



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Lisa Thornley  
*lisa.thornley@bromley.gov.uk*

DIRECT LINE: 020 8461 7566

FAX: 020 8290 0608

DATE: 29 February 2012

To: Members of the  
**DEVELOPMENT CONTROL COMMITTEE**

Councillor Peter Dean (Chairman)

Councillor Charles Joel (Vice-Chairman)

Councillors Douglas Auld, Eric Bosshard, Katy Boughey, Lydia Buttinger, John Canvin, Simon Fawthrop, Peter Fookes, John Ince, Russell Jackson, Kate Lymer, Mrs Anne Manning, Russell Mellor, Alexa Michael, Richard Scoates and Pauline Tunnickliffe

A meeting of the Development Control Committee will be held at Bromley Civic Centre on **TUESDAY 6 MARCH 2012 AT 7.30 PM**

MARK BOWEN  
Director of Resources

Public speaking on planning application reports is a feature at meetings of the Development Control Committee and Plans Sub-Committees. It is also possible for the public to speak on Contravention Reports and Tree Preservation Orders at Plans Sub-Committees. Members of the public wishing to speak will need to have already written to the Council expressing their view on the particular matter and have indicated their wish to do so to Democratic Services **by no later than 10.00 a.m.** on the working day before the date of the meeting.

The inclusion of public contributions, and their conduct, will be at the discretion of the Chairman. Such contributions will normally be limited to two speakers per proposal, one for and one against, each with three minutes to put their point across.

For further details, please telephone **020 8313 4745**.

## A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 14 FEBRUARY 2012 (Pages 3-14)**

**4 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

In accordance with the Council’s Constitution, questions to this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Wednesday 29 February 2012.

**5 PLANNING REPORTS (Pages 15-62)**

Ward	Application Number and Address of Development
Bromley Town	(11/03865/FULL1) - Multistorey Car Park, Simpsons Road, Shortlands, Bromley.

**6 MAYORAL COMMUNITY INFRASTRUCTURE LEVY - LOCAL INFORMATION REQUIREMENTS LIST FOR PLANNING APPLICATIONS (Pages 63-66)**

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## DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 14 February 2012

### Present:

Councillor Peter Dean (Chairman)  
Councillor Charles Joel (Vice-Chairman)  
Councillors Douglas Auld, Eric Bosshard, Katy Boughey,  
Lydia Buttinger, John Canvin, Simon Fawthrop, Peter Fookes,  
Will Harmer, John Ince, Russell Jackson, Mrs Anne Manning,  
Russell Mellor, Alexa Michael and Richard Scoates

### 47 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

An apology for absence was received from Councillor Kate Lymer; Councillor William Harmer attended as a substitute. An apology for absence was also received from Councillor Pauline Tunnicliffe.

### 48 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 49 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 12 JANUARY 2012

Item 43, Planning Application - Kent County Cricket Ground  
Page 41 - penultimate paragraph

During consideration of the application, Councillor Mellor commented that inappropriate use of the land had already been established by the erection of the Pavilion in 2002 and therefore the current application could not be deemed inappropriate use.

Subject to the insertion of the above comment, Members **RESOLVED** that **the Minutes of the meeting held on 12 January 2012 be confirmed and signed as a true record.**

### 50 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

## 51 PLANNING REPORTS

The Committee considered the Chief Planner's reports on the following planning applications:-

Item No.	Ward	Description of Application
5.1	Bromley Town	Description amended to read: "(11/03466/FULL1) - Single storey buildings and reconfiguration/change of use of part of shopping centre to provide 5 restaurants (Class A3), 1 kiosk unit (Class A1, A3 or A5) electricity substation; repositioned entrance to shopping centre and area for plant on roof, with landscaping works and relocation of gates and railings at <b>Queens Gardens, Kentish Way, Bromley.</b> "

Oral representations in objection to the application were received from Mr Glen Shipley, a local resident and Vice-Chairman of the Bromley Civic Society and a member of the Friends of Bromley Town Parks and Gardens.

Mr Shipley reported that many residents and local organisations were deeply concerned at the Council's proposal to sell part of Queens Gardens for commercial development. As a result, an application had been submitted for the open spaces involved to be designated as a Town Green. Members were requested to bear this in mind as a material consideration.

Mr Shipley contended that the proposed development conflicted with the statutory and local conservation area policies which governed the area and was a major departure from the Area Action Plan (AAP) as it was proposed to build on land not identified for development or discussed with AAP Inspectors. The proposal also involved the development of green space which the AAP did not permit.

Queens Gardens was gifted to the residents of Bromley in 1897 to celebrate Queen Victoria's Diamond Jubilee. Mr Shipley referred to a local newspaper article reporting that Queen Elizabeth's Diamond Jubilee would be marked by the Council selling off and building upon part of the open space belonging to Queens Gardens.

The Italian Garden was created as an extension to Queens Gardens as compensation for the land built upon for the Glades development. The adjacent terrace was the only public space on the site itself. At that time the Council had deemed the extension to the open space to be an integral part of the shopping centre development and a reason for the choice of developer.

Concerning the relocation of the ornamental gates, Mr Shipley stated that their present position in the Italian Garden was far more suitable as an ornamental feature. He was pleased to note the proposed greening of the

emergency vehicle hard-standing area but stipulated that this should be done as a matter of course and should not be dependent on the outcome of the submitted application.

Mr Shipley urged Members to save and protect the Borough's open spaces by refusing the proposed application and added that a small discreet café or kiosk for park users, as envisaged by the AAP Inspector, would be welcome.

Oral representations in support of the application were received from Mr Jonathan Ainsley, Director of Asset Management Capital Shopping Centres (CSC) at The Glades Shopping Centre.

Mr Ainsley reported that CSC were prepared to invest £6.2m in developing the proposed restaurants which would create 62 full-time jobs. Over a period of 12 months, extensive consultation had taken place with both the Planning Authority and the wider community. It was anticipated that a new family friendly restaurant offer to complement the existing offer in Bromley High Street would bring life and activity to the area.

The proposed buildings would be of high quality design and through sensitive landscaping and the location of the proposed development on the south side of the gardens, there would be no nett loss of green space. The historic part of Queens Gardens would not be built upon.

The proposed development was of great importance to The Glades and Bromley Town Centre.

In response to a question from Councillor Harmer, Mr Ainsley reported that results of the most recent consultation had shown that a wider catering offer in Bromley would be welcomed.

Councillor Mrs Manning queried how members of the public would be encouraged to walk around to the proposed restaurants. Mr Ainsley commented that signposts would be located along routes leading to the restaurants and access would also be gained through the nearby car park.

Councillor Scoates asked how the need for restaurants in Bromley had been assessed. Mr Ainsley replied that specific customer research on both visitors and non-visitors to The Glades had been undertaken and comparisons with other shopping centres had also been made. As the footfall in Bromley was 15-16 million per year, the need for catering was high.

Mr Chris Evans, Manager of the Major Developments Team, reported the following updates and suggested amendments to the conditions should Members decide to grant the application:-

- 1) Late objections had been received, none of which raised any additional concerns.

- 2) Issues relating to the objection submitted by Mytime Active with regard to the effect on light to the swimming pool. Mytime Active had been in discussion with the applicants and withdrawn its objection.
- 3) Press notices regarding the revised location of the gates would expire on 15 February. Members were therefore requested to make their decision subject to the Chief Planner giving consideration to any representations received after the meeting and before the expiry of 21 days after the publication date of the notice.
- 4) The Section 106 Agreement should be amended to read:- "A contribution of £20,000 towards Town Centre improvements including a strategy for improved pedestrian signage and wayfinding strategy, a lighting strategy and lighting implementation plan, relocation of the dinosaur structures to Crystal Palace Park and location of replacement and additional benches and lighting within Queens Gardens."
- 5) Conditions 7, 13 and 14 should be amended.
- 6) A further two conditions should be included; and
- 7) The first informative on page 29 of the report should be deleted.

Mr Evans confirmed that no part of the proposed building would be erected on Urban Open Space, there would be no detrimental effect on the visual appearance of the site and the tranquil areas of the gardens would remain. Although an area of 631sq m would be developed, an equal measure of land would be greened over.

Councillor Harmer was opposed to the Authority's willingness to sell covenanted land. His primary concern however, was how the application fitted in with the AAP as it appeared to go beyond the scope of what had been drawn up.

Councillor Mrs Manning commented that whilst Queens Gardens was not green land or protected by law, it was open land which had already been affected by the town centre redevelopment and the development along Kentish Way. The gardens were attractive and should be protected. However, Councillor Mrs Manning was not opposed to the establishment of one or two cafes and suggested that it would be more appropriate to develop along the eastern side of The Glades. The proposed development from the north end of the gardens would undermine the view of the Pavilion and the higher part of the walking area would encroach further into the gardens. Councillor Mrs Manning was dissatisfied with the materials to be used. For the reasons outlined above, Councillor Mrs Manning moved that the application be refused.

Councillor Fookes moved that permission be granted commenting that the Authority would struggle to find sufficient grounds to warrant refusal and that a decision to refuse the application was likely to be overturned on appeal.

Councillor Fookes welcomed the creation of 62 full-time jobs at a time when unemployment figures were high.

The Chairman referred to the revitalisation of Bromley Town Centre, stating that the AAP identified a number of sites designed to bring Bromley into the 21<sup>st</sup> century. There would, of course, be objections to those sites identified as they affected everyone in the Borough. The proposed development would not result in a loss of open space because the land identified was already built upon and was not part of a conservation area. There were few top quality restaurants in Bromley and it was not unreasonable for some to be located around the main shopping area. The Chairman could find no sustainable grounds for refusal and therefore seconded Councillor Fookes' motion that the application be granted.

Although Councillor Ince agreed with the points raised by Councillor Mrs Manning, he did not think there were sufficient grounds to warrant refusal of the application.

Whilst Councillor Michael supported the revitalisation of Bromley Town Centre, she considered the development to be excessive and detrimental, taking considerable open space from what was a delightful recreational area. The proposal to open five restaurants was also excessive as there were already a number of chain restaurants located in Bromley however, Councillor Michael was not opposed to the establishment of one or two eateries. Whilst the creation of 62 full-time jobs would be welcomed, the development went beyond the scope of the AAP and, if permitted, would ruin the gardens. For the reasons set out above, Councillor Michael seconded Councillor Mrs Manning's motion to refuse the application.

Councillor Jackson commented that although the gardens were attractive, the development would only take up a small amount of land which had already been developed. He thought the area as it currently stood was one of the most drab and miserable parts of the Centre which held no visual merit. The proposed development would improve economic life within the Borough. Councillor Jackson supported permission.

Councillor Joel was impressed by the points given for and against the proposal. He emphasised the need to consider Bromley in its entirety. The design of the proposed buildings was simplistic, the development would be located within a quadrangle of high buildings and new footways would be incorporated. The development would not, therefore, be out-of-character with the surrounding area and would be an enhancement to the locale. Councillor Joel emphasised the need to encourage visitors to use the grounds. For the reasons outlined above, Councillor Joel would be supporting the application.

Councillor Buttinger supported the application on the grounds that more restaurants were needed in Bromley and that the proposal was an appropriate contribution towards the development of Bromley Town Centre. There would be no loss of mature trees, no nett loss of green space and the current hardstanding area was not particularly well used at present.

Councillor Auld sought legal advice with regard to a section of covenanted land within Queens Gardens. Approximately, 20 years ago, part of the land had been taken to build The Glades and in compensation for this, a portion of the land to the south of the area was given over for garden use.

The Legal Adviser informed Members that any legal issues arising from the selling of covenanted land would be a matter of civil law and not one which should be taken into consideration when debating the application.

Councillor Auld stated that the proposal was a separate entity entirely from the 12 sites identified in the AAP; development of the site was not suggested to the AAP Inspector during the consultation period five years ago. He commented that if the application was granted, the restaurants would draw visitors away from Bromley High Street (which was already well served by restaurants) and from Bromley North. Councillor Auld would not be supporting the proposal.

Councillor Fawthrop agreed with Councillor Jackson's view that the proposed area of development was an unattractive piece of land which could be improved. Attempts should be made to protect the area because if the proposal was permitted, the opportunity for improvement would be lost. Councillor Fawthrop supported refusal of the application.

Councillor Scoates was concerned that the development was not in keeping with the AAP. The land had been gifted to the Local Authority in honour of Queen Victoria's diamond jubilee and should be preserved. Councillor Scoates had no objection to restaurants being established in Bromley but the extent of the development in this particular area would close off the surrounding land. Councillor Scoates supported refusal.

Councillor Mellor said he could find no inappropriate established precedent on the application. He was concerned with the lack of space. The Italian Garden contained beautiful flowers and was vital to the centre of Bromley. The development would result in an intensification of retail use.

A motion to approve the application fell at 7-8.

Following a second vote to refuse the application (8-5), Members **RESOLVED that PERMISSION BE REFUSED for the following reason:-**

**The proposal would be an overintensive development of the site, detrimental to the character and appearance of the Bromley Town Centre Conservation Area by reason of its size, site coverage, design and the loss of openness and public amenity to Queens Gardens, contrary to Policy BE11 of the Unitary Development Plan, Policy OSM of the Bromley Town Centre Area Action Plan and the Conservation Area Statement.**



The following informative was also added:-

**INFORMATIVE:** The drawings that are subject of this decision are as follows: 3366AP(04)1500-P08, 1501-P07, 1502-P06, 1503-P06, 1504-P04, 1505-P04; 3366AP(05)1600-P04, 1601-P04, 1602-P03, 1603-P05, 1604-P02; 3366AP(06)1700-P04, 1701-P04, 1702-P05, 1703-P04, 1704-P05, 1705-P05, 1706-P04; 329/300RevP1, 339/100RevP2, 339/101RevP2, 339/103RevP2.

The Chairman's vote against refusal was noted.

Item No.	Ward	Description of Application
5.2	Bromley Town	Description amended to read:- (11/03467/LBC) - Relocation of gates and railings LISTED BUILDING CONSENT.

Mr Evans informed Members that should listed building consent be granted, condition 5 should be amended.

Councillor Mrs Manning moved that the application be refused; this was seconded by Councillor Michael.

Following a vote of 9-1 against, Members **RESOLVED** that **LISTED BUILDING CONSENT BE REFUSED** for the following reason:-

**The relocation of the gates and railings would be premature in the absence of any planning permission for development on their existing site.**

The following informative was also added:-

**INFORMATIVE:** The drawings that are subject of this decision are as follows: 3366AP(04)1504-P04, (04)1505-P04, (05)1603-P05, 339/103RevP2.

## **52 PLANNING BUDGET MONITORING 2011/12**

Members considered an update on the latest budget monitoring position for the Planning Division for 2011/12 based on expenditure and activity levels up to 31 October 2011.

Mr Tony Stewart, Development Control Manager, outlined the report and advised that the latest projections indicated an overspend in the Planning Division of £19k. He confirmed that the shortfall of income in Building Control, Land Charges and Planning were being partly offset by savings from management action in all parts of the Division and by holding posts vacant. Mr Stewart informed Members that the budget situation may change in the

event that local authorities were able to set their own fees for planning applications. To date the Government had not made a decision in this regard.

In response to a question from Councillor Scoates, Mr Stewart confirmed that figures were calculated on a year by year basis.

**RESOLVED that the report be noted.**

**53 REVIEW OF CHARGES FOR PRE-PLANNING APPLICATION  
ADVICE**

At a Committee meeting held on 8 March 2011, Members reviewed charges made for pre-planning application advice for Major Developments and agreed the introduction of charges for pre-planning application advice for non-major developments. Members requested that a review of the charging system be undertaken after six months.

Members considered an updating report outlining the amount of income received in respect of pre-planning advice in the 10 months from April 2011-January 2012. A revised schedule of fees was also attached to the report.

Mr Stewart informed Members that some complaints had been received since the Planning Division began charging for the customer service it provided and made reference to the issues set out in the report.

All current fees charged for advice would be subject to a 4.5% increase. In particular, Members were requested to note the introduction of a revised arrangement for householder advice. There would now be a fee of £44 for basic advice on the relevant planning policies, the planning process and other material considerations and a fee of £188 for more detailed advice and guidance following a visit to the applicant's premises.

A schedule of pre-planning application advice service fees (inclusive of VAT) was set out in Appendix 2 of the report. Some new charges had been incorporated and these were highlighted in italic print.

Councillor Fawthrop proposed and Members agreed, that the householder proposals, shop front advertisement and other non-householder proposals fees be increased to £48 (including VAT).

Councillor Auld was concerned with the content of advice given for the current £42 fee for householder developments. He referred to a recent case within his Ward where one householder having paid the fee, received statements and technical information drawn from the Unitary Development Plan. Councillor Auld questioned what sort of advice householders would receive if they paid the higher charge.

Mr Stewart replied that the £42 fee was paid for general advice given to householders with little or no knowledge of the planning process. It was not intended to provide detailed guidance on a particular scheme as this would

normally require a site visit and a greater commitment of officer time. The higher fee of £180 would be charged when more detailed advice on a specific scheme is required. In such cases a site visit will be made and officers will be able to give an indication of the likely outcome of a planning application.

Having noted that the fee for changes to use over 2,000 sq m of floor space was 30-50% higher than that for comparable developments in other Boroughs, Councillor Fookes believed that Bromley's £4k fees should be reduced as the Authority ran the risk of developers going to other Boroughs.

Mr Stewart responded that in the context of overall development costs and benefits £4k was not a lot of money to pay for such large scale development proposals and the charge had willingly been accepted by those seeking this type of advice.

Councillor Joel referred to instances where fees had been paid for advice on applications which had subsequently been refused. He suggested that free advice should be given on any future applications.

**RESOLVED that:-**

- 1) the report be noted;**
- 2) the fees charged for householder proposals, shop front advertisement and other non-householder proposals, be increased to £48 (including VAT);**
- 3) the suggested amendments/additions to the schedule of fees be agreed; and**
- 4) the Portfolio Holder for Renewal and Recreation be recommended to agree the suggested amendments/additions to the schedule of fees.**

**54 CONSULTATION ON THE IMPLEMENTATION OF THE SUSTAINABLE DRAINAGE SYSTEMS PROVISIONS OF THE FLOOD AND WATER MANAGEMENT ACT 2010**

Members considered a report setting out the Council's suggested response to a consultation undertaken by the Department for Environment Food and Rural Affairs on the implementation of the Sustainable Drainage Systems provisions of the Flood Water Management Act 2010. As the existing Lead Local Flood Authority, the Council would be requested to approve and adopt sustainable urban drainage systems (SUDS).

The consultation included proposed National Standards for the design, construction, operation and maintenance of SUDS, statutory instruments (Regulations and Orders) which together provided details of how the process would work. The Impact Assessment included in the consultation explained why government intervention was necessary.

Councillor Mrs Manning expressed concerns about various issues associated with surface water drainage, about the condition of existing sewers and that historically, development had increased the amount of hard surfaces in built-up areas leading to increased surface water run-off. She agreed that the proposal would augment the existing restrictions on the paving of front gardens and mentioned her own personal experience of flooding in the vicinity of her property.

Mr Evans reported that following consideration by the Environment Portfolio Holder and PDS Committee, copies of the Council's response would be sent to DEFRA.

A short discussion took place on the methods used to discharge surface water and the condition of old Victorian sewer pipes.

**RESOLVED that:-**

- 1) the suggested responses to the consultation questions be agreed subject to the comments and amendments outlined above;**
- 2) the report and suggested responses together with the comments made by Members, be referred to the Environment Portfolio Holder and PDS Committee for comments and noting;**
- 3) the formal responses to the consultation be agreed by the Chief Planner in consultation with the Committee Chairman once the Environment Portfolio Holder and PDS Committee have considered the report; and**
- 4) the formal responses be submitted by the deadline of 31 March 2012.**

**55 LONDON PLAN DRAFT SUPPLEMENTARY PLANNING GUIDANCE - HOUSING**

Members considered the Mayor's draft Supplementary Planning Guidance (SPG) on Housing which covered a number of areas including housing supply, quality and choice, affordable housing, stock and investment, social infrastructure and mixed use development. Consultation on the SPG would end on 24 February 2012.

Mrs Mary Manuel, Head of Planning Strategy and Projects, outlined the report and emphasised that the SPG did not set policy but expanded upon it. The comments section within the report was consistent with the Council's comments on the AAP and the Draft London Plan and at the EIP. Mrs Manuel drew Members' attention to paragraph 3.11 and confirmed that the SPG included acknowledgement that the London Plan density matrix was a guide.

The Mayor had published draft guidance on affordable housing (considered at the last meeting) which would be incorporated into the Housing SPG.

Councillor Ince supported what he considered to be the Council's fairly robust responses stating that as a suburb Bromley's density level was not comparable with that of Inner London. With regard to housing supply (paragraph 3.4), Councillor Ince considered that the national requirement to demonstrate a 15 year supply of land (or even a 10 year supply), was an unrealistic figure.

In response to a question from Councillor Fookes, Mrs Manual informed Members that the Outer London Commission had reconvened to consider several issues including density and parking.

Councillor Joel raised the importance of room size and the potential for sub-division.

Referring to paragraph 3.62, Councillor Mrs Manning was pleased to note that office and industrial space would not be undermined but questioned whether the answer was robust enough.

Councillor Michael agreed with Councillor Ince's comments in regard to the unrealistic targets set for the supply of land. Referring to housing standards, Councillor Michael stated that affordable housing should be subject to the same level of standards as market housing. Councillor Michael emphasised that the meaning of the response at paragraph 4.8 of the SPG needed to be clarified.

Councillor Fawthrop commented on the following paragraphs:-

Paragraph 3.4 - concerned about land supply targets to be imposed and asked that the response be strengthened.

Paragraph 3.9 - the guidance contained within the SPG relating to garden land development was relatively good.

Paragraph 3.19 - it was very important that the Borough had the flexibility to accommodate more cars than it presently did.

Paragraph 3.46 - if it was not viable for developers to provide social housing, they should be permitted to provide private housing. The importance of economic realities needed to be included in a robust response regarding the provision of affordable housing. However, if social housing was necessary, then a more robust response about the levels of affordable housing should be given.

At this point, Councillor Fawthrop reported that in previous years, motions on planning issues had been passed at meetings of the Full Council but the outcomes of those motions had never been reflected back to Members. Councillor Fawthrop requested that a report be submitted to a future meeting

of the Committee outlining all planning motions passed by Members at Full Council within the last four years, together with information on the outcome of those motions.

**RESOLVED that:-**

- 1) Member comments be noted;**
- 2) the comments within the report form the basis of the Council's response to the consultation which should be submitted to the GLA by no later than 24 February 2012; and**
- 3) a report be submitted to a future meeting of the Committee outlining all planning motions passed by Members at Full Council within the last four years, together with information on the outcomes of those motions.**

**56 REPORTS TO NOTE**

**56.1 MAYORAL COMMUNITY INFRASTRUCTURE LEVY**

Members considered a report outlining the Mayor's progress in introducing the Mayoral Community Infrastructure Levy (CIL) which would be collected by the Authority from 1 April 2012.

Despite representations made by the Authority objecting to the Mayoral CIL at both consultation stages in 2011 and the Examination in Public (EiP), the Examiner recommended to the Mayor that the charging schedule be approved.

Councillor Fookes asked how fees would be calculated on mixed developments.

Mrs Manual informed Members that the rates were fixed according to the amount of additional net floor space. The charges applied to all types of development.

**RESOLVED that the report be noted.**

The Meeting ended at 8.54 pm

Chairman

# Agenda Item 5

**Application No :** 11/03865/FULL1

**Ward:**  
**Bromley Town**

**Address :** Multistorey Car Park Simpsons Road  
Shortlands Bromley

**OS Grid Ref:** E: 540286 N: 168663

**Applicant :** Cathedral (Bromley) Limited

**Objections :** YES

## **Description of Development:**

Demolition of existing buildings and redevelopment with mixed use scheme comprising multi-screen cinema, 200 flats, 130 bedroom hotel, Class A3 units (restaurant and cafe) (Including 1 unit for flexible class A1 (retail shop) Class A3 (restaurant and cafe) or Class A4 (drinking establishment) use), basement car parking, associated access arrangements (including bus parking), public realm works and ancillary development.

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
Flood Zone 3  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
London Distributor Roads  
Ravensbourne FZ2 and FZ3  
Secondary Shopping Frontage Adj

## **Proposal**

- Mixed use redevelopment set around a central landscaped podium mounted public plaza with cinema and parking levels below and restaurants, hotel and residential above with landscaped flight of steps leading to lower plaza fronting Westmoreland Road
- 9 screen cinema (Use Class D2 Assembly & Leisure) with 2,708m<sup>2</sup> floorspace will be accessed via escalators from the north west corner of the public plaza
- 200 unit residential development along northern and western edges will comprise 60 one bedroom flats, 126 two bedroom flats (including 2 penthouses), 4 three bedroom flats and 10 two bedroom maisonettes (15,178m<sup>2</sup> total floorspace including circulation space)
- main residential building along northern boundary rises from 6 to 19 storeys above podium deck with restaurants/cafes at plaza level and with nine storey component adjacent to eastern pedestrian entrance to site (via walkway from High Street through RBS complex)

- lower residential/restaurant building along western boundary rises 2 to 4 storeys above plaza level
- 46 flats (representing 22% of habitable rooms) will be affordable housing as follows:
  - o 7 one bedroom flats (affordable rent)
  - o 16 two bedroom flats (affordable rent)
  - o 13 one bedroom flats (shared ownership)
  - o 10 two bedroom flats (shared ownership)
- 9 restaurants/cafés will face onto the main public plaza at podium level and lower level adjacent to Westmoreland Road with a total floorspace of 2,629m<sup>2</sup> as follows:
  - o Units 1-7 (Use Class A3 restaurants) - 1,755m<sup>2</sup>
  - o Unit 8 (Flexible Use Class A1 retail/A3 restaurants/A4 drinking establishments) – 544 m<sup>2</sup>
  - o Unit 9 (Use Class A3) under hotel – 330m<sup>2</sup>
- 5 to 7 storey 130 bedroom hotel building along eastern edge (Use Class C1) (4,800m<sup>2</sup> total floorspace including plaza level restaurants/cafes) – 10 bedrooms will be wheelchair accessible bedrooms and 5 bedrooms can be modified for accessible use if required
- 5,317 m<sup>2</sup> (including all hard and soft landscaping) upper and lower plaza levels providing a new civic space with six metre change in levels from north to south of site accommodated through steps in the main public space rising to the height of the podium deck with street furniture, sculpture and a suspended halo above the main plaza area
- lower ground and subterranean car park (five decks) providing 400 car parking spaces (including 33 disabled spaces) of which 300 will be for public use and 100 for residential use, 20 motorcycle spaces, 20 electric car charging points, plant room, Combined Heat and Power (CHP) area, bin store, 3 public WCs, concierge station, ATM machine and goods delivery area (17,086m<sup>2</sup> total floorspace)
- 301 secure cycle parking spaces throughout the site
- car club parking space located on nearby street
- Simpson's Road will be reconfigured with a new junction onto Westmoreland Road and an access road running underneath the podium and linking with the general line of the existing Simpson's Road along the western and northern site boundary line
- bus turning area in Simpson's Road within north west corner of the site with two existing TfL bus stands relocated adjacent to the new servicing areas on the western arm of the road
- culverted tributary of the River Ravensbourne will be diverted along the general line of the Westmoreland Road street frontage to then intersect with the main River Ravensbourne culvert with a maintenance buffer retained.

A Design and Access Statement has been submitted which includes the following:



- details of pre-application public consultation exercise and other consultation
- details of site assessment including: physical context: existing condition; local housing context; social context; economic context; planning context; environmental context; vision/aspirations; bigger picture context; historic background context; key views; existing routes and accesses; existing buildings on the site; bigger picture context; historic background context; key views; existing routes and accesses; existing buildings on site; site opportunities and constraints
- details of public realm strategy for Bromley Town Centre and Bromley North Village
- consideration of uses and amount of development informed by development brief and development agreement
- details of initial scheme by Geddes Architects and details of design evolution following appointment of Guy Holloway Architects
- details of vehicular access and movement, delivery strategy, waste management, sustainability strategies, signage strategy, inclusive access design.

The following is a summary of the design considerations that informed to the final scheme, as set out in the Design and Access Statement:

#### Distribution and layout of uses

- windowless cinema space suits underground location and creates a buffer zone to the railway
- cinema entrance in the north west corner of the plaza creates focal end of journeys from the south and east
- plaza level has a near continuous strip of single storey restaurant and café spaces around perimeter to create a highly glazed active elevation dropping down to the south of the site to provide double height restaurants for a new entrance and marker for the scheme
- hotel is separated from the residential block to create a break in the building form to improve the visual and physical connection with Westmoreland Place
- communal entrance lobbies to residential units are accessed directly from the plaza further activating the frontage around the space
- upper public plaza and lower public plaza are linked via a 'dramatic raking landscape' with steps, landscaping and terraces to create places for sitting, eating and relaxing, whilst responding to the problematic level change in a positive and dynamic manner
- plaza will enjoy sunny outlook from about 12.30pm due to low level of west residential block

#### Public realm and landscape design

- public realm seeks to become a new civic destination and a new route to and from Bromley South Railway Station improving connectivity and gaining pedestrian space back from the existing, heavily trafficked vehicle space

- climb within site draws parallels with paths and rolling hills of the South Downs - soft landscape strategy for the steps draws on local history and will include planting of Broom (from which Bromley's name derives) and other heathland plants
- north western approach to the development through Westmoreland Place and RBS complex will feature yellow paving with the roof removed from the access bridge and new perforated side walls introduced to allow daylight in
- civic square will feature al fresco dining areas, green spaces for lounging and central circular area suitable for temporary events such as an ice rink, a performance area or a market
- buildings frame views to St Mark's Church from centre of the square
- circular bench will anchor space at south of development and relate to mirror polished 'Halo' at the north end of the square which will provide glimpses of activity from Westmoreland Road otherwise obscured by change in levels
- design of development promotes natural surveillance whilst street furniture will prevent the entry of vehicles into the southern square

### Hotel

- hotel mass forms a promontory that juts out over the new stepped landscape from Westmoreland Road - glazing at plaza level with solid mass of the hotel above will provide definition to building mass and signal the entrance to the public realm and leisure hub
- hotel design needed to address repetition of windows, size of window openings and uniformity of façade to provide an attractive street front by day and add to the dynamic of the space at night
- limited daytime activity and fixed windows mean the façade will be very static therefore it has been designed to have a visual sense of movement through a graphic treatment - façade patterns will reflect the form of the broom flower as an abstract shape creating changes in material and texture and will continue from the masonry to the glazing to link the two elements
- palette of solid white and stainless steel materials will be used complimenting the natural green of the soft landscape and the white façade of the residential building opposite whilst the undulating steel surface will reflect light into plaza
- white masonry blocks will feature unique textured faces and a quartz aggregate providing rich texture of shadows and a subtle sparkle when caught by the sun
- subtleties of the façade pattern and material changes will be lost at night so a linear low intensity feature light will trace the form of the pattern providing an ambient light to the public realm and a backdrop to the evenings' activities
- underside of the canopy at plaza level is clad in reflective stainless steel so that activity will be perceived from Westmoreland Road

### Residential (north wing)

- block will feature palette of white and dark grey composite panel cladding, recessed balconies on the south façade and cranked balcony and bay arrangements to the north façade whilst apartments on the slope of the main block will have generous linear balconies inset into the building's rake
- point of the taller residential block to the east has protruding feature balconies creating a dynamic façade when viewed from the High Street and Bromley Town Centre
- height of block is similar to that of the 10 and 12 storey office blocks just north of the station building which are generally 10 to 15 metres higher at ground floor level
- lower portion of north elevation façade is predominantly the highly serviced windowless box of the cinema and the windowless rear elevation of the plaza level restaurants - façade will comprise uniform dark grey louvred composite panel cladding with a green wall at the lower section

### Residential (west wing)

- western residential block varies from 1-3 storeys above the plaza level restaurants and its lower height is a response to the two storey Victorian houses on Newbury and Aylesbury Roads
- western block curves back and steps down to the lower plaza level at the Westmoreland Road entrance to open the site up to St. Mark's Church and provide a further 2 storey restaurant/retail unit and activity at this lower level
- outlook and visual amenity of the residents of the adjacent Newbury Road properties should be no worse than the existing view of the multi storey car park which at 5 storeys is a substantial and visually unattractive building
- block is shaped in section to present a very low eaves height to the boundary and gets progressively lower as it curves around at the southern end further lessening the impact to the rear gardens at the southern end of Newbury Road and Westmoreland Road
- maisonette units are mainly single aspect towards the plaza thus minimising any potential overlooking to the neighbouring properties
- lower floor of the unit places the communal corridor along the rear elevation, creating a buffer to the neighbouring properties with corridor lit by high level skylights
- upper floor places an inset roof terrace into the form of the roof - potential overlooking is carefully controlled via the high parapet (1.4 metres) allowing views to the distance but preventing downward views into neighbouring gardens
- 'growing wall' has been incorporated into the western elevation to soften the edge of the new development and give an attractive outlook to Newbury Road residents – it will involve a trellis system with a planter at street level with planting growing up and a planter at plaza level with planting trailing down.

A Planning Statement submitted with the application makes the following points regarding design issues:

- AAP identifies Bromley South as the principal gateway into the Town Centre and a tall building will help to generate a sense of arrival
- scale and massing has been influenced by need to reflect significant scale of Town Centre development and the domestic scale of surrounding residential streets - scheme provides a point of transition between the two environments whilst promoting AAP objective of providing mixed use development with a tall building on the site
- overall scale and size of this scheme bears a closer relationship to the commercial scale of the town centre but care has been taken to protect amenity of adjoining residential properties
- development will provide an appropriate and engaging frontage on Westmoreland Road with design of strong architectural value whilst ensuring a sensitive relationship with residential properties at No.4 Westmoreland Road and beyond
- particular emphasis has been placed upon the quality of design of the public spaces within the scheme engendering a sense of place and arrival, connectivity and good landscaping and ultimately a destination
- principles of 'Secured by Design' regarding security and crime prevention have been incorporated into the scheme
- extensive design development has been undertaken to ensure that the new buildings have an acceptable relationship with existing neighbouring properties in terms of visual impact and the perception of scale, bulk and height
- principles of inclusive design have informed the scheme, particularly the public realm area – relevant guidance, standards and regulations been carefully considered alongside discussions with Disability Voice Bromley and Bromley Mobility Forum to provide a highly accessible environment
- scheme will target Code for Sustainable Homes Level 4 for both private and affordable properties
- east-west axis of the main residential building has been slightly rotated through the design development process to ensure that the main orientation from the northern elevation of the building will result in minimal overlooking of residential properties on Ravensbourne Road
- western arm of the new scheme will serve to reduce the vertical emphasis of this of the western elevation providing a transition to the domestic scale of Newbury Road.

The application is accompanied by a number of further supporting documents and these are detailed below along with a summary of their key points.

### Townscape and Visual Assessment

- Report assesses the architectural and urban design quality of the proposed development and its impact on the surrounding area
- considers impact on townscape views providing photo montages demonstrating the appearance of the scheme from selected viewpoints
- concludes that as a prominent building of high architectural design quality it has a beneficial impact from wherever it can be seen.

## Economic Statement

- Town Centre has not moved forward significantly in the last 15 years whilst competing retail destinations have made major strides - arrival of Bluewater and investment in Croydon has impacted upon Bromley as a retail destination
- key components of a successful town centre are employment, leisure and retail - Bromley must rise to the challenge on all three fronts to successfully maintain its position
- improving the environment and attractiveness of Bromley Town Centre as a place to visit and work are vital to securing and retaining office employment in the longer term
- slow decline in the quality of the retail offer has taken place in Bromley and it needs to match that of competing destinations
- good mix of retail is focused around The Glades but the southern end of the town centre would benefit from improvement and investment
- GLA 'Town Centre Health Check' found that relative to respective retail floor areas Croydon has 30% more restaurants than Bromley
- Bromley South area has little to entice commuters or shoppers to stay and extend their day in the town centre - addressing this is key to making the town centre's offer more rounded and supporting the success of the retail offer
- scheme will promote the longer term retention of office employment in Bromley as companies are increasingly looking for locations that offer an interesting environment and comprehensive range of facilities to help attract staff
- Bromley currently has a limited supply of hotel accommodation - nearest large hotel to the town centre is the Best Western Bromley Court Hotel with a new Travelodge under construction on London Road, both outside the town centre boundary
- GLA's Hotel Demand Study sets out a requirement for 550 hotel beds within the borough during the period 2007 – 2026
- there are no hotel bed spaces within the defined Bromley Town Centre and the proposed new hotel will make a significant contribution in meeting the identified need (AAP Policy BTC1) for hotels within the Town Centre (Planning Statement)
- proximity of application site to other town centre uses will encourage increased trade from hotel residents, particularly for restaurant and retail services (Planning Statement)
- Bromley has huge strengths to build on – it has a busy centre with a very large amount of retail space, key transport nodes at either end and a wide catchment including a range of affluent residential communities, yet much of the leisure time and spending power of local residents is not being captured
- more than 24,000 people live within ten minutes' walk of the town centre and another 24,000 people work in the same area
- hotels have a range of economic and regeneration benefits as they:

- o draw their employees from a more local area than other uses such as offices thus maximising local impacts in terms of jobs, wages and spending power for local people
  - o have a relatively high proportion of entry level jobs
  - o are particularly beneficial for target groups that can otherwise suffer exclusion from labour markets
  - o are attractive to people with responsibility for family care
  - o provide good skills and training opportunities for their staff allowing individuals to progress and develop their own careers
  - o draw new visitors to an area and therefore increase spending locally
  - o cater for local business travellers which assist in retaining expenditure within the town centre
- Bromley will find it difficult to compete with Bluewater's scale of top range comparison retail shopping but it can regain its status as a place where Bromley residents want to spend their time, including their evenings, through adding to existing leisure attractions
  - evening footfall generated by a cinema is crucial to anchoring scheme but the benefits can only be realised with a range of restaurants to complement the cinema use and add to Bromley's overall restaurant offer
  - new restaurant provision will help make up an existing shortfall rather than replace or undermine existing restaurants to the north
  - scheme will create a new restaurant destination which will complement the existing Town Centre (Planning Statement)
  - proposal will potentially create 220 jobs (full time equivalents)
  - proposals will lead to a significant increase in spending within the Town Centre through attracting more visitors with many visiting as part of linked trips (for example leisure and shopping)
  - new workforce could spend around £290,000 per year locally on food with substantially more on comparison goods
  - residents of completed development will bring spending power of around £2.5 million a year and the High Street location should ensure a good proportion is retained locally
  - residential development will increase catchment population demanding town centre services resulting in a positive impact on existing town centre uses (Planning Statement)
  - town centre spending by hotel guests could be in the region of £2.5 million a year
  - spending boost will be spread between daytimes and evenings and between weekdays and weekends promoting a lively mixed economy to maintain Bromley's appeal
  - scheme is estimated to bring wider economic impacts totalling more than £220 million over 10 years
  - importance of civic space in strengthening town centres and sustainable communities is increasingly recognised in urban planning and there are UK wide examples where civic space development has contributed significantly to retail environments, regeneration or place creation
  - flexible spaces such as this are ideal for a range of cultural events and activities such as markets, open air theatre, concerts and carol singing,

community performances and other managed activities which would complement the pedestrianised High Street

- new plaza is designed to draw people into and through the site, boosting passing trade for local business and creating a community atmosphere - re-developed site will provide many reasons to visit bringing increased activity, life and linkage to this end of the town centre
- residential and hotel accommodation can help increase the 24-hour activity of the place and contribute to the landmark status of the location
- scheme will serve as a major catalyst towards regeneration and inward investment to town centre redressing imbalance between the northern and southern end by introducing complementary uses to reinforce the centre's core retail function (Planning Statement).

#### PPS4 Statement

Some of the content of this document overlaps with the Economic Statement and the following additional points are made:

- Comparison of the AAP aspirations for uses on the site and those proposed within this application as follows:

<u>Land Use</u>	<u>AAP-Policy OSK</u> <b>Proposed floorspace level/units bedrooms</b>	<u>Application Scheme</u> <b>Proposed floorspace level/units bedrooms</b>	<u>Difference/Comments</u>
Residential	200 units	200 units	0
Multi-screen Cinema	4,000 sq.m GIA* Cinema and associated leisure uses	2,708 sq.m GIA*	-1,292 sq.m
A3 restaurant use (including possible Class A1, A4 Use)	1,000 sq.m GIA*	2,629 sq.m GIA*	+ 1,629 sq.m
Hotel	100 bed hotel (bed spaces not specified)	130 bedroom hotel (484 bed spaces)	+ 30 bedrooms
Car Park	Re-provision of public parking in multi-storey car park as part of the town centre wide car parking strategy (no more than 400 public parking spaces	300 public and 100 residential car parking spaces proposed	The number of public spaces proposed complies with the development brief

	overall)		
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(\* Gross Internal Area)

- hotel will provide 30 more bedrooms than specified within the AAP which is reflective of the operational needs and associated economies of scale demanded by the interested hotel operators and is consistent with the GLA's projected demand for 550 new hotel rooms within the Borough 2007 and 2026
- 9 screen cinema will represent a shortfall of leisure floorspace (Class D2) of 1,292m<sup>2</sup> compared to the aspirations of the AAP as modern digital cinemas require less floorspace to provide a high numbers of screens whilst the proposed operator of the cinema has set the economic level of the cinema at nine screens
- provision of additional complementary leisure uses on site would upset the delicate balance achieved between the proposed uses in terms of scheme design, scale of development and the interrelationship of uses on site
- proposed restaurant floorspace exceeds that specified within the AAP by 1,629m<sup>2</sup> and this is primarily driven by the design of the scheme and the extent of commercial restaurant frontages facing the central plaza area - restaurants will help to animate this public space, facilitating greater linkage and interaction with other elements of the scheme and the wider Town Centre
- increased restaurant floorspace provision should not adversely affect the redevelopment of other Opportunity Sites – restaurant provision is particularly limited in Bromley South
- Opportunity Sites elsewhere within the Town Centre will have discrete catchment areas drawing trade from visitors to the retail core who then radiate outwards in different directions
- variation from the AAP aspirations demonstrates a responsive design led approach to the physical characteristics of the site and the commercial needs of operators. - viability of hotel and cinema will be improved significantly through the quantum of restaurant floorspace proposed, increasing the attractiveness of the site and Bromley as a destination
- Ambassadors for Christ International Church (occupying No. 2 Westmoreland Road) and occupants of single storey commercial buildings on Simpson's Road are on short term leases and alternative premises could be found elsewhere within the Town Centre or beyond - these existing uses are not considered to underpin this part of the Town Centre and the effect of their loss will be significantly outweighed by the regeneration benefits of redevelopment
- social inclusion will be positively uplifted by the cinema and associated restaurant proposals and may help draw attention away from existing evening provision of public houses (focused upon the younger generation) catering for a limited section of the community
- influx of trade and footfall will benefit the remainder of the Town Centre and may serve as a catalyst for further investment, improving Bromley's market position



- construction of the development will be of significant benefit during the current, ongoing downturn and will provide a stimulus for the local economy
- Household Interview Survey detailed within the Bromley Retail Study Update (2009) which identifies the market shares of cinemas amongst respondents within Bromley's main catchment area:
  - o Showcase Cinema, Bluewater (28.5%)
  - o Odeon Cinema, Beckenham (21.6%)
  - o Empire Cinema, Bromley (9%)
  - o Odeon Cinema, Tunbridge Wells (8.6%)
  - o Vue Cinema, Valley Leisure Complex, Croydon (6.9%)
  - o High Street, Croydon (6.1%)
- scheme will draw cinema trade currently lost to competing centres improving Bromley's market share of leisure expenditure
- hotel is not expected to adversely impact on existing guest house accommodation as such alternate provision caters generally for a different stream of clientele such as guests who prefer smaller hotels
- hotel proposal will have the added benefit of serving existing tourist facilities away from the West End and Greenwich and could increase visitor numbers accordingly
- hotel accommodation will have a positive impact on other elements of the economy including the business sector, such as conferencing and the provision of meeting facilities to the benefit of local businesses/employers.

#### Financial Viability Assessment

- Sets out a financial justification for the amount of affordable housing proposed.

#### Heritage Statement

- The heritage significance of the former St. Mark's School and the conservation area will not be meaningfully affected by the proposal
- there will be a highly positive and beneficial effect on the setting of the locally listed St. Mark's Church – existing shabby and unkempt appearance of the area to the north of the church will be replaced by an attractive, well designed new development.

#### Statement of Community Views

- Report details pre-application community consultation carried out and the public responses received.

#### Daylight and Sunlight Report

- Report considers proposal in accordance with UDP requirements and those of BRE Report 209 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' Second Edition (2011) and concludes that the effect on

the daylight and sunlight amenity to the adjoining residential properties will not be materially affected by this development

- closest residential properties to the development are located in Newbury Road and of the 131 rooms to these properties analysed 108 (82%) meet target values recommended in BRE Report 209
- 23 rooms fall marginally below recommended target values as follows:
  - o 10 of the rooms serve bedrooms which the BRE Guidelines consider to be 'less important' in daylight and sunlight terms
  - o 9 are lounge/dining rooms and 4 are kitchens - of these rooms 9 are located within rear elevations flanked by rear projecting wings to these properties - design of the tested buildings themselves limits the daylight admittance to these rooms and according to BRE Report 209 a larger reduction in daylight may be unavoidable
  - o 5 rooms (3.8% of the total rooms assessed) fall marginally short of the BRE target values without any mitigating circumstances
- neighbouring properties in Ravensbourne Road were assessed and 30 of the 35 rooms (85%) meet the daylight distribution criteria whilst the sunlight criteria would be met by 52 of the 53 rooms assessed (98%) with only minor transgressions where rooms do not strictly comply
- overshadowing guidelines are met to all neighbouring properties.

#### Daylight and Sunlight Amenity Report

- Report concludes that tested apartments within the proposed development would receive adequate light when assessed in accordance with UDP guidelines and those set-out in British Standard 8206, Building Research Establishment Report 209 and CIBSE Lighting Guide LG10 and that the majority of the rooms analysed would comfortably meet the target values.

#### Sustainability Appraisal and Energy Strategy Report

- All elements of the scheme will target a BREEAM rating of 'excellent' with the shell restaurant spaces targeting 'very good' as part of the developer responsibility and engagement with prospective tenants to target an enhanced rating of 'excellent' as part of the tenant fit out
- energy efficiency measures include: building fabric, glazing and services to significantly exceed minimum requirements of Part L 2010 of the Building Regulations; good insulation, air leakage and solar overheating prevention measures; water meters; water efficient fittings; building materials with 'A' rating in the Green Guide to Specification (where possible); insulating materials with global warming potential of less than five and an ozone depleting potential of zero; balanced mechanical ventilation with approximately 90% heat recovery; all light fittings to be energy efficient; responsible sourcing of materials with all timber certified sustainable; locally sourced materials, where possible

- scheme will incorporate Combined Heat and Power unit for heating and domestic hot water as part of site wide community heating system along with photo-voltaic cells on sloped element of residential tower for electricity generation
- energy centre will be designed to allow future connectivity to other heat networks when available and total combined solution will reduce the site carbon emissions by 28.8%.

#### Ecology Report

- Report concludes that development would result in loss of small amounts of habitat of low ecological value and it would be possible to compensate for this in the redevelopment scheme.

#### BREEAM Land Use and Ecology Report

- Report makes recommendations for enhancing the wildlife value of the site post construction.

#### Bat Survey

- Survey concludes that there is no evidence of roosting bats at No. 2 Westmoreland Road.

#### Code for Sustainable Homes Assessment

- Sets out how residential elements will target a Code for Sustainable Homes Level 4 for both private and affordable properties under category 9 (Ecology).

#### Ventilation/Extraction Statement

- Statement notes that any external plant or ventilation equipment serving the commercial units within the scheme will be suitably attenuated to protect neighbouring residential amenity.

#### Noise and Vibration Assessment

- Site is categorised as PPG24 Noise Exposure Category B and C for the site for both day and night time periods with the highest noise levels in the south of the site
- suitable building envelope specifications will be required in order to meet the 'good' standard indoor noise level criterion in the most affected residential properties
- vibration impacts upon the proposed development from the railway are not anticipated to be significant.

#### Transport Assessment

- Westmoreland Road junction with Simpson's Road would operate satisfactorily when the development is implemented and the proposed junction modifications introduced - modelling assessment shows that the activity generated by the development would have a minimal impact on the operation of the junction during morning and evening peak hours and the development will have no detrimental effect on the highway network
- Site L Sensitivity Test demonstrates that development of Site L (AAP aspiration for 50 residential units and 100 bedroom hotel) combined with application proposal would have no detrimental effect upon the highway network (Site L remains uncommitted at present)
- Council have prepared a Car Parking Migration Strategy for Bromley Town Centre which addresses the relocation of parking during the construction of the proposed development and provides justification for the amount of public car parking provision proposed
- Transport for London sought car free development on the site owing to its highly accessible PTAL 6 rating – scheme provides 100 allocated car parking spaces for the residents of the proposed scheme (0.5 spaces per unit) based upon the following reasoning:
  - o Transport Assessment identifies through relevant census data that average car ownership within Bromley Town Ward equates to 1.04 vehicles per household which is significantly higher than some Inner London Borough's where the figure can be 0.44 vehicles per household
  - o AAP states at Appendix A.4 that the scheme should include around 200 residential units with residential car parking not to exceed 140 spaces
  - o car parking proposed falls below the maximum spaces per unit ratio set out in the UDP
  - o application site is classified as PTAL 6 but it does not possess the same characteristics as many highly accessible Inner London locations which are well served by bus, train and often tube lines within the immediate area and the wider locality - Bromley Town Centre is surrounded by a number of outlying rural areas fairly poorly served by public transport and there is no tube connection, whilst Tramlink terminates at Beckenham Junction (Planning Statement)
- Council's Parking Migration Strategy identifies Westmoreland Road as operating well below capacity during certain times of the week - pre-recession figures for 2008 indicate demand for 311 public parking spaces at the Westmoreland Road Car Park on Saturdays which is only eleven more than proposed under the application scheme - if the data is modified to reflect 2010 conditions (post-recession) demand for a normal Saturday equates to 268 parking spaces which is 32 below the capacity of the application scheme (Planning Statement)
- greatest demand at Westmoreland Road Car Park occurs on weekdays owing to its popularity with commuters and office workers - this pattern of demand is favourable since it is opposite to many other Town Centre car

parks which cater for shopping and leisure and operate well within capacity during weekdays (Planning Statement)

- strategy identifies that most displaced commuters and local workers will be expected to use the Mall car park which may lead to further displacement amongst the other car parks within the Town Centre (Planning Statement)
- analysis demonstrates that during normal trading conditions throughout the year there will be sufficient parking spaces to cope with expected demand, however demand is likely to increase by 20-25% during the Christmas period equating to a deficit of parking spaces of between 200 spaces (post recession) and 800 spaces (at pre-recession levels) (Planning Statement)
- to further mitigate against the deficit of spaces the Council intends to potentially explore the following approaches:
  - o additional capacity through rearranging use of existing car parks during peak times
  - o additional capacity through temporary car parking within the Town Centre
  - o reintroducing a park and ride facility at Norman Park at Christmas period
  - o improved fixed signage
  - o encouraging the use of alternative modes of transport, such as by bus, cycle or walking
  - o awareness campaign
  - o off peak pricing reductions.

In terms of approved measures, Variable Message Signs (VMS) providing real time car parking information will be introduced around the town centre to mitigate against the deficit of spaces. Officers have also been given approval to design and seek the implementation of an additional 255 new car parking spaces across the town with an additional 110 temporary spaces for the busy Christmas period. The option of a Christmas Park and Ride scheme at Norman Park will provide 160 spaces should it be required.

#### Mixed-use Framework Travel Plan

- Following initiatives are proposed to achieve principal target of reduction of number of single occupant vehicle trips by 5% over a five year period:
  - o improved pedestrian routes
  - o developing a pedestrian route map and cycling route map
  - o promoting walking and cycling as a healthy way to travel
  - o signage to appropriate cycle routes
  - o secure cycle parking
  - o bicycle user group
  - o cycle training for residents and users of the development
  - o employers encouraged to support Government's 'Bike to Work' scheme
  - o providing route maps and timetables for public transport
  - o improve pedestrian links to Bromley South Rail Station

- o incentives for public transport use (£15 Oyster Card per apartment)
- o commercial operators at site encouraged to offer discounts and promotions to users of public transport
- o hotel operator encouraged to provide website mechanism for combined hotel and rail booking with small discount
- o promotion of a car sharing scheme
- o Car Clubs
- o charging points for electric vehicles with Limited Trip incentive scheme
- o welcome packs and travel information
- o travel website for the development
- o facilitating use of broadband internet
- o travel plan awareness days and marketing
- o consultation with residents and travel meetings.

### Phase 1 Desk Study and Land Contamination Assessment

- Report identifies potential for contamination on the site and notes that further data will be required at Phase 2 to complete a satisfactory assessment.

### Flood Risk Assessment

- Drainage strategy will achieve the 'essential standard' in accordance with the London Plan through the use of Sustainable Urban Drainage Systems (SUDS) consisting of green roofs on the hotel and residential block representing over 600m<sup>2</sup> of the total site area.

### **Location**

- 0.96 ha application site lies within the southern part of Bromley's designated Town Centre and currently accommodates a 1960s five storey public car park (split over 6 mezzanine levels) providing 581 spaces serving town centre activities and commuters, five small single storey retail/restaurant units (including a contractor's office/showroom, a dry cleaners, beautician and a restaurant occupying two units) along the Westmoreland Road site frontage and No.2 Westmoreland Road which is used as a place of worship (Class D1)
- Simpson's Road provides vehicular access and egress via Westmoreland Road (B228) to the multi-storey car park and the Royal bank of Scotland (RBS) complex and sweeps around the western and northern perimeter of the site providing service access to the rear of a parade of shops fronting Bromley High Street
- a bus waiting area is located adjacent to the car park roundabout (not used for passenger alighting)
- elevated walkway connects the car park to the main plaza area of the RBS complex feeding into the southern end of Bromley High Street

- culverted section of the River Ravensbourne presently cuts across the southeastern end of the application site feeding from Westmoreland Road and then running along the rear gardens of properties within Newbury Road
- main commuter railway line lies to the north with the residential properties of Ravensbourne Road on the embankment of the cutting beyond - Ravensbourne Road comprises a mix of dwellings in terms of type, size and age, including town houses
- two storey Victorian houses on Newbury Road lie immediately to the west with two storey Victorian houses on Aylesbury Road beyond - rear garden boundaries of Newbury Road properties adjoin the site boundary with vehicular and/or pedestrian accesses onto Simpson's Road
- Simpson's Yard to the rear of No.38a, 44 and 46 Newbury Road is a commercial premises used for the fitting of tow bars and trailer hire and is accessed via Simpson's Road
- Westmoreland Road lies immediately south of the site with the locally listed St Mark's Church on the opposite side of Westmoreland Road facing the site
- main Police Station is located opposite the RBS building (on Masons Hill/High Street) and the Waitrose supermarket is located to the south of Bromley South Station
- Bromley South Station and main office and business district on Elmfield Road ensure a strong level of activity and footfall is maintained within southern part of Town Centre

#### Wider area

- primary retail focus of town centre is around Glades Shopping Centre and pedestrianised High Street
- 4 screen Bromley Empire cinema is located at 242 High Street within the Bromley North area
- main concentration of restaurants is around Widmore Road and East Street
- nearest large existing hotel is the 114 bedroom Best Western Bromley Court Hotel (beyond the northern town centre boundary)
- new 92 bedroom Travelodge hotel is under construction at 37 London Road (beyond the northern town centre boundary).

#### **Pre-application design consultation**

An initial design concept for the site was presented to the Design Council Cabe (DC Cabe) on 23rd February 2011. DC Cabe advised that scheme did not convincingly address the pronounced change in levels, restricted access to the site and the relationship of the site to the RBS building's service yard, adjacent residential properties, the railway, and the locally listed St Mark's Church. An architectural design competition was subsequently undertaken and Guy Hollaway Architects were appointed based upon a different design concept.

The applicant has submitted a copy of DC Cabe's response to a revised scheme following a meeting on 27 July 2011 offering support to the intention to create a

new leisure destination in Bromley South and welcoming the step change in the approach to redeveloping the site. The response included the following comments:

- welcome sense of energy and inventiveness apparent in the approach to the scheme which will be critical in confronting challenges of redeveloping this site and creating a successful new place that feels like an integrated part of the town centre
- decision to cluster buildings around an upper level public space linked to a cascading pedestrian route accessed from Westmoreland Road is supported
- use of hotel to conceal the RBS service yard is welcomed
- planning of linear residential block opposite works well to define this space while establishing an appropriate boundary to existing residential properties on Newbury Road
- principle of tall building of the height proposed in this location is supported and it should serve as a visual marker for south Bromley
- barrier to redevelopment is inadequate connection to High Street and decision to create a more generous, double height threshold that employs the vibrant 'Bromley Broom' inspired colour scheme to signal the entrance to the development is supported
- decision to maintain a level access from this entrance into public space is supported
- given that a more comprehensive solution cannot be achieved until adjacent sites become available for redevelopment the decision to focus on achieving best possible frontage to Westmoreland Road is supported
- southern 'front door' will need to work effectively to convince visitors to negotiate the five metre climb up to the new public square – concept presented could be an effective solution and has the potential to create a memorable place that becomes a destination for south Bromley in its own right
- high quality pedestrian experience will be an important factor in persuading visitors to walk rather than drive to the proposed cinema – this will in turn support the viability of the adjacent restaurants and shops and the life of south Bromley as a whole by encouraging visitors to stay and enjoy the development for longer
- how the proposed buildings engage with the new public space and the wider town centre will significantly influence how integrated the development feels within its context – proposed tall building, hotel and linear residential building opposite have strength as a composition and a conviction as sculptural forms which attempt to address the challenging edge conditions
- logic for sloping form of tall building is understood but it will be important to that it achieves a sufficiently rich expression through the modulation of its facades
- use of inset balconies is supported, as is intended terracing of apartments on the roofslope to avoid the creation of a severe, unarticulated edge to the building could be damaging in long distance views
- hotel building will present a prominent face onto new public route and square and needs to provide sufficient interest through its articulation and quality of materials to contribute positively to the experience of the public



routes and spaces it addresses – role of building in shielding public space from RBS service yards is acknowledged and it is unfortunate that this has resulted in a poor outlook for almost half of the rooms

- massing of the linear residential block appears well considered, particularly with respect to the sensitive boundary to the Newbury Road properties to avoid overlooking
- proposal to incorporate community heating to serve all of the uses with the potential to link to neighbouring developments is welcomed.

It should be noted that the evolution of the scheme was at an earlier stage at this point and DC Cabe's advice emphasised the need for further consideration, analysis and testing of some concepts. Updated DC Cabe comments (on the planning application drawings) will be reported at the committee meeting.

Subsequent pre-application consultation with the GLA resulted in further support for the design philosophy and approach.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- loss of daylight and sunlight; overshadowing
- loss of outlook; loss of views
- overlooking; loss of privacy
- overdevelopment; out of character; overdominant; excessive height; visually obtrusive; harm to residential/village character of area; Townscape and Visual Assessment underplays impact of proposal
- proposal represents 'Croydonisation' of Bromley; town will become more of a commercial hub
- harm to setting of St. Mark's Church
- increased noise and disturbance including from late night traffic
- light pollution
- area does not need more of the uses proposed; existing and proposed hotel developments will result in glut of hotel rooms; overprovision of restaurant floorspace compared to AAP aspirations
- site should be developed for community use; site should be used to enhance Bromley South as a transport hub
- nearby former DSS building should be renovated/redeveloped first; existing vacant town centre units could accommodate restaurants
- inadequate car parking; increased demand for on-street parking; proposal will result in town centre wide shortage of car parking; lack of parking will harm town centre businesses; inadequate alternative car parking provision during construction period
- 12-2pm car parking restrictions in surrounding roads should be extended
- adequate drop-off parking spaces should be provided
- increased traffic and congestion; Westmoreland Road already heavily congested;

- public transport to much of southeast London and Kent is poor
- congestion will deter shoppers
- increased congestion will affect police emergency response
- detrimental impact on highway and pedestrian safety; increased danger to school children from increased traffic; vehicles could crash into Newbury Road gardens
- inadequate room for vehicles to comfortably pass waiting buses
- likelihood of blocked accesses on Newbury and Aylesbury Roads
- wind effect of tall building
- inadequate affordable housing; inadequate family housing
- inadequate children's play space
- increased flood risk; area is likely to flood during lifetime of development; emergency flooding of underground car park would protect local area
- realignment of culvert will increase turbulence at times of flooding and full bore
- surface water will drain onto Newbury Road gardens
- increased pressure on local infrastructure and services, including schools, healthcare and drainage
- items could be blown from terraces onto railway line
- residential units to north and railway side of development will be substandard
- sheet cladding materials present maintenance issues and brick should be used
- increased pollution
- food smells
- increased litter; food waste from restaurants will attract vermin
- noise, disturbance and disruption during construction; damage to nearby properties from construction activity
- increased crime and anti-social behaviour; layout of enclosed space, corridors and stairways could promote crime
- change to demographics of area
- reduction in local property values
- rear access to Newbury Road properties should be maintained during and after development
- new vehicular and pedestrian access to site from High Street along railway line should be created
- anti-social behaviour by bus drivers and bus engines left running to rear of Newbury Road properties will continue/increase
- building may affect television signals
- inadequate pre-application consultation, particularly in relation to Daylight and Sunlight Report
- public views obtained at pre-application stage unrepresentative of those living nearest to site
- section drawing comparing car park to proposed development is misleading
- scale of proposal is profit driven; Council stands to benefit financially from scheme and has a conflict of interest in determining the application
- occupants of commercial units should be upmarket and carefully controlled
- cinema goers will not contribute to local economy

- Bromley needs a new cinema
- scheme is attractive; scheme will inject new life into Bromley
- escalators alongside stairs would benefit scheme
- site should be extended to include redevelopment of shops opposite Bromley South Station and station improvements
- emergency escape arrangements not clear.

The above includes objections received from the Ravensbourne Valley Preservation Society and the Shortlands Residents Association.

### **Comments from Consultees**

- Highways – no objections
- In-house Drainage Consultant – no objections
- Building Control (fire safety) – no objections
- Sustainable Transport (cycle parking) – no objections
- Thames Water – no objections
- English Heritage (Archaeology) - no objections

Transport for London (TfL) are broadly satisfied with the proposals. At the time of writing discussions were ongoing regarding satisfactory bus manoeuvring space and a verbal update will be provided at the meeting.

Environment Agency comments have been received and at the time of writing there are some technical matters outstanding that require resolution. It is anticipated that these matters will be addressed by the time of the committee meeting and a verbal update will be provided.

In terms of crime prevention design the Metropolitan Police have identified matters that will need to be addressed given the scale and nature of the development. It is anticipated that these can be dealt with through a suitable condition.

The Architects Panel (TAP) have made the following comments:

#### ‘Massing and Orientation

The massing and orientation works well and makes good use of the site. The residential amenities of the surrounding properties are respected as is the amenity of the listed St Marks Church. The panel noted that St Christopher’s Place off Oxford Street is an example of how an enclosed space can work well.

#### External Appearance

The western residential block and the northern tower work particularly well but the hotel block could be improved although it was agreed that such details could be handled by condition.

#### Means of access, Servicing & Circulation

The panel are impressed with how this has been handled. These aspects of the scheme have been well considered and cleverly executed.

### Landscaping

Details of this will be handled by a landscaping detail. The panel believe that lighting will be particularly important and it is also felt that the 'Halo' is an interesting detail which will help define the space.

### Conclusions

The proposal is well thought out and represents a significant improvement of the site. The panel recommend the scheme for planning permission.'

The GLA Stage 1 comments are summarised as follows:

- principle of development - proposed land uses are acceptable and comply with London Plan policies 2.7, 2.15, 4.5, 4.6 and 4.7
- housing - it has not been possible to determine whether the proposals provide the 'maximum reasonable amount' in line with London Plan policy 3.12 - proposals do not appear to comply with London Plan policies 3.8 or policy 1.1C of the Mayor's Housing Strategy regarding mix of units, and information from the Council's housing officers should be submitted to explain the mix proposed
- children's playspace – no children's playspace is proposed and the proposals do not comply with London Plan policy 3.6
- urban design: there are a number of detailed matters raised at pre-application stage requiring further attention to ensure compliance with the policies in chapter 7 of the London Plan – these include the provision of a small number of north facing single aspect flats which will receive inadequate light
- views - proposals comply with London Plan policy 7.11
- access and inclusion - proposals do not fully comply with London Plan policies 7.1 and 7.2 relating to inclusive access - the provision of a single lift from the lower plaza to the upper plaza level does not feel inclusive and it is unclear how access to the hotel entrance lobby will be achieved for disabled people being dropped off by taxi
- transport - proposals do not fully comply with London Plan policies 6.2, 6.10
- sustainable development - proposals generally comply with London Plan policy 5.5 and 5.6 relating to decentralised energy and heat networks and with policies relating to sustainable design and construction.

The GLA Stage 1 report included the following comments regarding the scale and massing of the scheme:

'The proposed scale is appropriate to this town centre site. The siting of a tall building on the site is supported; given the lack of a direct, visible route from the high street to the site, the role of a tall building as a visible marker of the proposal most appropriate solution. The tall building's triangular shape would offer landmark qualities that would also improve the legibility

and recognition of the town centre when viewed from a distance. The scale of the north-south buildings flanking the public space would provide suitable but not overbearing enclosure of the space. The raised podium offers reasonably level access to the station via the RBS route whilst dealing with the challenge of providing car parking and servicing facilities.

The massing of the blocks is also appropriate, with the mass of the tall building broken down with the addition of window grids, recesses and balconies. Although the hotel has been designed with the regular patterns and small windows normally specified by operators, the brave facade treatment and interesting evening illumination will strengthen its role within the 'entertainment hub' concept of the site. This treatment and the curved response to the site entrance at Westmoreland Road would contribute to the town centre gateway qualities of the site, and is supported.

At the pre-application stage, concerns were expressed by GLA officers regarding the scale of the buildings closest to the abutting residential boundary along the western edge of the site. The reduction in the scale of these buildings since the pre-application stage is welcomed, and provides a transitional response between the adjoining dwellings and the scale of the town centre. The scale of the development is comparable with the car park currently on the site; the exception is dwellings towards the south of the site, which do not currently face the car park and would have a new structure visible from the rear of their properties. The applicant's drawings demonstrate that the separation between these homes and the new buildings would be approximately 17 metres at the closest point.'

The applicant has provided a response to the concerns raised by the GLA which included the following points:

- discussions have taken place with TfL and London Buses in relation to outstanding highways matters
- further housing information is to be provided by the Council's Housing Division
- Council have confirmed that adequate existing play space facilities are located within the immediate locality and that these are in good condition with no requirement for physical improvement, hence negating the requirement for a children's play space contribution
- northerly aspect flats have a north-westerly facing elevation rather than due north and have angled bay windows and balcony arrangements to mitigate the issue of low natural light levels
- minor amendment to the internal configuration of the open plan kitchen, living room and dining room areas within 3 apartments has improved the daylight levels have improved and all of the rooms now meet British Standard criteria
- acoustic consultants for the project have confirmed that an appropriate internal acoustic environment will be created
- design team added an additional adjacent lift to accommodate the change in levels between the lower and upper plaza whilst visual prominence of both lifts within this public space was improved, as was their inter-connectivity

with the public realm - resultant scheme is 'fully accessible' at both lower and upper plaza levels

- scheme now incorporates accessible seating areas at the top and the bottom of the steps to allow wheelchair users to enjoy and interact with the landscape
- two potential drop-off locations for disabled users being dropped off by taxi - one at the lower plaza level and a second upon the High Street.

Any further responses to consultations will be reported verbally at the meeting.

## **Planning History**

The existing car park and five single storey restaurant/retail units were developed in the 1960s as part of the Westmoreland Place development which incorporated a twelve storey tower known as Telephone House. Telephone House was demolished in the 1990s to make way for the development currently occupying the site which includes office buildings up to 6 storey in height (presently occupied by Royal Bank of Scotland) and a restaurant/pub unit fronting the High Street. A roof was added to the multi-storey car park in the 1980s.

Recent planning history relates mostly to changes of use and shop fronts for the retail and restaurant units at Nos.1-5 Simpson's Road. Temporary planning permission for the use of No.2 Westmoreland Road as a place of worship (Class D1) was granted in July 2009 and has now expired.

## **Planning Considerations**

The proposal falls to be considered primarily with regard to the following policies:

### **UDP**

- H1 Housing supply
- H2 Affordable housing
- H7 Housing density and design
- T1 Transport demand
- T2 Assessment of transport effects
- T3 Parking
- T5 Access for people with restricted mobility
- T6 Pedestrians
- T7 Cyclists
- T9 Public transport
- T18 Road safety
- BE1 Design of new development
- BE2 Mixed use developments
- BE4 The public realm
- BE5 Public art
- BE7 Railings, boundary walls and other means of enclosure
- BE16 Ancient monuments and archaeology
- BE17 High buildings and the skyline
- BE19 Shopfronts and security shutters

- L9 Indoor recreation and leisure
- S2 Secondary frontages
- S6 Retail and leisure development
- S9 Food and drink premises
- S10 Non-retail uses in shopping areas
- ER7 Contaminated land
- ER9 Ventilation
- IMP1 Planning Obligations

#### Bromley Town Centre Area Action Plan

- BTC1 Mixed use development
- BTC2 Residential development
- BTC3 Promoting housing choice
- BTC4 New retail facilities
- BTC8 Sustainable design and construction
- BTC9 Flood risk
- BTC10 River Ravensbourne
- BTC11 Drainage
- BTC12 Water and sewage infrastructure capacity
- BTC13 Combined heat and power
- BTC14 Recycling
- BTC15 Biodiversity
- BTC16 Noise
- BTC17 Design quality
- BTC18 Public realm
- BTC19 Building height
- BTC20 Play and informal recreation
- BTC21 Transport schemes
- BTC22 Public transport
- BTC25 Walking and cycling
- BTC25 Parking
- BTC26 Phasing of Transport Improvements
- BTC27 Traffic Management
- BTC28 Car clubs
- BTC30 Phasing
- BTC31 Developer contributions
- BTC32 Public realm improvements
- BTC33 Planning applications
- OSK Westmoreland Road car park

#### London Plan

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London Economy
- 2.8 Outer London: Transport
- 2.15 Town centres
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments

- 3.6 Children and young peoples play and informal recreation facilities
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 3.16 Protection and enhancement of social infrastructure
- 4.5 London's visitor Infrastructure
- 4.6 Support for and enhancement of arts, culture, sport and entertainment provision
- 4.7 Retail and town centre development
- 4.12 Improving opportunities for all
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.5 Decentralised energy networks
- 5.6 Decentralised energy and development proposals
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.15 Water use and supplies
- 5.18 Construction, excavation and demolition waste
- 6.1 Integrating transport and development
- 6.2 Providing public transport capacity and safeguarding land for transport
- 6.3 Assessing effects of development on transport capacity
- 6.7 Better streets and surface transport
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's neighbourhoods and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.7 Location and design of tall and large buildings
- 7.8 Heritage assets and archaeology
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes
- 8.2 Planning Obligations.

The following Supplementary Planning Documents produced by the Council are relevant:

- Affordable Housing Supplementary Planning Document



- Planning Obligations Supplementary Planning Document.

The following documents produced by the Mayor of London are relevant:

- The Mayor's Economic Development Strategy; Employment Action Plan
- Housing Supplementary Planning Guidance
- Providing for Children and Young People's Play and Informal Recreation Supplementary Planning Guidance
- Housing Strategy
- Accessible London: achieving an inclusive environment
- Planning and Access for Disabled People: a good practice guide (ODPM)
- The Mayor's Transport Strategy
- RPG3A, Revised View Management Framework SPG
- Mayor's Climate Change Mitigation and Energy Strategy
- Mayor's Water Strategy
- Sustainable Design and Construction SPG.

There are other relevant policy documents that come under the general category of other 'material considerations'. These include:

- PPS1 Delivering sustainable development
- PPS3 Housing
- PPS4 Planning for sustainable economic growth
- PPS5 Planning for the historic environment
- PPG13 Transport
- PPS22 Renewable energy
- PPS24 Planning and noise
- PPS25 Development and flood risk.

## UDP

Policy H7 requires that proposals for new housing developments ensure that 'iii) the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas'.

Policy BE1 states that

'All development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To those ends, proposals will be expected to meet all of the following criteria:

- (i) development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas;
- (ii) development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features;
- (iii) space about buildings should provide opportunities to create attractive settings with hard or soft landscaping;

(iv) relationship with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings;

(v) the development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing;

(vi) the development should include measures that achieve sustainable design and construction methods including, where appropriate, energy generated by on-site renewable development;

(vii) suitable access should be provided for people with impaired mobility. Where necessary and relevant to the development, contributions may be sought to improve accessibility around the development;

(viii) security and crime prevention measures should be included in the design and layout of building and public areas; and

(ix) applications should be accompanied by a written statement setting out design principles and illustrative material showing relationship of the development to the wider context.'

Policy BE17 (High buildings and the skyline) states that:

'Proposals for buildings that significantly exceed the general height of buildings in the area will be expected to provide the following:

- a design of outstanding architectural quality that will enhance the skyline
- a complete and well-designed setting, including hard and soft landscaping, so that development will interact and contribute positively to its surroundings at street level
- mixed use at effective densities
- good access to public transport nodes and routes.'

Policy S6 (Retail and leisure development) states that:

'Proposals for retail or leisure development on sites...within town centres...will be permitted provided that:

- the scale of the proposal will be appropriate to the size of the centre within which it is to be located
- it will not harm the viability or vitality of other nearby centres, either by itself or in conjunction with other proposals.'

### Town Centre Area Action Plan

The Bromley Town Centre Area Action Plan (AAP) was adopted in October 2010 and paragraph 1.1.1. states that:

'The AAP sets out the Council's vision for the town centre together with objectives, policies and proposals to guide future development and change. It seeks to enhance Bromley's character and environment and to promote sustainable development which will improve the quality and range of facilities and services available to residents and businesses.'

Paragraph 2.1.1 states that:

‘Bromley Town Centre’s retail and leisure offer has declined in recent years and technical studies and consultation with key stakeholders during preparation of the AAP have both highlighted the need to enhance the quality of the town centre. Change is therefore required if the town centre is to realise its full potential and provide a more attractive place to shop, work, live and visit, whilst protecting the essential character of the historic parts of the town.’

Part 3 of the AAP sets out the vision for Bromley Town Centre which is based on enhancing the distinctiveness of identified character areas and the creation of zones of activity to add to the diversity of the town centre and create new destinations. Bromley South is identified for ‘a new entertainment/leisure focus and southern gateway to the town centre’ and the application site (Opportunity Site K) is located within this character area.

Paragraph 3.1.6 of the AAP sets out key elements of the vision for Bromley Town Centre including:

‘distinctive architecture and potential for some taller buildings in appropriate locations - recent development has not made a significant contribution to the character of the town centre and there is a lack of distinctive design. The promotion of high standards of design and the consideration of the possible role of taller buildings in appropriate locations could add to the distinctiveness of the town centre.’

Section 3.2 of the AAP provides a spatial strategy and framework for future development within the Town Centre. Bromley South, including the Westmoreland Road Car Park Site, is identified to provide the following:

- high density mixed-use residential development in close proximity to public transport facilities
- new entertainment/leisure focus at Bromley South
- provision for future hotel development
- improvements to the existing business areas to accommodate the needs of existing employers and to attract new investments in high quality business development and employment opportunities. Improvements will include environmental and townscape improvements, improved access to business premises and linkages to town centre functions and promotion of high quality design and new business development.

Section 4.1 of the AAP sets out the key objectives to realise the vision for Bromley Town Centre and these include:

- promoting economic growth and local employment opportunities, increasing the quality of commercial floorspace and economic opportunities in the town centre for benefit of Borough and London as a whole

- extending the range, quality and accessibility of facilities and services to support a vibrant, thriving place that attracts people to live, work and play in the town centre
- providing residential capacity within the town centre, through mixed use development that ensures housing meets local needs including the supply of affordable housing
- promoting high quality design and townscape improvements throughout the town centre and enhancing the quality and character of the area
- promoting sustainable development by minimising the impacts of town centre development on the environment and ensuring Bromley is an attractive place to live, work, visit and invest.

Policy BTC1 states that the Council will work with the private sector to deliver mixed use schemes on opportunity sites to promote a vibrant mix of uses and activities in the Town Centre. The policy also identifies the need for up to 3 new hotels in the town centre.

The supporting text at paragraphs 4.2.1-2 and 4.2.4-5 states that

‘It is vital that Bromley’s strategic role as a location for businesses, shopping, services, culture, leisure and community and civic facilities is maintained and its range of facilities improved to reinforce its designation as a Metropolitan Centre and provide improved opportunities for residents and businesses in the Borough.

The Council seeks to accommodate growth of town centre uses. In addition, in accordance with national and regional policy, realising the potential to provide additional homes as part of mixed use development schemes will help to meet housing needs and achieve sustainable development whilst also accommodating town centre uses. Policy BTC1 is designed to extend the range and quality of facilities and services to create a vibrant, thriving town centre...

...It is paramount for Bromley Council to build on the strengths of the town centre to accommodate growth requirements and promote sustainable forms of development. Mixed use development will promote the objectives of sustainable development promoted by government policy, promote vitality and diversity and reduce the need to travel by ensuring access to public transport.

A key part of the strategy for improving Bromley Town Centre’s attractiveness is the focus on leisure and cultural activities and the enhancement of the food and beverage offer to appeal to a wider demographic and help establish Bromley as a vibrant town centre.

This should support the increased residential population and contribute to the success of improvements to the retail and commercial offer.’

Policy BTC19 state that there may be potential for the development of taller buildings in identified locations, which include the application site.

The AAP identifies 9 Opportunity Sites which 'have the potential for significant change and development to provide new or intensified town centre uses' (Para. 5.1.1) including Site K, the application site. Policy OSK states that the Council will work with developers to deliver a mixed use development on Site K comprising:

- re-provision of public parking in multi-storey car park as part of the town-centre wide car parking strategy
- around 200 residential units, including provision of family housing
- around 4,000m<sup>2</sup> cinema and associated leisure uses
- 100 bed hotel
- 1,000 m<sup>2</sup> A3/A4/A5 food and drink uses.

Paragraphs 5.9.1 to 5.9.3 state:

'Site K is proposed for mixed-use cinema-led development to enhance existing leisure and entertainment facilities in the town centre. Development will need to be sensitive to the scale and form of surrounding development and to address the relationship and linkages to Bromley South Station and the High Street. Part of the site is located within Flood Zone 3. A sequential test has been undertaken and it is concluded that development of the site is required to deliver early renewal benefits and to maximise the development potential of brownfield land with high levels of accessibility. Following consideration of all available sites, it has been concluded that this is the most suitable location for leisure and entertainment uses within the town centre, in part due to the excellent transport links and access to public car parking facilities...

It is considered important that the town provides a range of leisure uses to specifically balance the evening economy and provide opportunities for family entertainment. A high quality scheme will bring forward the Council's priority of providing a new multiplex cinema complex and replacement public parking for the town. Given the site's location, within the town centre character area of Bromley South, together with its topography which falls to the south and west, the site has been identified as one that is capable of accommodating higher buildings. This will enable the mixed-use development to provide a sense of place by giving greater visual legibility to the commercial and entertainment attractions and to address linkages to Bromley South Station. The additional height therefore allows for an increase in the number of residential units without giving rise to additional residential parking given the site's high PTAL rating and accessibility to excellent public transport links.

Currently cinema provision is very limited, consisting only of the Bromley Empire (4 screens). If proposals for Site K impact on the commercial viability of the existing cinema the building should be reused for alternative entertainment or cultural purposes.'

Paragraph 6.4.8. sets out mitigation measures to address the closure of the Westmoreland Road car park and these include the Parking Migration Strategy and

the introduction of a town-wide Variable Message System to provide information on car park space availability for people driving into town.

Appendix A.3 sets out Character Area Guidelines and states that Bromley South is:

‘an appropriate location to consider taller buildings (subject to a tall buildings study) and higher density because of the reduced visual impact of the valley, the proximity to the station and the gateway role. Building scale must respond to the surrounding low scale residential areas and the few historic listed buildings in the vicinity’

Appendix 5 sets out the Site K Opportunity Area Design Principles as follows:

#### Existing Situation

- The site is dominated by the Westmoreland MSCP which is highly visible on approach from London by train
- the site includes buildings of significant bulk and scale and further taller buildings could be located to create a higher density ‘town centre’ group without compromising surrounding buildings, spaces and views
- there is a substantial level change across the site which sees a drop of relatively even gradient from the high point in the NE to a low point in the SW
- locally listed St Marks Church is an important building at the southern edge of the town. The Church tower is significant in street views along Westmoreland Road and development should not dominate but complement its setting
- Simpson Road lacks a strong street frontage, with the current service entrance to the RBS building and the MSCP access dominating, the overall sense of continuity and cohesion is poor and could be greatly improved
- vehicular dominated streets and service access areas make the pedestrian environment poor. Ease of movement with safe, comfortable and attractive pedestrian access through the site must be the aim
- building arrangement has been designed to ensure ease of vehicular movement at the expense of pedestrian movement. Pedestrian movement corridors are interrupted by poor building arrangement and servicing, routes are currently unpleasant and disconnected
- the site represents a transition zone between surrounding land uses, proposed future uses should respond to the adjacent land uses

#### Key Design Principles

- building heights should respond to surrounding scale but could include a taller landmark tower with a reducing scale towards the residential properties in Newbury Road and the locally listed St Mark’s Church
- façade treatments must address the need to provide a series of high quality elevations sympathetic to their context creating an attractive development solution

- the potential size of development places an emphasis on using the external façade to increase efficiency and moderate impact using areas of living walls and green roofs
- redevelopment must seek to create a strong connection to the station and the High Street possibly including removal of one or more building onto the High Street (in conjunction with Site J)
- development at Westmoreland Road and Simpson Road must address the impact on street views and the relationship with St Marks Church
- the scheme must seek to improve the pedestrian environment including solutions to reduce visual impact of adjacent service yards, storage areas and plant
- the scheme must seek to create a new public space within the development that gives access to the new cinema and other leisure facilities being provided
- new pedestrian links should be sought to improve access to residential areas beyond. This could incorporate improvements to playground in Newbury Road
- Adequate facilities must be provided for bus turning and standing
- Mitigation measures must be incorporated in response to findings of flood risk assessment.

## London Plan

Policy 2.7 of the London Plan states that:

The Mayor will, and boroughs and other stakeholders should, seek to address constraints and opportunities in the economic growth of outer London so that it can rise above its long term economic trends by:

h identifying and bringing forward capacity in and around town centres with good public transport accessibility to accommodate leisure, retail and civic needs and higher density housing, including use of the compulsory purchase process to assemble sites, and providing recognition and support for specialist as well as wider town centre functions

k supporting leisure, arts, cultural and tourism and the contribution that theatres and similar facilities and the historic environment can make to the outer London economy, including through proactive identification of cultural quarters and promotion and management of the night time economy (see Policy 4.6)

p ensuring the availability of an adequate number and appropriate range of homes to help attract and retain employees and enable them to live closer to their place of work in outer London.

Policy 4.5 of the London Plan (London's visitor infrastructure) promotes increased provision of hotel bedrooms in town centre locations.

London Plan policy 4.6 (Support for and enhancement of arts, culture, sport and entertainment provision) seeks to 'd) promote and develop existing and new cultural and visitor attractions especially in outer London and where they can

contribute to regeneration and town centre renewal’ and ‘g) provide arts and cultural facilities in major mixed use redevelopment’.

Policy 4.7 of the London Plan (Retail and town centre development) promotes retail, commercial, culture and leisure development in town centres provided its scale is related to the size, role and function of a town centre and its catchment.

Policy 7.4 of the London Plan (Local character) states that:

‘Buildings, streets and open spaces should provide a high quality design response that:

- a has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
- b contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area
- c is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings
- d allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area
- e is informed by the surrounding historic environment.’

Policy 7.5 of the London Plan (Public realm) states that:

‘Development should make the public realm comprehensible at a human scale, using gateways, focal points and landmarks as appropriate to help people find their way. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space. Opportunities for the integration of high quality public art should be considered, and opportunities for greening (such as through planting of trees and other soft landscaping wherever possible) should be maximised. Treatment of the public realm should be informed by the heritage values of the place, where appropriate.

Development should incorporate local social infrastructure such as public toilets, drinking water fountains and seating, where appropriate. Development should also reinforce the connection between public spaces and existing local features such as the Blue Ribbon Network and parks and others that may be of heritage significance.’

Policy 7.6 of the London Plan (Architecture) states that buildings and structures should:

- be of the highest architectural quality
- be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm



- comprise details and materials that complement, not necessarily replicate, the local architectural character
- not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- incorporate best practice in resource management and climate change mitigation and adaptation
- provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- be adaptable to different activities and land uses, particularly at ground level
- meet the principles of inclusive design
- optimise the potential of sites.

Policy 7.7 of the London Plan (Location and design of tall and large buildings) states that tall and large buildings should:

- generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport
- only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building
- relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level
- individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London
- incorporate the highest standards of architecture and materials, including sustainable design and construction practices
- have ground floor activities that provide a positive relationship to the surrounding streets
- contribute to improving the permeability of the site and wider area, where possible
- incorporate publicly accessible areas on the upper floors, where appropriate
- make a significant contribution to local regeneration.

Tall buildings should not:

- affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference
- impact on local or strategic views adversely.

### National policy

Policy EC10 of PPS4 states that 'Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic

development. Planning applications that secure sustainable economic growth should be treated favourably.’ The policy further states that:

‘All planning applications for economic development should be assessed against the following impact considerations:

- whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change
- the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured
- whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions
- the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives
- the impact on local employment.’

A Section 106 legal agreement (together with planning conditions and the development agreement) will secure the following benefits and obligations - :

- provision of on-site affordable housing, and payment in lieu triggered by the development agreement which will depend on the profitability of the scheme
- healthcare infrastructure contribution of £197,000
- education infrastructure contribution £504,045.51
- Travel Plan including restriction on residents being able to apply for parking permits, and providing an Oyster Card for each residential unit with £15 credit (condition and Section 106)
- Town Centre contribution for improvements within the area covered by the Bromley Town Centre Area Action plan, including for pedestrian wayfinding and signage (£20,000)
- provision of public toilets, including that they be available for use by bus operatives 24 hours every day (condition and Section 106)
- Car Club, including dedicated on-street parking space (condition and Section 106)
- bus stand and turning area (development agreement)
- on and off-site works to realign culvert of River Ravensbourne
- provision of public art (condition)
- improvement of junction at access to site (Section 278 agreement and planning condition).

The GLA has requested a contribution to off site play facilities, but there are no opportunities to provide or improve any such facilities in the vicinity of the application site.

Prior to the application process the applicant requested a Screening Opinion as to whether an Environmental Impact Assessment was required. The proposal

constitutes Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it was considered that the proposed development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size and location. This opinion was expressed taking into account all relevant factors including the information submitted with the application, advice from technical consultees, the scale/characteristics of the existing and proposed development on the site.

The scheme will have a residential density of 208 residential units per hectare with an average of 2.7 habitable rooms per unit. If the density calculation is performed with a reduced site area to reflect the proportion of non-residential development within the scheme then the residential density is 347 units per hectare.

## **Conclusions**

The main issues to be considered in this case are as follows:

- compliance with the vision, strategy and policies of the Area Action Plan for the Town Centre
- impact of the proposal on the character of the area
- impact on the residential amenities of the occupants of nearby dwellings
- impact on the setting of the locally listed St. Mark's Church
- regeneration and other benefits of the scheme
- highways implications.

It can be recognised that Bromley Town Centre has declined relative to competing retail centres in recent times and would benefit from investment. The Town Centre presently has no hotel provision, limited leisure facilities and limited high density residential accommodation such as that proposed. The Economic Statement presents a convincing case that there is a demand for the proposed development and that its regeneration impacts will be significant. In particular it will improve the leisure offer and night time economy of the Town Centre and rejuvenate the south of the centre resulting in the claw back of trade from centres such as Croydon and Bluewater. The scheme is consistent with the AAP objective of promoting balanced mixed use development to complement the Town Centre's primary retail offer thereby contributing to the its future vitality and viability and its wider regeneration. Substantial weight can be attached to the regeneration benefits that the scheme will bring.

The proposal involves loss of the existing multi storey public car park, but public parking will be provided in the scheme. The Council's Parking Migration Strategy recognises and plans for the displacement of the spaces during the construction period and for the situation once the development is complete. The Council is committed to continuously monitor parking demands in the Town Centre and plan for the provision of adequate parking, including temporary solutions to address the issue of peak demand during the Christmas period. With proposals for the provision of additional capacity that have been identified and the proposed Variable

Message Signage, there is confidence that the Strategy will be successful and that public car parking in the Town Centre can be successfully managed.

The multi-storey car park itself has a negative impact in visual amenity terms whilst the commercial buildings offer little in terms of their aesthetic value. No.2 Westmoreland Road is a more attractive building but there is little reason to resist its demolition.

The principle of the acceptability of a tall residential building has been established through the AAP and the scale of the proposed development is appropriate given the site's location adjacent to Bromley South Station, the topography of the surrounding area and its relationship with the commercial blocks around Elmfield Road.

The applicant has demonstrated that the design of the development has been heavily informed by the need to respect the residential amenities of nearby properties, in particular those on Newbury Road. The rear garden fence of No.12 Newbury Road will be approx. 3.1 metres from the western elevation with the closest rear window located approx. 16.1 metres from the new building. The height of the western wing increases as the separation to the Newbury Road properties increases as the height of the western wing increases. The rear elevation of No.28 Newbury Road will be 22.5 metres from the western wing where the height of the podium deck will be eight metres above ground level.

The applicant has submitted section diagrams within the Design and Access Statement to demonstrate that the impact of bulk and massing on several of the Newbury Road properties will be comparable to the existing car park. The residential properties towards the northern end of Newbury Road will look out onto a building taller than the existing multi-storey car park, however, the separation distances at this point are greater with approx. 31.2m between the block and the rear elevation of No.38. The tower will be up to approx. 16.7m wide at this point which should reduce any impact of scale and bulk.

There should be no overlooking from the car park levels facing Newbury Road whilst high level obscure glazed windows are proposed for the podium level restaurants. The residential maisonettes located above the restaurant level will be orientated towards the plaza and will not contain windows directly facing towards Newbury Road. The western facing tip of the tower offers potential for some overlooking from approximately 12 apartments towards the nearest residential properties in Newbury Road. However, the degree of separation to these properties and the orientation of the new building is such that there will not be any undue harm from overlooking. It should be noted that the existing car park currently provides the scope for unrestricted public overlooking towards residential properties within Ravensbourne Road and Newbury Road.

The hotel block will face the RBS building and the adjacent parts will be comparable in height and there will be a minimum separation of approx. 8.4m at the southern end. The predominantly daytime nature of the office use and the predominantly nighttime nature of the hotel use is such that there should not be any unacceptable overlooking.

The applicants have carried out extensive daylight assessments to demonstrate the proposed impact of the development on the immediate locality. The daylight and sunlight report identifies that 5 of the 131 rooms assessed would fall marginally short of BRE target values without any mitigating circumstances. Overall the effect on these properties are such that the refusal of planning permission on light grounds would not be justified, particularly taking into account the fact that the site has been identified as suitable for the amount of development proposed and a tall building.

The scheme accords with the indicative development areas for Site K in Policy OSK in terms of the number of residential units proposed. Whilst the scheme does not strictly accord with the aspirations of the AAP in terms of the amount of development proposed for the other uses it is, overall, reasonably close to the mix sought under Policy OSK. The provision of an additional 1,629m<sup>2</sup> restaurant floorspace is in part justified by the applicant as supporting the viability of the hotel and cinema uses on the site and successfully animating the public space. It has been demonstrated that the number of car parking spaces is acceptable in highways terms and the applicant has provided commercial and operational justification for the increased number of hotel rooms and the lower provision of floorspace for leisure use. The application scheme followed a detailed design process which provided information unavailable when the land use allocations were set and which informed the mix of uses on the site to achieve a balance in commercial, operational and urban design terms. The mix of uses on the site is therefore considered acceptable.

Policy OSK seeks the provision of family housing on the site and it is noted that only 4 three bedroom flats are proposed. It is considered that given the nature of the development and its town centre location this limited provision of three bedroom flats is acceptable. If the affordable housing payment in lieu is triggered, this will enable family dwellings to be provided in more suitable locations.

The design of the scheme is commendable in its response to the challenging site constraints and the application demonstrates that important features of the scheme have been carefully considered. The appearance of the main residential tower is considered to be distinctive and of a high quality of design and will act as a landmark in this location. The use of materials and the elevational treatment should provide interest and detract from any impression of bulk when viewed from the north or the south. The hotel building is of a distinctive design and the 'broom flower' elevational treatment, choice of materials and linear lighting successfully addresses the challenges presented by the static façade.

The plaza level has been designed so that it is animated by human activity and combined with the hard and soft landscaping and public art should provide a successful public space. Weight can be attached to the public amenity benefits that this new space will bring. The western wing has been designed to help frame the entrance to the site whilst relating to the main residential building and respecting the amenity of the Newbury Road properties. The 'green wall' proposed should soften the visual impact of the western elevation.

The scheme has been designed to recognise the setting of St. Marks Church and it can be accepted that this setting will be enhanced.

The application proposes a substantial development on a key site within the designated Town Centre. The intended uses are all acceptable within the context of adopted planning policies which seek the regeneration of the area. Overall the development will improve the local environment and pedestrian accessibility to the Town Centre. The proposal represents an efficient use of a very well located site in accessibility and sustainability terms and will deliver a number of significant benefits contributing to the wider aspirations for the town centre as set out in the Area Action Plan.

Background papers referred to during the production of this report comprise all correspondence and other documents on file ref. 11/03865, excluding exempt information.

as amended by documents received on 30.01.2012

**RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT subject to referral to the Greater London Authority**

and the following conditions:

- |    |        |  |                      |
|----|--------|--|----------------------|
| 1  | ACA01  | Commencement of development within 3 yrs |                      |
|    | ACA01R | A01 Reason 3 years                       |                      |
| 2  | ACA07  | Boundary enclosure - no detail submitted |                      |
|    | ACA07R | Reason A07                               |                      |
| 3  | ACA09  | Landscaping scheme (inc.street furniture |                      |
|    | ACA09R | Reason A09                               |                      |
| 4  | ACC01  | Satisfactory materials (ext'nl surfaces) |                      |
|    | ACC01R | Reason C01                               |                      |
| 5  | ACC03  | Details of windows                       |                      |
|    | ACC03R | Reason C03                               |                      |
| 6  | ACD06  | Sustainable drainage system (SuDS)       |                      |
|    | ADD06R | Reason D06                               |                      |
| 7  | ACH01  | Details of access layout (2 insert)      | Westmoreland Road 1m |
|    | ACH01R | Reason H01                               |                      |
| 8  | ACH03  | Satisfactory parking - full application  |                      |
|    | ACH03R | Reason H03                               |                      |
| 9  | ACH16  | Hardstanding for wash-down facilities    |                      |
|    | ACH16R | Reason H16                               |                      |
| 10 | ACH18  | Refuse storage - no details submitted    |                      |
|    | ACH18R | Reason H18                               |                      |
| 11 | ACH22  | Bicycle Parking                          |                      |
|    | ACH22R | Reason H22                               |                      |
| 12 | ACH23  | Lighting scheme for access/parking       |                      |
|    | ACH23R | Reason H23                               |                      |
| 13 | ACH27  | Arrangements for construction period     |                      |
|    | ACH27R | Reason H27                               |                      |

- 14 ACH28 Car park management  
ACH28R Reason H28
- 15 ACH29 Construction Management Plan  
ACH29R Reason H29
- 16 ACH30 Travel Plan  
ACH30R Reason H30
- 17 ACH31 Car Club  
ACH31R Reason H31
- 18 ACI15 Protection from traffic noise (1 insert) road and rail  
ADI15R Reason I15
- 19 ACI20 Lifetime Homes Standard/wheelchair homes  
ADI20R Reason I20
- 20 ACI21 Secured By Design  
ACI21R I21 reason
- 21 ACJ11 Soundp'fing. etc for rest./t-away (1 in) restaurants and  
drinking establishments  
ACJ11R J11 reason
- 22 ACJ22 Lighting Scheme  
ACJ22R J22 reason
- 23 ACK03 No equipment on roof  
ACK03R K03 reason
- 24 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 25 ACK07 Disabled access (see DI12)  
ADK07R Reason K07
- 26 ACK08 Archaeological access  
ACK08R K08 reason
- 27 ACK09 Soil survey - contaminated land  
ACK09R K09 reason
- 28 ACK21 Details of CCTV scheme  
ACK21R Reason K21
- 29 ACK22 Public art  
ACK22R Reason K22
- 30 No part of the development hereby permitted shall be commenced until details of improvements to the junction of the reconfigured Simpson's Road and Westmoreland Road have been submitted to and approved in writing by the Local Planning Authority and the junction improvements shall be completed before any part of the development is first occupied.  
**Reason:** In order to comply with Policy T18 of the Unitary Development Plan and to ensure that the proposal does not prejudice the free flow of traffic and conditions of general safety along the adjoining highway.
- 31 No part of the development hereby permitted shall be first occupied until all of the public toilet facilities indicated on the approved plans have been provided and these facilities shall be permanently retained thereafter.  
**Reason:** In order to ensure that adequate public toilet facilities are provided within the development.
- 32 The uses within Classes A3 and A4 (restaurants and drinking establishments) hereby permitted shall not operate before 8am and no customers shall be admitted to the premises after 11pm and all customers shall have left the premises by 12am on Monday to Sunday (inclusive).

**Reason:** In the interests of the amenities of the occupants of nearby residential properties.

33 Details of electric car charging points shall be submitted to and approved in writing by the Local Planning Authority and the charging points shall be installed in accordance with the approved details and shall be permanently retained in working order thereafter.

**Reason:** In the interests of promoting more sustainable means of car travel.

34 Detailed plans of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate fumes and odours (and incorporating activated carbon filters where necessary) for each individual Class A3 and Class A4 unit shall be submitted to the Local Planning Authority for approval; after each system has been approved in writing by the Authority, it shall be implemented in accordance with the approved details before the use hereby permitted first commences and shall thereafter be permanently retained in an efficient working manner.

**Reason:** In order to comply with Policies S9 and ER9 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

35 Before any works on site are commenced, an updated site-wide energy strategy assessment shall be submitted to and approved by the Local Planning Authority. The results of this strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve an agreed reduction in carbon dioxide emissions of at least 25% better than Building Regulations. This should include the reduction from on-site renewable energy generation as set out in the Sustainability Appraisal and Energy Strategy Report. The final designs, including the energy generation, detailed layout and elevations shall be submitted to and approved in writing by the Authority and shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

**Reason:** In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2011.

36 Before the development hereby permitted is commenced, details of on and off-site works to realign, divert and improve the culverted river (including the diversion of services) shall be submitted to and approved by the Local Planning Authority in consultation with the Environment Agency. The works shall be implemented in accordance with the approved plans.

**Reason:** In order to maintain access to the culverted River Ravensbourne and to comply with PPS25.

37 The bus stand and turning area hereby permitted shall be completed in accordance with the approved details before any part of the development hereby permitted is first occupied and shall be permanently maintained thereafter.

**Reason:** In order to maintain waiting and turning facilities for buses within the site.

38 Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the



development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

**Reason:** In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

39 Development should not be commenced until impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

**Reason:** To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand.

40 No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**Reason:** The proposed works will be in close proximity to underground water and sewerage utility infrastructure and piling has the potential to impact upon this infrastructure.

41 The applicant shall at his own expense instruct an specialist access consultant, approved by the Council in writing, to liaise with the developer and/or his architect or engineer to approve details of accessibility, oversee the works and report to the Council throughout the period of the works in so far as the works may affect access issues on the site. Works shall not commence on site until a consultant has been appointed. After commencement of the project, all persons employed or engaged on the project shall immediately comply with any reasonable instruction, advice or request given or made by the specialist access consultant in respect of works in so far as they relate or affect accessibility within the development.

**Reason:** In order to comply with Policy T5 of the Unitary Development Plan and to ensure that all access issues associated with this challenging site can be adequately addresses.

42 Details shall be submitted to the Local Planning Authority of a Delivery Service Plan before any part of the development is occupied. After it has been approved in writing by the Authority the Plan shall be implemented in accordance with the approved details and operated thereafter. The Plan shall include measures for annual monitoring and updating.

**Reason:** In order to provide adequate, safe and convenient access for service vehicles and in the interest of the free flow of traffic and conditions of highway safety, to comply with policy T18 of the Unitary Development Plan.

43 The development hereby permitted shall be carried out in accordance with the following approved plans.

**Reasons for permission:**

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan, Bromley Town Centre Area Action Plan and the London Plan:

- H1 Housing Supply
- H2 Affordable housing
- H7 Housing density and design
- T1 Transport demand
- T2 Assessment of transport effects
- T3 Parking
- T5 Access for people with restricted mobility
- T6 Pedestrians
- T7 Cyclists
- T9 Public transport
- T18 Road safety
- BE1 Design of new development
- BE2 Mixed use developments
- BE4 The public realm
- BE5 Public art
- BE7 Railings, boundary walls and other means of enclosure
- BE16 Ancient monuments and archaeology
- BE17 High buildings and the skyline
- BE19 Shopfronts and security shutters
- L9 Indoor recreation and leisure
- S2 Secondary frontages
- S6 Retail and leisure development
- S9 Food and drink premises
- S10 Non-retail uses in shopping areas
- ER7 Contaminated land
- ER9 Ventilation
- IMP1 Planning Obligations

#### Bromley Town Centre Area Action Plan

- BTC1 Mixed use development
- BTC2 Residential development
- BTC3 Promoting housing choice
- BTC4 New retail facilities
- BTC8 Sustainable design and construction
- BTC9 Flood risk
- BTC10 River Ravensbourne
- BTC11 Drainage
- BTC12 Water and sewage infrastructure capacity
- BTC13 Combined heat and power
- BTC14 Recycling
- BTC15 Biodiversity
- BTC16 Noise
- BTC17 Design quality
- BTC18 Public realm
- BTC19 Building height

BTC20 Play and informal recreation  
BTC21 Transport schemes  
BTC22 Public transport  
BTC25 Walking and cycling  
BTC25 Parking  
BTC26 Phasing of Transport Improvements  
BTC27 Traffic Management  
BTC28 Car clubs  
BTC30 Phasing  
BTC31 Developer contributions  
BTC32 Public realm improvements  
BTC33 Planning applications  
OSK Westmoreland Road car park  
London Plan

## 2.6 Outer London: Vision and Strategy

2.7 Outer London Economy

2.8 Outer London: Transport

2.15 Town centres

3.3 Increasing housing supply

3.4 Optimising housing potential

3.5 Quality and design of housing developments

3.6 Children and young peoples play and informal recreation facilities

3.7 Large residential developments

3.8 Housing choice

3.9 Mixed and balanced communities

3.12 Negotiating affordable housing on individual private residential and mixed use schemes

3.13 Affordable housing thresholds

3.16 Protection and enhancement of social infrastructure

4.5 London's visitor Infrastructure

4.6 Support for and enhancement of arts, culture, sport and entertainment provision

4.7 Retail and town centre development

4.12 Improving opportunities for all

5.1 Climate change mitigation

5.2 Minimising carbon dioxide emissions

5.3 Sustainable design and construction

5.5 Decentralised energy networks

5.6 Decentralised energy and development proposals

5.7 Renewable energy

5.9 Overheating and cooling

5.10 Urban greening

5.11 Green roofs and development site environs

5.12 Flood risk management

5.13 Sustainable drainage

5.15 Water use and supplies

5.18 Construction, excavation and demolition waste

6.1 Integrating transport and development

6.2 Providing public transport capacity and safeguarding land for transport

- 6.3 Assessing effects of development on transport capacity
- 6.7 Better streets and surface transport
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's neighbourhoods and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.7 Location and design of tall and large buildings
- 7.8 Heritage assets and archaeology
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes
- 8.2 Planning Obligations.

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties
- (d) the safety of pedestrians and motorists on the adjacent highway
- (e) the safety and security of buildings and the spaces around them
- (f) accessibility to buildings
- (g) the housing policies of the development plan
- (h) the design policies of the development plan
- (i) the high buildings policies of the development plan
- (j) the transport policies of the development plan
- (k) the sustainable development and renewable energy policies of the development plan
- (l) the town centre policies of the development plan
- (m) the affordable housing policies of the development plan
- (n) the impact on healthcare and education infrastructure

and having regard to all other matters raised.

#### INFORMATIVE(S)

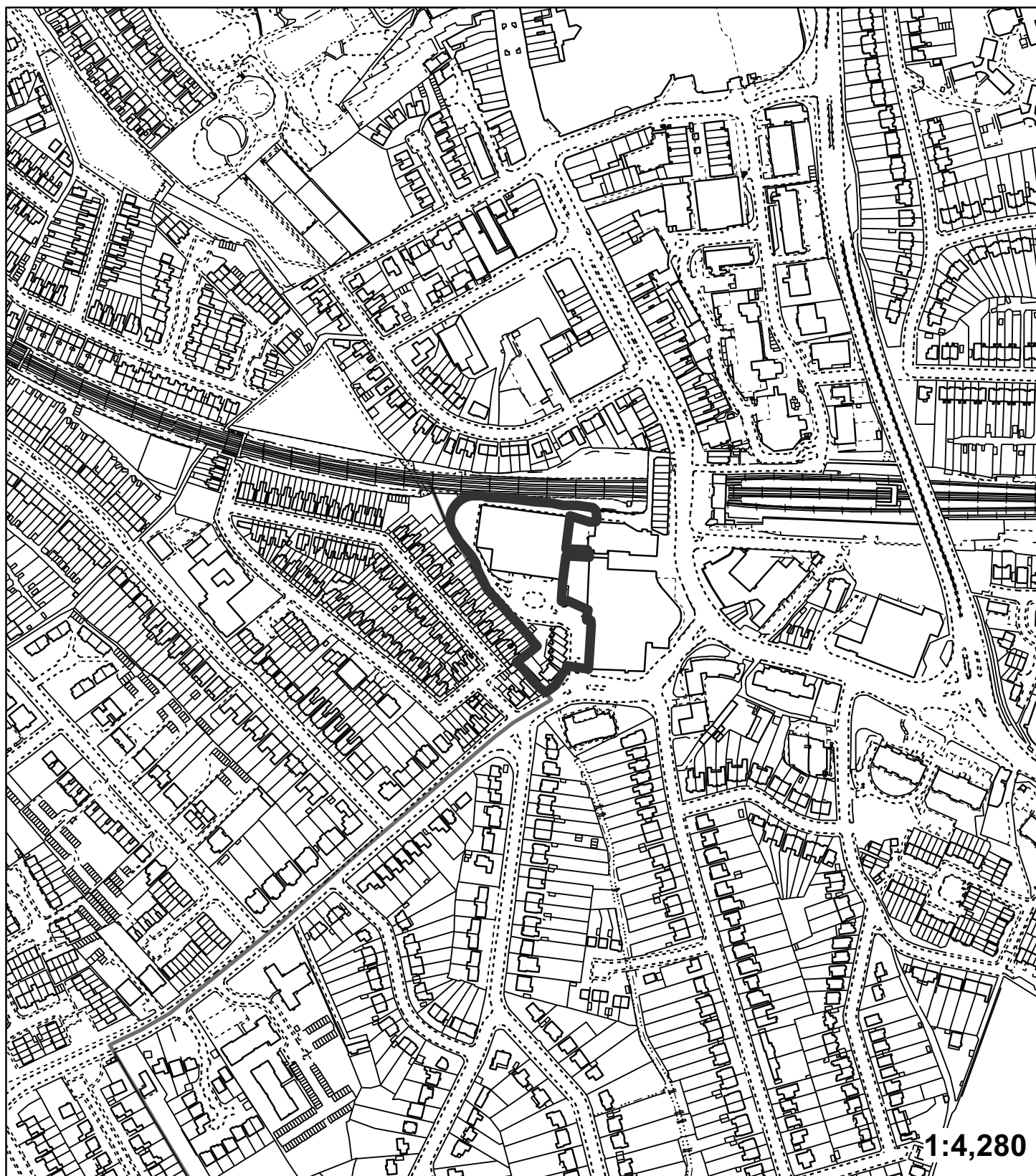
- 1 You should seek engineering advice from the Environmental Services Department at the Civic Centre regarding the agreement under S278 of the Highways Act (Highways Planning Section).
- 2 RDI06 Notify Building Control re. demolition
- 3 RDI10 Consult Land Charges/Street Numbering
- 4 RDI13 Restaurant Ventilation System
- 5 RDI16 Contact Highways re. crossover
- 6 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of

- petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 7 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valves or other suitable devices to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
  - 8 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
- Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 9 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 0203 577 9963.
  - 10 Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
  - 11 The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.
  - 12 Overall flows to combined sewers should not exceed historic flows and this may often be achievable by agreed surface water retention.

**Application:**11/03865/FULL1

**Address:** Multistorey Car Park Simpsons Road Shortlands Bromley

**Proposal:** Demolition of existing buildings and redevelopment with mixed use scheme comprising multi-screen cinema, 200 flats, 130 bedroom hotel, Class A3 units (restaurant and cafe) (Including 1 unit for flexible class A1 (retail shop) Class A3 (restaurant and cafe) or Class A4 (drinking



# Agenda Item 6

Report No.  
DRR12/024

London Borough of Bromley

PART 1 - PUBLIC

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**Decision Maker:**      **Development Control**

**Date:**                      **6 March 2012**

**Decision Type:**      Non-Urgent                      Non-Executive                      Non-Key

**Title:**                      **MAYORAL COMMUNITY INFRASTRUCTURE LEVY - LOCAL INFORMATION REQUIREMENTS LIST FOR PLANNING APPLICATIONS**

**Contact Officer:**      Chris Evans, Manager, Major Developments Team  
Tel: 020 8313 4554      E-mail: chris.evans@bromley.gov.uk

**Chief Officer:**              Bob McQuillan

**Ward:**                      Boroughwide

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1.      Reason for report

The Mayor of London's Community Infrastructure Levy becomes payable after 1 April for developments for which planning permission is granted (subject to a floorspace threshold). To assist in assessing whether developments will be CIL liable, it is proposed that a CIL form be required to be submitted for relevant developments, and this form be included in the Local Information Requirements.

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2.      **RECOMMENDATION(S)**

2.1      The Bromley form for the Mayoral CIL be added to the Local Information Requirements.

### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Quality Environment.
- 

### Financial

1. Cost of proposal: Estimated cost net nil
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Planning
  4. Total current budget for this head: £3.359M
  5. Source of funding: income generated from 4% of Mayoral CIL
- 

### Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: <please select> Part 11, Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 and 2011
  2. Call-in: Call-in is not applicable.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Boroughwide
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments:



### **3. COMMENTARY**

- 3.1 At the meeting on 14<sup>th</sup> February, the committee received an information report about the implementation of the Mayoral CIL on 1<sup>st</sup> April 2012.
- 3.2 To assist in identifying planning applications that are CIL liable, the Planning Portal has provided a form that applicants can complete to set out existing and proposed floorspace. This is intended to assist local planning authorities in establishing whether or not developments are liable for a charge and if so to calculate it accurately.
- 3.3 The Mayoral CIL will apply to buildings of 100 sq m of gross internal floorspace or proposals creating a dwelling (including where this is below this figure). It will be calculated according to the amount of additional floorspace a new development will produce, hence it is necessary to know the floorspace of buildings to be demolished.
- 3.4 It is proposed to adapt the Planning Portal form and request applicants for developments that may be CIL liable to complete it.
- 3.5 On 8<sup>th</sup> February 2011 the Committee resolved that the Local Information Requirements list of documents that may be required to validate planning and other applications be adopted. This is on the Council website and is a useful tool in ensuring that a high quality of documentation is submitted with applications.
- 3.6 The CLG “Guidance on information requirements and validation” sets out the principles to guide preparation of Local Information Requirements – they should be based on necessity, precision, proportionality, fitness for purpose and assistance. In this case there is relevant national legislation, generally the form will only be required for buildings with proposed floorspace of 100 sq m or more (and new dwellings), the requirement is to complete a simple brief form and there is information about CIL on the Council and Mayor of London websites and the Planning Portal.
- 3.7 It is suggested that a Bromley form for the Mayoral CIL be added to the Local Information Requirements. A draft or final version of this will be circulated at the meeting.

### **4. POLICY IMPLICATIONS**

- 4.1 Bromley’s Supplementary Planning Document (SPD) on Planning Obligations was adopted in December 2010 and complies with the Community Infrastructure Levy Regulation and The London Plan 2008.

### **5. FINANCIAL IMPLICATIONS**

- 5.1 From April 2012 the London Borough of Bromley will be responsible for collecting a Mayoral CIL on behalf of the Mayor.
- 5.2 Acting as a collecting body, Bromley is permitted to retain 4% of the CIL (estimated to be between £30k to £45k per annum) to cover both the initial set-up costs and the on-going administration costs. Additional staffing will be required to carry out this administration, however officers are aiming to automate as much of the process as possible.

### **6. LEGAL IMPLICATIONS**

- 6.1 The Council has a statutory responsibility under Part 11 of the Planning Act 2008 and the CIL regulations 2010 and 2011 to collect and administer the Mayor CIL within Bromley.

## 7. PERSONNEL IMPLICATIONS

- 7.1 The Mayoral CIL involves a provision for the Council to retain 4% towards the costs of its administration and collection of the monies on behalf of the Mayor. This is new responsibility the Council and the additional work may require additional staff resources. However, it is envisaged that this can be paid for by the sums retained by the Council from CIL.

<b>Non-Applicable Sections:</b>	-
Background Documents: (Access via Contact Officer)	<p>Planning Act 2008</p> <p>The London Plan 2011</p> <p>DCC report 20<sup>th</sup> October 2009 – Community Infrastructure Levy</p> <p>CLG – Community Infrastructure Levy Regulation – April 2010</p> <p>Mayor’s Preliminary Draft Charging Schedule – January 2011</p> <p>DC and Executive reports: ‘Consultation on the Mayoral Community Infrastructure Charging Schedule’ 2<sup>nd</sup>, 8<sup>th</sup> and 14<sup>th</sup> February 2011</p> <p>Executive report: ‘Proposals for a Mayoral Community Infrastructure Levy: Consultation on draft Charging Schedule 30<sup>th</sup> June 2011</p> <p>Executive report ‘Community Infrastructure Levy – DCLG consultation on detailed proposals and draft regulations for reform’ 14<sup>th</sup> December 2011</p> <p>DCC report 14<sup>th</sup> February 2012 “Mayoral Community Infrastructure Levy”</p>