking spaces should be removed from the scheme as the site lies within an area with a high PTAL rating. Following the consideration of this request, it is deemed in this instance that allowing some form of parking provision within the site is acceptable in this location as the site is already served by a vehicular access and the scheme would be providing 9 'family' sized dwelling units, which generally have higher levels of car dependence.
- 7.52 The Senior Highways Engineer and Transport for London (TfL) has assessed the development in respect of the proposed access arrangements and the vehicle and cycle parking provisions, and has concluded that the development is acceptable subject to the applicant entering into a legal agreement to prohibit future occupiers of the development from obtaining residents car parking permits within the Sutton Town Centre controlled parking zone. As such, subject to the applicant entering into such a legal agreement, it is considered that the proposal would be in accordance with policies 6.9 and 6.13 of the London Plan and policy 37 of the Sutton Local Plan.
- 7.53 In terms of the impact of the development on the local road and public transport networks, the 10 additional dwellings will not significantly add to pressures on the local highway network or local on-street parking, particularly as the site would only provide 9 car parking spaces. However, the Council's Highways Officer has suggested that in the event of the application being approved, any consent should be subject to a S106 legal agreement to prevent future occupiers of the development from being able to obtain a Council parking permit. This would further reduce the scheme's car dependency and the amount of pressure that it would place on the local highway network.
- 7.54 In terms of deliveries, servicing and emergency vehicle access, it is appreciated that the access routes to the site from both St Barnabas Road and Lind Road are narrow, however, with the narrowest point measuring 3m, both of these routes satisfy the minimum width requirements for both waste vehicles and fire appliance vehicles as set

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out within the Manual for Streets design guidance document, which is 2.75m. That being said, whilst the Council's Waste and Recycling Officer and the London Fire Brigade have confirmed there are no objections to the proposed development, the applicant has agreed to provide private waste collection if it is felt necessary (details in relation to this could be secured by condition), as well as a fire hydrant within the site for connection to fire appliance vehicles, in addition to the internal turning head (as discussed above).

7.55 In addition, given the town centre location of the application site the Senior Highways Engineer has recommended a condition to secure a construction logistics plan prior to the commencement of development to ensure that during the construction phase of the development, it does not result in any impact which would be detrimental to the safe and efficient operation of the public highway network.

7.56 For the reasons above, it is considered that the proposal would be in accordance with policies T1, T2, T3, T4, T5, T6.1, and T7 of the London Plan 2021 and Policies 36 and 37 of the Sutton Local Plan.

7.57 **F) Waste and recycling:**

7.58 Policies SI7 of the London Plan 2021 and Policy 29 of the Sutton Local Plan require development proposals to provide adequate facilities for waste storage.

7.59 The development incorporates secure waste storage areas designed to accommodate a general waste, recycling and food waste bin for each unit of accommodation. The Council's Waste and Recycling team has been consulted and has confirmed that there are no objections to the proposed waste and recycling provisions and arrangements.

7.60 As mentioned above, the access to the site from St Barnabas Road complies in terms of the minimum width requirements for waste vehicles, and a swept path analysis has been submitted which shows an adequate turning radius can be achieved from the main highway. The applicant has agreed to provide private waste collection if there are concerns that access to the site by waste vehicles is unachievable.

7.61 **G) Sustainable Design and Energy Efficiency:**

7.62 London Plan 20201 policies SI1, SI2, SI3, SI4 and SI5 as well as Policies 31 and 33 of the Sutton Local Plan are relevant to the proposal as they set out minimum energy efficiency requirements.

7.63 The application has been accompanied by an Energy and Sustainability Assessment which has demonstrated that the proposal would provide a saving of 35% over the regulated carbon dioxide emissions, thereby complying with the requirement of 35% on site as set out within Policy 31 of the Sutton Local Plan. These savings would be through energy efficient glazing and wall structure, air tightness and energy efficient lighting. In addition to these design features the proposal would provide onsite renewable energy in the form of a Solar Panel Array. Accordingly, the reductions in regulated carbon dioxide have been achieved using the Mayor's Energy Hierarchy. The failure to provide savings

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of up to 100% has to be balanced with providing affordable energy sources for the future occupiers and as such further savings could not be made given the constrained nature of the site, the number of units proposed and the lack of ability to provide further renewable energy sources onsite. However, in accordance with part a(ii) of Policy 31 of the Sutton Local Plan, major developments are required to offset the remaining regulated emissions that are not saved by the scheme's energy strategy, to ensure that they are carbon neutral. In this instance, the applicant has agreed to pay £18,692 to the Council's Carbon Offsetting fund to achieve a zero carbon development. The Sustainability Officer has confirmed there are no objections to the proposal and has recommended conditions in relation to ensuring the development is constructed in accordance with the submitted energy and sustainability statement and to secure SAP results prior to its first occupation.

- 7.64 The applicant has also provided details of how the proposed dwellings would be water efficient achieving use of no more than 110 litres of water per person per day. In addition a cooling strategy has been undertaken and demonstrates that the risk of overheating has been mitigated. The Sustainability Officer has assessed these elements of the sustainability strategy and has recommended that no conditions are required in respect to these elements of the strategy.
- 7.65 A green space factor assessment has also been submitted which demonstrates that the proposed development will achieve an adequate increase in green infrastructure at the site.
- 7.66 As such the proposal is considered to be in accordance with London Plan 2021 policies SI1, SI2, SI3, SI4 and SI5, as well as policy 31 of the Sutton Local Plan.
- 7.67 **H) Flood Risk:**
- 7.68 Paragraph 163 of the NPPF seeks that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere.
- 7.69 Policy SI12 and SI13 of the London Plan 2021 and Policy 32 of the Sutton Local Plan require developments to provide adequate drainage infrastructure to prevent flood risk.
- 7.70 The applicant has submitted a Drainage Strategy report, which states that the proposed development would utilise rainwater harvesting with any water that cannot be captured being dealt with via infiltration via nine ring soakaways, a geocellular tank and permeable paving. Infiltration tests demonstrate a suitable rate of filtration can be achieved.
- 7.71 The scheme has been considered by the Lead Local Flood Authority who has confirmed the proposed drainage scheme and surface water filtration rates are acceptable. Conditions have been recommended to secure a final detailed drainage design, and evidence to demonstrate that the drainage design has been implemented in accordance with the approved scheme.
- 7.72 Thames Water has confirmed there are no objections to the proposed scheme.

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7.73 With the recommended conditions it is considered that the development would not result in the flooding of the development site or neighbouring site's and would be in accordance with policies S112 and S113 of the London Plan 2021 and policy 32 of the Sutton Local Plan.

7.74 **I) Trees and Landscaping:**

7.75 Policy 28 of the Sutton Local Plan requires that development provides high quality landscaping as well as to retain significant trees and landscape features on site.

7.76 The application site itself contains a limited number of significant tree specimens, although there are a number of Sycamore trees located alongside its northern, western and southern boundaries. The proposal would ensure the retention of most of these trees including a large specimen which represents the primary landscape feature for the site located to the rear of 75 Carshalton Road. The loss of two self seeded sycamores alongside the eastern and western boundaries of the site would be necessary but it is confirmed that they are not high quality specimens and therefore their loss would be acceptable subject to replacement planting being provided within the site. The applicant has included the provision of three new tree specimens within the rear gardens of plots 2, 4 and 10, which would provide appropriate mitigation for the loss of the existing sycamores. As such, the Tree and Landscape Officer has confirmed there is no objection to the proposed development subject to conditions to secure landscaping and tree protection details prior to the commencement of development.

7.77 A neighbour objection has been received in respect of the sycamore tree proposed for removal on the eastern boundary of the site. It is contended that the tree does not lie within the land owned by the applicant however land registry documents demonstrate that the tree does lie within land under the ownership of the applicant.

7.78 As previously mentioned, the applicant has also submitted green space factor calculations, which demonstrate that the development scheme would deliver an enhancement in terms of green infrastructure on the site when compared to the existing situation.

7.79 For the reasons stated above it is considered that the proposal would be acceptable in terms of landscaping and would be in accordance with Policy 28 of the Sutton Local Plan.

7.80 **J) Biodiversity:**

7.81 Policies G1, G5 and G6 of the London plan 2021 require new development to avoid adversely impacting on ecological designations and to improve biodiversity within development sites, whilst Policy 26 of the Sutton Local Plan aims to improve biodiversity across the borough through the planning system with major developments required to achieve a no net loss of biodiversity.

7.82 A Biodiversity Net Gain Calculator and a Preliminary Ecological Assessment (PEA) were submitted alongside the application, but following an assessment by the Council's Senior

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Biodiversity Officer, more information was sought in relation to the building situated alongside the eastern boundary of the site, as the PEA suggested that a further bat survey needed to be carried out for this building. Following discussions with the applicant, the applicant has submitted an amended PEA, which provides a more detailed assessment of this building as well as a more up to date assessment of the ecological value of the site, and the Biodiversity Officer has confirmed that the additional information is satisfactory to demonstrate that all of the existing buildings on the site are of negligible ecological value and provide a suboptimal habitat for bats and other protected species. In addition, it is not considered that the scrub and two Sycamore Trees sought for removal provide important habitats for protected species.

- 7.83 It has also been confirmed that the submitted biodiversity net gain calculator demonstrated that an ecological improvement can be achieved as part of the proposed development layout. As such, the Senior Biodiversity Officer has raised no objection to the proposal subject to conditions to secure a Construction Environmental Management Plan (CEMP), include precautionary methods of working and pre-demolition surveys and Biodiversity Enhancement Management Plan (BEMP), to include an update BNG calculator based on the final landscape designs.
- 7.84 As such it is considered that the proposal would be in accordance with policy 26 of the Sutton Local Plan.
- 7.85 **K) Air Quality:**
- 7.86 Policy 34 of the Sutton Local Plan is relevant for the assessment of the application.
- 7.87 The application has been accompanied by an air quality assessment, which considers both the construction phase and the operational phase of the proposed development. During the construction phase there is potential for dust and emissions, however this is not considered to be significant if best practice in dust control methods are undertaken.
- 7.88 The assessment also predicts the potential pollutants that the development would generate and concludes that the development would be air quality neutral in terms of its operation and would not exceed the Air Quality Management Area's annual mean Air Quality Objectives for NO<sub>2</sub> and PM<sub>10</sub> particulates.
- 7.89 The Environmental Health Officer has reviewed the submitted Air Quality Assessment and has raised no objection to the proposal on air quality grounds subject to conditions to secure details of the boiler system for the proposed dwellings, and a dust management plan prior to the commencement of development and to ensure that any non-road mobile machinery used during construction complies with emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG).
- 7.90 As such with the proposed mitigation and subject to compliance with conditions, the proposal would be considered to be acceptable in air quality terms in accordance with policy 34 of the Sutton Local Plan (2018).

**7.91 L) Planning Contributions:**

7.92 The London Borough of Sutton introduced its Community Infrastructure Levy (CIL) charging schedule in April 2014. Any new build, that is a new building or an extension, is only liable for the levy if it has 100 square metres, or more, of gross internal floor space and is charged at a rate of £100 per sqm. This is in addition to the Mayor's CIL charged at £25 per sqm. CIL is charged on the total net additional floorspace created (measured as Gross Internal Area).

7.93 All Local Authorities are required to index the CIL charges to take account of price increases between the time when charging schedules setting out an authority's rate come into force, and the time at which planning permission is granted. In this instance the London Borough of Sutton's CIL has been indexed from its adoption in April 2014 and the Mayoral CIL indexed from its adoption in April 2012.

7.94 The proposal would be CIL liable for Mayoral CIL, and Sutton CIL.

7.95 In accordance with the Council's Supplementary Planning Document 5, this development is liable for monetary and non-monetary obligations to make the development acceptable.

7.96 A number of issues will be addressed or secured by a S106 legal agreement. The heads of terms within the legal agreement are as follows; to prevent future occupiers of the development from obtaining car parking permits for the Sutton Town Centre CP and to secure a carbon offsetting contribution of £18,692.

**7.97 M) Recommendations:**

7.98 It is therefore recommended that planning permission is GRANTED.

**8 Reason(s) for recommendation**

8.1 The proposal is considered to be acceptable in terms of land use and the amount of development proposed.

8.2 The proposal would provide a valuable contribution to the boroughs 'family' housing stock.

8.3 The proposal is considered to be of an acceptable scale and massing and would help improve the general condition of the site and how it relates to the wider area. The detailed architectural design is also considered to be of a high quality and would complement the character or appearance of the surrounding street-scene or that of the wider Newton Area of Special Local Character.

8.4 The proposal would not result in harm to the amenity of neighbouring residential occupiers and would provide an adequate standard of accommodation to the future occupiers of the building.

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- 8.5 The proposal would be Carbon Neutral and would provide an adequate drainage system. The building would also be air quality neutral with the agreed carbon offsetting financial mitigation.
- 8.6 The proposal would not result in harm to any protected or significant trees and would provide an adequate level of landscaping for a town centre location and would also result in a no net loss of biodiversity.
- 8.7 The proposal would provide an adequate level of car parking and would be subject to a S106 legal agreement to prevent occupiers from obtaining a Council parking permit. As such, the proposal would not result in harm to the safe and efficient operation of the public highway.
- 8.8 For the reasons above it is considered that the proposal would be acceptable and it is recommended that the proposal is granted planning permission subject to the recommended conditions and the satisfactory completion of a S106 legal agreement.

**9 Appendices and Background Documents**

9.1 Appendices

Appendix Letter	Appendix Title
A	Site Plan
B	Conditions of application