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DATE: 3 February 2015

To: Members of the
DEVELOPMENT CONTROL COMMITTEE

Councillor Peter Dean (Chairman)
Councillor Nicky Dykes (Vice-Chairman)
Councillors Vanessa Allen, Graham Arthur, Douglas Auld, Teresa Ball,
Kathy Bance MBE, Eric Bosshard, Katy Boughey, Lydia Buttinger, Simon Fawthrop,
Charles Joel, David Livett, Alexa Michael, Michael Rutherford, Richard Scoates and
Michael Turner

A meeting of the Development Control Committee will be held at Bromley Civic
Centre on **TUESDAY 10 FEBRUARY 2015 AT 7.30 PM**

MARK BOWEN
Director of Corporate Services

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 SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 25 NOVEMBER 2014 (Pages 1-10)**

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 5 pm on Wednesday 4 February 2015.

5 PLANNING REPORTS

ITEM NO.	APPLICATION NUMBER AND ADDRESS OF DEVELOPMENT	PAGE NO.	WARD
5.1	(DC/14/03991/FULL1) - The Haven Springfield Road, Sydenham, SE26	11 - 44	Crystal Palace

6 LAND REAR OF 86 - 94 HIGH STREET, BECKENHAM (Pages 45 - 52)

7 LOCAL LIST OF VALIDATION REQUIREMENTS FOR PLANNING APPLICATIONS (Pages 53-94)

8 UPDATE ON THE FURTHER ALTERATIONS TO THE LONDON PLAN AND IMPLICATIONS FOR THE BOROUGH (Pages 95-102)

9 DELEGATED ENFORCEMENT ACTION (OCTOBER TO DECEMBER 2014) (Pages 103-108)

10 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

Items of Business

Schedule 12A Description

11 EXEMPT MINUTES OF THE MEETING HELD ON 25 NOVEMBER 2014 (Pages 109-110)

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

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DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 25 November 2014

Present:

Councillor Peter Dean (Chairman)
Councillor Nicky Dykes (Vice-Chairman)
Councillors Vanessa Allen, Graham Arthur, Douglas Auld,
Teresa Ball, Kathy Bance MBE, Eric Bosshard, Katy Boughey,
Lydia Buttinger, Simon Fawthrop, Charles Joel, Alexa Michael,
Michael Rutherford, Richard Scoates and Michael Turner

Also Present:

Councillors Russell Mellor and Michael Tickner

21 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor David Livett.

22 DECLARATIONS OF INTEREST

Councillors Allen and Bance declared personal interests in Item 5a - H G Wells Centre, as the building was currently used by Members of the Labour Party for social purposes.

23 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 4 SEPTEMBER 2014

RESOLVED that the Minutes of the meeting held on 4 September 2014 be confirmed and signed as a correct record.

24 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

25 PLANNING REPORTS

Members considered the following planning application report:-

Item No.	Ward	Description of Application
5a (page 11)	Bromley Town	Demolition of existing building and erection of a part 7, part 11, part 17 storey mixed use building comprising 256sqm community uses

		(use Class D1/D2), 1,467sqm office use (use Class B1) and 52 residential flats with associated landscaping and public realm works, new pedestrian links, refuse and cycle stores, plant room and 3 disabled car parking spaces at H G Wells Centre, St Marks Road, Bromley BR2 9HG.
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Oral representations in support of the application were received from Mr Rob Sargent, Director, Cobalt (Bromley South) Ltd. Mr Sargent made the following points:-

The application represented three years of design and consultation.

Two pre-application meetings had taken place and consultation had been undertaken with officers, Members, CABE, The GLA, the EA, the Metropolitan Police, immediate neighbours and local stakeholders. A public exhibition had also been held.

The proposal delivered a 17 storey landmark building and represented a substantial investment which would give rise to numerous benefits to Bromley.

The scheme was a further private sector endorsement of the regeneration of Bromley Town Centre. The development would provide a modern inclusive community/social facility, 15,000 sq ft of the highest quality, state of the art office space and 52 luxury apartments.

The proposal not only provided an exceptional landmark building at the gateway to Bromley from the South, it would also bring to life the rather gloomy cul-de-sac adjacent to Bromley South Station.

It was very disappointing that officers did not support the scheme as the applicant firmly believed that all the quoted reasons for refusal had been positively addressed.

St Marks Reach had excellent access for deliveries from St Marks Road, which as a cul-de-sac enjoyed minimal traffic movement. The scheme provided zero parking, other than for disabled occupants, and it was expected that the Council would condition a prohibition on resident parking permits. The proposal therefore, did not create unacceptable traffic movements or add to congestion on St Marks Road.

St Marks Reach would be managed on a daily basis through a residential concierge and a commercial business reception, thereby providing a solution to both residential and commercial occupiers' individual servicing requirements.

Officer comments regarding the provision of onsite affordable housing as a reason for refusal appeared to have been drafted prior to the most recent exchanges between the applicant's and the Council's viability consultants.

This matter was currently in the hands of the Council's consultants, to whom the applicant had responded in a way that would readily allow an agreement to be formalised.

Dealing with reasons 1 and 2 together, the report suggested that in terms of bulk, mass, design and impact on the setting and neighbouring residents, the proposal would be unacceptable and detrimental. In this regard, the applicant emphasised that the site presented probably the single most appropriate opportunity within Bromley Town Centre to construct a tall building, sitting at the Town's lowest topographical point to the South. This opinion was supported by the CABE report dated 22 March 2013, which was provided to Officers as a result of a process instigated by the London Borough of Bromley and was further echoed in the GLA stage 1 response of 27 November 2013.

The comments made by CABE, Officers, Councillors and neighbouring owners, served to inform the design brief provided to John Thompson Partners (the applicant's award winning international architects), from whom Members received a presentation in February 2014.

In reality, the Officers' comments regarding the design and quality of St Marks Reach were at best highly subjective. They were not reflective of the detailed process undertaken by the design and architectural team and the report identified no significant harm to either local townscape or residential amenity. The low number of objections and letters of support received clearly underlined that point.

St Mark's Reach incorporated one of the most expensive and highest quality blends of materials, yet to be used within any new development in the Borough, let alone the Town Centre. From the light reflective alucabond cladding, quality brick finishes, thermo reflective glass and bespoke interior design, Members had the opportunity to consent to a building that would not just be an outstanding addition to the Town Centre but would also be an important addition to the wider South East London Townscape.

St Marks Reach was readily deliverable and provided a balanced and exciting mix of uses in what, until now, had been an impermeable, sadly neglected and uninspiring corner of the Town Centre.

Mr Mark Gibney, planning partner at bptw Partnership was also in attendance and responded to Member questions as set out below:-

- The provision of only six affordable housing units was due to viability issues. A confidential viability report had been submitted which had identified that the scheme could provide 11% of affordable housing; the Council's independent assessor believed a maximum of 14% could be achieved.
- The lack of parking provision for small sites such as St Marks Reach was a common element of modern-day development proposals. Potential purchasers would be aware there was no parking provision so ultimately it would be their choice whether to move to the site or not.
- In terms of creating a landmark building, the high quality design and use of high quality materials would contribute to what would become an imposing building which would sit well within the location and be noticed. The external colour of the building would change subtly throughout the day.
- Three disabled parking spaces would be provided. Storage space would also be available for wheelchairs, mobility scooters etc. All residential units would be built to the 'Lifetime Homes' standard, 10% of which would be wheelchair accessible.

The Development Control Manager gave an update in respect of the recommended third ground for refusal concerning affordable housing. Members were informed that dialogue had taken place between the applicant and the Council's consultants as to whether it would be viable for the scheme to make a greater contribution. Although unwilling to consider a mix of tenures, preferring to retain the shared ownership offer on site, the applicant had agreed to provide the proposed six units plus a payment of £515k in lieu which officers deemed to be an acceptable offer. In light of this, it was recommended that the third reason for refusal be withdrawn.

Whilst Councillor Dykes was pleased to note the application included the provision of office space, she was concerned that the height and scale of the development was excessive and would lead to an overdevelopment of the site. On this basis, Councillor Dykes moved that the application be refused as recommended (after Officer update).

Although Councillor Rutherford considered the site to be appropriate for development, it was too small to accommodate the proposed scheme. He also questioned elements of the design of the building. For reasons of overdevelopment, scale and design, Councillor Rutherford seconded the motion for refusal.

Councillor Fawthrop referred to the lack of parking provision stating that although a high rating had been given to the Public Transport Accessibility Level (PTAL) of the site, it was wrong to assume that everyone was against car travel.

It was noted that the site was not included in Bromley Town Centre's Area Action Plan as a location for taller buildings.

Following a vote of 15-0, Members **RESOLVED** that the application be **REFUSED** as recommended, for the following reasons:-

- 1 The proposed development would, by reason of its height, scale, siting and design which would not be of the outstanding architectural quality required by the development plan, appear as an unduly prominent, incongruous and overbearing addition to the town centre skyline, out of character with the scale, form and proportion of adjacent development, giving rise to an unacceptable degree of harm to the character and appearance of the area, contrary to Policies BE1 and BE17 of the Unitary Development Plan, Policy BTC19 of the Bromley Town Centre Area Action Plan and London Plan Policy 7.7.**
- 2 The proposed development would, by reason of the height, scale and footprint of the building constitute an overdevelopment of the site, with very limited space retained at street level to offset the significant mass of built development and provide a satisfactory setting for the development, and would give rise to a loss of amenity to neighbouring residents with particular regard to an unacceptable and detrimental perception of overlooking and loss of privacy, contrary to Policy BE1 of the Unitary Development Plan and London Plan Policy 7.7.**
- 3 The proposed development would lack servicing arrangements for the proposed commercial uses which would result in a detrimental impact upon road and pedestrian safety and highway management contrary to Policies T17 of the Unitary Development Plan and Policy BTC29 of the Bromley Town Centre Area Action Plan.**

**26 DYLON INTERNATIONAL LTD, WORSLEY BRIDGE ROAD,
LONDON SE26 5BE**

Report DRR14/110

In September 2014, the High Court (Consent Order) quashed a Planning Inspector's decision of March 2014 in relation to the Council's refusal to grant planning permission for development at Dylon International Ltd, Worsley Bridge Road, London SE26 5BE. The appeal would be re-determined in January 2015 alongside a second appeal against non-determination for development at Dylon International Ltd.

Members were asked to consider the outcome of the High Court Challenge and the details of a subsequent offer made by the appellant in relation to the two appeals to be heard by the Planning Inspectorate in January 2015.

As this report was written in conjunction with Item 12 on the agenda, the Chairman decided to consider both reports in the Part 2 section of the meeting.

27 ARTICLE 4 DIRECTION - PETTS WOOD AREA OF SPECIAL RESIDENTIAL CHARACTER AND THE CHENIES AND CHISLEHURST ROAD CONSERVATION AREAS

Report DRR14/109

Members considered whether the Portfolio Holder for Renewal and Recreation should be requested to confirm the making of a non-immediate (12 month) Article 4 Direction to restrict permitted development rights to erect or construct gates, fences, walls or other means of enclosure in the Petts Wood Area of Special Residential Character (ASRC) and The Chenies and Chislehurst Road Conservation Areas. The making of an Article 4 Direction was considered necessary in order to preserve the character and appearance of the above mentioned designated areas.

Councillor Fawthrop moved that the Article 4 Direction be confirmed as it was imperative that the ASRC and Conversation Areas mentioned above remain protected. Councillor Auld seconded the motion stating that the character of the ASRC had gradually changed over the years due to the erection of fencing and gates.

RESOLVED that the Portfolio Holder for Renewal and Recreation be requested to confirm the making of a non-immediate (12 month) Article 4 Direction restricting permitted development rights for the erection or construction of gates, fences, walls or other means of enclosure in the Petts Wood ASRC and The Chenies and Chislehurst Road Conservation Areas in respect of the following Parts of the Town and Country Planning (General Permitted Development) Order 1995 (as amended):-

Part 2, Class A: The erection, [or] construction..... of a gate, fence, wall or other means of enclosure.

28 LAND KNOWN AS BECKENHAM GREEN LOCATED BETWEEN HIGH STREET AND ST GEORGE'S ROAD FOR REGISTRATION AS A TOWN OR VILLAGE GREEN

Report CSD14159

Members considered an application to register land comprising the area of ground known as Beckenham Green bounded by High Street Beckenham and St Georges Road, Beckenham as a Town or Village Green. After completion

of the statutory requirements, it was the duty of the Council as registration authority, to decide if the area should be registered, or whether a public inquiry should be held for an Inspector to make a recommendation in this respect.

Visiting Ward Member Councillor Russell Mellor addressed the Committee and stated that this was a simple request to register land. The land in question was used to host social events and activities and was widely used by the local community. Whilst he appreciated there were legal technicalities to consider, if Members were mindful to agree that the land be registered, Councillor Mellor would support that decision.

Councillor Tickner concurred with Councillor Mellor and commented that although it would do no harm to register the land, it was probably not necessary to do so as the park was used by so many people and it was unlikely that the Council would stop the use or sell the land.

Having lived in the area since childhood, Councillor Arthur recognised the land as a Town Green which he confirmed was well-used by the local community. However, the issue for Members to decide was whether or not the land was considered to be a Town Green within the legal definition. As Beckenham Green was a park and therefore already designated for public use, Councillor Arthur could see no reason for the land to be registered as a Town Green.

The Legal Adviser referred to letters of support received from the applicant, David Wood and Ms Pam Notcutt; these had been circulated to Members. Since the report was first published, 16 further e-mails in support of the application had been received. Members were informed that the legal definition of use of land 'as of right' meant use that is not by force, nor stealth, nor with the licence of the owner.

Councillor Turner asked if some level of protection could be established to prevent the Council from selling the land in the future. He was advised that the land was awarded the same protection as park land.

Councillor Fawthrop moved that the application be declined and suggested that as the land was Council-owned, the matter should be referred to the Executive Committee for Members to consider voluntarily registering the land as a Town Green.

RESOLVED that:-

- 1) registration of the land as a new town or village green be declined for the reasons set out in the report; and**
- 2) as the land in question was Council-owned, the matter be referred to a meeting of the Executive for Members to consider voluntarily registering the land as a village green.**

**29 DELEGATED ENFORCEMENT ACTION
(JULY TO SEPTEMBER 2014)**

Report DRR14/097

In accordance with agreed procedures, the report advised Members of enforcement action authorised under delegated authority for alleged breaches of planning control.

It was noted that Marlings Park Avenue (page 46, Enf Ref. 14/00431) was located in Chislehurst Ward not Petts Wood and Knoll as stated.

RESOLVED that the report be noted.

30 RESPONSE TO DCLG CONSULTATION : "PLANNING AND TRAVELLERS"

Report DRR14/108

The Department for Communities and Local Government (DCLG) published a consultation in September 2014 on the changes to the Planning Policy for Traveller Sites (PPTS) issued in March 2012 alongside the National Planning Policy Framework (NPPF).

The report considered by Members set out issues raised by the proposed amendments and included the Council's recommended responses to the DCLG.

The Head of Planning Strategy, Renewal and Recreation gave an overview of the report.

Referring to the response at Q1 (page 52), Councillor Scoates queried whether retaining the words 'or permanently' in the planning definition of travellers would lead to an increase in the amount of provision required. Officers advised that potentially breaking up family groups where some members did not travel, could create a greater need for separate accommodation and care. Councillor Scoates emphasised the importance of obtaining strong evidence to restrict the requirement to provide accommodation for other traveller sites.

Councillor Bosshard referred to the response at Q8 (page 54) and considered this should be changed to 'yes' otherwise unauthorised occupiers would presume that approval to retrospective applications would automatically be given.

The Head of Planning Strategy, Renewal and Recreation agreed to expand the suggested response.

RESOLVED that subject to the comments and amendments referred to above, the Council's proposed responses to the DCLG be endorsed.

31 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman moved that the Press and public be excluded during consideration of the item of business listed below as it was likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

32 DYLON INTERNATIONAL LTD, WORSLEY BRIDGE ROAD, LONDON SE26 5BE

Reports DRR14/111 and DRR14/110

Members considered two reports in regard to appeals on planning applications for development at Dylon International Ltd, Worsley Bridge Road, London SE26 5BE.

Members considered the reports and supported the recommendations.

The meeting ended at 8.20 pm

Chairman

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Application No : 14/03991/FULL1

Ward:
Crystal Palace

Address : The Haven Springfield Road Sydenham
London SE26 6HG

OS Grid Ref: E: 534884 N: 171063

Applicant : Kitewood Estates Ltd

Objections : YES

Description of Development:

Demolition of existing buildings and redevelopment of The Haven and Rookstone House to provide 46 residential units comprising 27 x 4 bedroom houses, 7 x 1 bedroom flats, 6 x 2 Bedroom flats and 6 x 3 bedroom flats, together with 71 car parking spaces, cycle parking provision, refuse and recycling provision, a relocated vehicular access to Springfield Road and landscaping and associated works

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads

Proposal

Planning permission is sought for redevelopment of the site comprising demolition of the existing buildings and erection of 46 new dwellings. The proposal comprises:

- 71 parking spaces of which 5 would be disabled
- 4 storey building fronting Crystal Palace Park Road accommodating 19 affordable flats
- 14 detached houses (mix of 2/3 storeys)
- 2 pairs of semi-detached houses (3 storeys)
- Terrace of 9 dwellings (3 storeys)
- The dwellings would be constructed of London stock bricks with lighter brick details for plinths and lintels, reconstituted stone cills, slate tiles for the roof, grey timber cladding, cast-iron downpipes and grey painted timber fenestration

This application has been submitted following refusal of an application for demolition of the existing buildings and redevelopment comprising two to four storey buildings to provide 107 residential units (25 four bed houses and 19 three bed, 33 two bed and 30 one bed flats) with 135 car parking spaces, landscaping

and associated works in April 2014. (DC/14/00452). The application was refused for the following reasons:

1. The proposal, by reason of the layout and the amount of development and site coverage with hard surfaces, will be likely to result in post development pressure for the lopping and felling of mature trees with inadequate opportunities for compensatory planting detrimental to the visual amenities and biodiversity potential of the site thereby contrary to Policies BE1, NE3 and NE7 of the Unitary Development Plan.
2. Insufficient information has been provided to properly assess the ecological implications of the proposal contrary to Policy NE3 of the Unitary Development Plan.
3. The proposed development, by reason of the amount of site coverage with buildings and hard surfaces, constitutes a cramped overdevelopment of the site at an excessive residential density contrary to Policy H7 of the Unitary Development Plan and Policy 3.4 of the London Plan.
4. The proposed development, by reason of its design and layout, would be seriously out of character and scale with the surrounding area contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan.
5. The proposed development would be seriously detrimental to the residential amenities currently enjoyed by the occupants of adjacent dwellings by reason of loss of privacy from overlooking and smells from the bin stores contrary to Policy BE1 of the Unitary Development Plan.
6. The proposed development will lead to increased demand for on-street car parking in surrounding roads contrary to Policies BE1 and T18 of the Unitary Development Plan.

This application seeks to address the previous reasons for refusal by:

- Significantly reducing the quantum of development proposed in terms of unit numbers (reduction of 61 units)
- Significantly reducing the quantum of parking spaces (reduction of 64 spaces)
- As a result of the reduced quantum of development the density has decreased from 76.4 dwellings (262 hab rooms) per hectare to 32.8 dwellings (150 hab rooms) per hectare
- Changes to building heights by way of a reduction in the number of 4-storey blocks but an increase in the number of 3-storey houses. The existing development on site is 2 storey's in height. The previous scheme proposed 6 x 4-storey blocks throughout the site whereas it is now proposed to provide 1 x 4-storey block at the southern end of the site towards Crystal Palace Park Road. The previous scheme proposed a series of 2 storey houses between the 4 storey blocks along the main access route within the site whereas the current proposal would provide 9 x 3-storey houses along

this central route; a 3-storey block of terraced dwellings would have been provided in the north-east corner of the site which is now proposed to accommodate 1 x 3 storey house and a series of 2-storey dwellings. Finally the terrace fronting Lawrie Park Crescent remains as 3-storeys reflecting the scale in the previous proposal although the single unit adjacent to 15 Lawrie Park Crescent has increased from 2 to 3-storey's;

- The total residential floorspace has reduced from 9223 sqm to 6465 sqm
- As a result of changes to the amount and layout of development, site coverage with hard surfaces has decreased by circa 2000 sqm. In the previous application 66% of the site would have been occupied by built form compared to the current proposal of 51%
- Reduced site coverage seeks to reduce the impact on existing trees as a result of moving buildings further away from root protection zones
- As a result of changes to the amount and layout of development and detailed design amendments this proposal seeks to reduce adverse impact upon neighbouring amenity
- Additional information has been submitted in respect of Ecology and Trees

The applicant has submitted the following technical reports to support the application:

Air Quality Assessment (Applicant Submission)

The reports identifies that the development would have the potential to cause air quality impacts during construction and operational phases. During construction this would be due to dust emissions and appropriate mitigation has been offered (dust management). Consequently the impact would not be significant. Dispersion modelling was undertaken to predict the effects of existing and increased traffic on the network, exceedances of the air quality standard were not predicted, the impact is not considered to be significant and therefore no mitigation is considered to be necessary.

Affordable Housing Statement (Applicant Submission)

This statement confirms that of the 46 dwellings proposed 36% (by hab room) will be affordable. This equates to 19 units (41%) with a total of 75 habitable rooms (36%). The tenure of the affordable housing will 60% affordable rent and 40% intermediate. A mix of 1, 2 and 3 bed affordable units will be provided.

Arboricultural Survey, Planning Integration Report (Applicant Submission)

This report includes a detailed survey of existing trees on site and considers the impact of the proposed development upon those trees. Tree protection measures and construction methods are identified. The report concludes that a limited number of trees are to be removed but replacement planting will mitigate the impact of this.

In addition to the initial report more detailed information was submitted (13/01/15) in respect of tree protection measures. The report states:

- Surveys undertaken by the applicant indicate that there are 30 individual and 10 groups of trees around the perimeter of the site. The total number of trees within the groups is 85 taking the total number of trees on site to 115.
- As a result of the proposal a total of 40 trees would be removed.
- Removal of the trees will not diminish the boundary screening to any discernible extent.
- There is extensive new planting proposed in the landscape design.
- The building layout has been specifically designed to avoid encroachment onto root protection areas.
- Appropriate fencing will be installed during construction.
- No-dig surfacing will be used where new hard surfacing crosses over root protection areas and for the play area surfaces
- Site preparation and construction will be overseen by an arboriculturalist
- Tree pruning is required - a precise specification of works will be agreed with the Council

Design and Access Statement (including supplementary addendum) (Applicant Submission)

This statement sets out the applicants assessment of the site and surrounding area and the rationale for the proposal having regard to relevant development plan policies. The statement confirms the amount of development proposed, parking strategy, refuse and sustainability strategy. The statement discusses the approach to access, landscaping and appearance of the development.

Drainage Strategy including Engineering Layout Plans (Applicant Submission)

The report confirms that there is adequate provision within the existing sewer on site to accommodate foul drainage that would be generated from the proposal although agreement with Thames Water will be required for a diversion. In respect of surface water drainage it is proposed to reduce the discharge of the existing system by 50% through the utilisation of flow control devices and onsite storage. Permeable paving, soft landscaping and rainwater harvesting will form part of the drainage strategy.

Ecology Report (Applicant Submission)

The Ecology Report originally submitted with this application was not considered to be sufficient to enable a full and proper assessment of the impact of the proposal upon ecology. Following Officer advice a revised Ecology Report including Bat Surveys was submitted in January 2015 (Issue 4). This report confirmed:

- A Phase 1 Habitat Survey has been undertaken which included a Protected Species Assessment for Bats
- There was no evidence of Badgers, Otters, Water Voles, Amphibians or Dormice being present within the study area
- The site is not within any statutory or non-statutory designated sites for nature conservation although there are sites of significance in the wider area

- A large proportion of the soft landscaped areas on the site are of low ecological value
- The surrounding tree boundary does have ecological value for Bats, Birds and Invertebrates.
- A large number of trees are to be retained
- The site has potential for roosting bats within buildings and suitable trees although such potential would be classified as low. There was no evidence of roosting bats within the buildings at the time of the survey
- The proposal would not have a negative impact on the surrounding statutory or non-statutory designated sites for nature conservation
- Gardens and soft landscaped areas within the site will develop ecological value over time
- There is potential for the development to have some impact on Reptiles, Bats and Breeding Birds and therefore appropriate mitigation is offered in terms of appropriate timing for demolition and construction works, further surveys pre demolition, tree protection measures, creating enhanced opportunities for biodiversity and installation of bat sensitive lighting (to be controlled by conditions)
- Reptiles and invertebrates would benefit from the placement of log piles using wood arriving from the site and a minimum of 8 bat boxes should be installed within perimeter trees to encourage foraging. This could form part of the detailed landscaping strategy and could be controlled by condition.

Ecological Data Search (Applicant Submission)

This document was submitted to be read alongside the Ecology Report. The report was compiled by Greenspace Information for Greater London to provide ecological information on the above site. The reports covers statutory sites, non-statutory sites, protected species, habitats and open spaces.

Energy and Sustainability Assessment (Applicant Submission)

This application was accompanied an Energy Strategy and Sustainability Statement. The statement confirms:

- All new dwellings will meet Code for Sustainable Homes Level 4. A Pre Assessment has already been undertaken to demonstrate that a minimum of score of 68% can be achieved. Full compliance can be secured by Condition.
- Solar PVs will be utilised to deliver CO2 reduction of at least 15%. The amount and location of PVs to be provided can be secured by Condition.
- Detailed SAP modelling will be undertaken as part of the detailed design for the PVs. In the event that the GLA target CO2 emissions cannot be met a cash in lieu payment will be made in accordance with London Plan Policy.

Flood Risk Assessment (Applicant Submission)

This report confirms that the site is located within Flood Zone 1 (an area with low probability of flooding). The report discusses the potential risks of flooding at the site and confirms the drainage strategy.

Geo-Environmental Investigation (Applicant Submission)

This report comprises a Phase 1 Desk Study the purpose of which is to identify potentially current or historic contaminative activities on site and any sensitive receptors in the vicinity. A ground investigation report has been undertaken to guide the design of foundations for the new buildings. The reports concludes that the site has a low risk of contamination and makes recommendations in respect of remediation and piling.

Statement of Community Involvement (Applicant Submission)

The statement confirms that a drop in session was held as part of the pre application process, ward councillors and local residents were invited by letter. There were 72 visitors to the session.

Transport Statement (Applicant Submission)

This statement sets out the policy requirements in respect of transport and highway impact, identifies the baseline conditions in respect of public transport, accessibility and traffic surveys and then assesses the impact of the proposal. The report covers access, parking standards, traffic generation and measures to promote sustainable transport modes. The assessment concludes that the site is well connected providing easy access to public transport and local facilities. Car and cycle parking will be provided in accordance with Bromley standards and a residential travel plan will be secured.

Tunnel Report (Applicant Submission)

This report confirms that the applicant has entered into discussions with Network Rail in respect of the development proposed due to the presence of the Penge Tunnel on the site, which runs beneath the Rookstone building. It is intended that all new build parts of the development would sit beyond the zone of influence for the tunnel. The existing building that sits partly in the zone of influence is being demolished and replaced with a building of the same footprint and of lighter construction utilising existing substructures.

Planning Statement (Applicant Submission)

This statement seeks to describe the site and surrounding area and sets out the applicant's case in support of the proposal explaining how it addresses the previous reasons for refusal and development plan policy requirements.

Location

This application relates to a 1.4 ha site located between Crystal Palace Park Road, Lawrie Park Crescent and Springfield Road.

The site is currently occupied by two disused buildings (Gross External Area of 2,566m²), hardstandings and soft landscaping including mature trees around the boundary of the site. Rookstone House, located to the northern end of the site fronting Lawrie Park Crescent was historically used by the Salvation Army as a nursing home for the elderly. The Haven building, located at the centre of the Site, was previously in use as a children's care home.

A railway line running from Penge West to Sydenham Hill runs underneath the Site and partly underneath Rookstone House - there is a zone of influence along the route of the railway line which must be kept free from built development. There are three existing access points into the site from Springfield Road, Lawrie Park Crescent and Crystal Palace Park Road. The site has a medium PTAL Rating of 3 with bus stops and railway station within reasonable walking distance.

The site in its current state has a generous provision of soft landscaped space with significant planting along the boundaries. All trees on the site are protected by a blanket Tree Preservation Order (TPO Ref: 2473/2012).

In a wider context the site lies in a residential area surrounded by properties of varying architectural styles and heights (ranging from two to four storeys) although the properties within the immediate vicinity of the site are generally two storeys and there is a predominance of properties that benefit from spacious plots with generous front and rear gardens. An important characteristic of the area is the presence of substantial trees and soft landscape.

Comments from Local Residents and Amenity Societies

Nearby owners/occupiers were notified of the application by letter. Site notices were displayed and an advertisement was placed in the local press. Following receipt of revised and additional plans a further consultation was undertaken.

At the time of writing this report 68 letters of objection (including The Sydenham Society) and 3 letters of representation had been received. The full comments can be read on file but are summarised as follows:

- The proposal does not address the previous reasons for refusal and does not meet a number of development plan policies
- Some redevelopment may be acceptable but the current proposal is not
- The revised plans submitted in January do not address the significant concerns that residents have with the proposals
- 15 Lawrie Park Crescent will be most affected by the proposal as the closest property, the current proposal is closer than the previous proposal (less than 3m from the boundary)
- The Closure of Rookstone House is regrettable
- The application wrongly describes the accommodation at 15 Lawrie Park Crescent and does not reflect the accurate boundary
- The proposal should be treated as back-land development and judged against Policy H7
- Excessive site coverage/ overdevelopment / excessive density

- Out of character / no precedent for this type of development in surrounding area / overbearing visual impact / buildings higher than previous submission and out of scale with surrounding buildings/ excessive height and bulk / poor design / unrelieved appearance / inappropriate materials / harm to street scene from the 3 storey terrace facing Springfield Road and the block of flats / cramped appearance / harm to open character / inadequate amenity areas, public space and play space / inadequate space around buildings
- Scheme fails to comply with policy design guidance
- Affordable housing is separated from remainder of development and the proposal doesn't meet local housing need
- Harm to character and appearance of adjacent Conservation Area
- Excessive height of buildings particularly in relation to existing surrounding development / development on Rookstone slab should be no higher than existing building
- Harm to amenities of occupants of nearby residential dwellings / loss of sunlight, daylight, outlook, view and privacy at nearby properties including those fronting Maybourne Close, Border Road, Cobden Mews, Lawrie Park Crescent, Crystal Palace Park Road and at Holly Court / new tree planting will take years to mature and provide effective screening
- Increased pollution
- Increased noise and disturbance and light pollution affecting nearby properties / noise from children's play space
- Smells and vermin from bin stores
- Increased traffic / inadequate car parking / increased demand for on-street car parking, in particular on Springfield Road / St. Christopher's Hospice staff and visitors and tennis club members park in surrounding roads / Hospice staff will be put in danger after dark if forced to park further from the facility
- Detrimental impact on highway and pedestrian safety / insufficient parking
- Over 40 mature trees will be removed / many trees have already been felled / further felling of trees is excessive / tree removal detrimental to woodland character of area
- The ecology of the site has been heavily modified by the owners/ harm to protected species/ the reports submitted are inadequate to assess impact/ loss of wildlife habitat
- increased pressure on local infrastructure and services including healthcare and education
- noise, disturbance, disruption and dust during construction period / highways and parking impact of construction traffic
- Inadequate community consultation / inadequate notification of public exhibition
- Harm to setting of Crystal Palace Park
- Restrictive covenant prevents development of more than 10 dwellinghouses on the site
- The Tunnel report doesn't accurately reflect the proposal/ Documents submitted with the application contain inadequacies/plans submitted are inaccurate
- A model should be provided to accurately show what the development will look like

- Planning officers should have visited neighbouring properties

1 letter of support has been received on the grounds that the scheme is well thought out and a better use of the site than the current buildings.

Additional representations received after the publication of this report will be reported at the committee meeting.

Comments from Consultees

Network Rail: The comments made with the applicants Tunnel Report still stand. The applicant will need to continue to liaise with Network Rails Asset Protection Team to ensure that the safety of the railway tunnel is maintained.

Environment Agency: Having reviewed the documents submitted we have no objection to the proposed development subject to the recommended conditions being attached to any planning permission granted. Without these conditions the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application.

Thames Water: No objection subject to recommended Conditions and Informatives.

Highways (summary): The application would not have a significant impact on the surrounding road network. Conditions are recommended (full comments incorporated into the conclusions below)

Tree Officer (summary): The proposal is acceptable subject to conditions to ensure adequate tree protection during construction and appropriate re-planting as mitigation (full comments incorporated into the conclusions below). Net losses of trees. The majority of which comprise category 'C' trees are mitigated through replacement tree planting along the site boundaries and front gardens.

Environmental Health: The contamination assessment finds several contaminants above acceptable criteria and recommends remediation therefore Condition K09 should be attached to cover the remaining steps in the process. The further assessment should cover screening for asbestos in soils and buildings. The site contains a national rail tunnel and therefore it would be prudent to request a Vibration Assessment to establish impact on future occupiers. The stacking arrangement in the block of flats places kitchens and living areas above bedrooms in some cases which is not desirable but not sufficient to recommend refusal on this ground alone. Conditions are recommend in respect of Air Quality.

Drainage Advisor: The proposal is acceptable subject to the standard drainage condition D02. The applicant must contact Thames Water.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies of the Unitary Development Plan:

H1 Housing Supply
 H2 Affordable Housing
 H7 Housing Density and Design
 H9 Side Space
 T1 Transport Demand
 T2 Assessment of Transport Effects
 T3 Parking
 T5 Access for People with Restricted Mobility
 T6 Pedestrians
 T7 Cyclists
 T11 New Accesses
 T18 Road Safety
 BE1 Design of New Development
 BE7 Railings, Boundary Walls and Other Means of Enclosure
 BE13 Development Adjacent to a Conservation Area
 NE3 Nature Conservation and Development
 NE5 Protected Species
 NE7 Development and Trees
 IMP1 Planning Obligations

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

- Affordable Housing SPD
- Planning Obligations SPD

Bromley's Draft Local Plan: Policies and Designations Document has been subject to public consultation and is a material consideration (albeit it of limited weight at this stage). Policies relevant to this application include:

5.1 Housing Supply
 5.3 Housing Design
 5.4 Provision of Affordable Housing
 5.8 Side Space
 5.11 Specialists and Older Peoples Accommodation
 6.3 Social Infrastructure in New Developments
 7.1 Parking
 7.3 Access to Services for all
 8.1 General Design of Development
 8.4 Wildlife Features
 8.6 Protected Species
 8.7 Development and Trees
 8.37 Development adjacent to a Conservation Area
 10.1 Sustainable Waste Management
 10.3 Reducing Flood Risk
 10.4 Sustainable Urban Drainage Systems
 10.6 Noise Pollution
 10.7 Air Quality
 10.10 Sustainable Design and Construction
 10.11 Carbon Reduction, decentralise energy networks and renewable energy

Relevant London Plan policies include:

- 1.1 Delivering the strategic vision and objectives for London
- 2.6 Outer London: vision and strategy
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 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 in development proposals
- 5.7 Renewable energy
- 5.8 Innovative energy technologies
- 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
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 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
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes
- 7.19 Biodiversity and access to nature
- 7.20 Geological conservation
- 7.21 Trees and woodlands
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

The London Plan SPG's relevant to this application are:

Accessible London: Achieving an Inclusive Environment (2014)
Housing (2012)

Draft Alterations to the London Plan (FALP) have been subject to an Examination in Public and is expected to be published in March 2015, it is therefore a material consideration (with significant weight). The FALP would cover the period 2015 - 2036. The following amendments to policies are relevant:

- Increased housing provision across London of 49,000 net additional homes per annum
- An increase in housing provision within Bromley (641 per annum)
- Raising the income eligibility criteria for intermediate units to £18,100 - £66,000 (two + bed units extends to £80,000). This document enables Boroughs to set local eligibility criteria but states "If boroughs wish to set eligibility criteria for intermediate housing below these levels, planning conditions or agreements should secure them at the reduced levels for no more than three months from the point of initial marketing and they should then be offered without further restrictions to those who meet the London-wide eligibility criteria as set out in the London Housing Strategy".
- Increased cycle parking provision - 1 space for studio or 1-bed flats and 2 spaces for all other dwellings

The National Planning Policy Framework 2012 (NPPF) is also relevant. The NPPF contains a wide range of guidance relevant to application specifically sections covering sustainable development, delivering a wide choice of quality homes, requiring good design, conserving and enhancing the natural environment, decision-taking and implementation. The NPPF makes it clear that weight should be given to emerging policies that are consistent with the NPPF.

Planning History

Historically the buildings on site were in C2 Use (residential institutions). Rookstone House being used as a nursing home and The Haven a children's home. Whilst there is planning history relating to the existing buildings the most relevant planning history is the 2014 application for redevelopment of the site (DC/14/00452). This application was refused for 6 reasons as set out above. The application is subject to an appeal by way of a Public Inquiry. The Inquiry is scheduled to take place in June 2015.

Conclusions

The main issues to be considered are:

- Principle of Development
- Housing Issues
- Design
- Landscaping and Trees
- Ecology

- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy
- Planning Obligations

Principle

The site is located within the built up area boundary. The site is currently occupied by two fairly substantial buildings that were previously used as residential institutions. London Plan policy 3.8 seeks to address the needs of London's older population alongside addressing other housing objectives, including the delivery of a range of housing choices in terms of the mix of housing sizes and types. As part of the previous application (DC/14/00452) the applicants submitted evidence to demonstrate a lack of interest in the site for Use Class C2 (Residential Institutions). Whilst the previous proposal was considered to be an unacceptable overdevelopment of the site and there were detailed matters of concern, the principle of redeveloping the site for residential use (Use Class C3) was considered to be appropriate.

At national level, the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. At regional level, the 2011 London Plan seeks mixed and balanced communities (Policy 3.9). Communities should be mixed and balanced by tenure and household income, supported by effective and attractive design, adequate infrastructure and an enhanced environment. Policy 3.3 establishes a housing target for the Borough and if approved, this site could contribute towards the housing supply. Policies 3.11 and 3.12 of the plan confirm that Boroughs should maximise affordable housing provision, where 60% of provision should be for social housing (comprising social and affordable rent) and 40% should be for intermediate provision and priority should be accorded to the provision of affordable family housing.

UDP Policy H1 requires the Borough to make provision for additional dwellings over the plan period acknowledging a requirement to make the most efficient use of sites in accordance with the density/location matrix. As a site with substantial vacant buildings this site is considered to be suitable for increased housing provision and could make a valuable contribution to the Boroughs housing supply. However, it is necessary to demonstrate that an appropriate density can be achieved having regard to the context of the surroundings, standard of accommodation to be provided and detailed design considerations.

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Policy 4B.1 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). This site is considered to be in a 'suburban' setting and has a PTAL rating of 3 giving an indicative density range of 35-95 dwellings per hectare / 150-250 habitable rooms per hectare (dependent on the unit size mix). The London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces. UDP

Policy H7 also includes a density/location matrix which supports a density of 150-250 hab rooms for locations such as this provided the site is well designed, providing a high quality living environment for future occupiers whilst respecting the spatial characteristics of the surrounding area.

Officers have calculated the density of this proposal to be 150 habitable rooms per hectare (32.8 dwellings) which sits comfortably within the Bromley matrix and only slightly below the London Plan guidance. This is a significant reduction from the previous proposal which at 262 hab rooms per hectare exceeded policy guidance. The current proposal would provide well-proportioned dwellings set within spacious plots which are more typical of the surrounding context. The development site would have a more open and spacious character with less site coverage taken up by buildings and hardstanding (6996 sqm hard surface compared to previous proposal of 9065 sqm). Sufficient allowance has been made for areas of soft landscaping around the perimeter of the site but also between the new buildings and parking areas. New dwellings would meet the side space requirement of Policy H9.

The current proposal is considered to be acceptable in principle and appropriate in terms of amount and density of development, site layout, spatial characteristics and design. Consequently the proposal could be considered to overcome previous concerns relating to cramped overdevelopment of the site.

Housing Issues

a) Size and Tenure of Residential Accommodation

The proposed development would provide the following residential development

	1 Bed	2 Bed	3 Bed	4 Bed +	Total
Private	0	0	0	27	27
Affordable Rent	3 (1)	2 (2)	6	0	11
Intermediate	4 (2)	4	0	0	8
Total	7	6	6	27	46

*Wheelchair accessible units shown in ()

Based on this mix, the development would comprise 41% affordable units (36% by habitable room) of which 62% would be affordable rent and 38% intermediate. Six of the affordable rent units (40%) would be family sized dwellings exceeding the policy requirement (35%). Five ground floor wheelchair units would be provided which meets the policy requirement of 10%. Plans have been submitted to show where the wheelchair units would be located and that they are capable of meeting wheelchair standards.

It is acknowledged that there are existing vacant buildings on site and therefore recent changes to the National Planning Guidance could apply (Vacant Building Credit paragraph 021). However, no information has been submitted to demonstrate that VBC should be applied to the scheme and it is unknown how long the buildings have been vacant. Furthermore the applicant has chosen to submit a policy compliant scheme in terms of affordable housing provision therefore negating the need for a viability assessment.

The provision of the affordable units and wheelchair dwellings would be secured by way of a s106 agreement.

b) Standard of Residential Accommodation

The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements.

Table 3.3 of the London Plan and Standard 4.1.1 of the SPG sets out minimum space standards for new development. The standards require 1bed2person units to be a minimum 50 sqm, 2b4p units to be 70 sqm, 3b5p unit to be 95 sqm and 4b5p units to be 90sqm. All of the units comfortably meet the minimum unit sizes.

All units would be capable of meeting lifetime homes standards and would be afforded a good layout providing a good standard of accommodation in terms of outlook, privacy, daylight/sunlight and general amenity. Family houses would have the benefit of gardens whilst flats would have amenity space in the form of balconies/terraces.

It will be necessary for all units to be provided with cycle, refuse and recycling storage facilities that are secure, covered and well located in relation to the dwelling. There is adequate space within the site for such facilities to be provided and this can be controlled by condition.

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using

streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. UDP Policy BE1 sets out a list of criteria which proposals will be expected to meet, the criteria is clearly aligned with the principles of the NPPF as set out above. The key element of design are assessed below.

Layout

As discussed above a key consideration for redevelopment of this site is the need for a proposal to respect the important spatial characteristics of the area. The proposal would provide well-proportioned dwellings set within spacious plots. The family sized dwellings would benefit from appropriately sized front and rear gardens with a sufficient amount of soft landscaping around the perimeter of the site, between the new plots and along the internal routes and parking areas. Reducing the amount of development proposed both in terms of housing numbers and parking spaces results in significantly less site coverage than the previous proposal. There is now an opportunity for a high quality landscaping scheme to be developed as part of the detailed design and the ratio of built form to soft landscape is considered to result in a development which is more typical of the scale and character of existing development in this area.

Access to the houses would be provided from Springfield Road whilst the flats would be served from Crystal Palace Park Road. This is an acceptable approach.

The terraced dwellings (Plots 19-27) were originally designed with front doors facing into the site and rear gardens fronting onto Lawrie Park Crescent. This arrangement resulted in small rear gardens and a lack of presence on the street frontage. There were also concerns raised with respect to potential pressure on existing trees which would be sited within the small rear gardens. Revised plans were submitted flipping the internal arrangement so that these properties now have a traditional relationship to the existing street which is considered to be an improvement. The Council's Tree Officer is satisfied that this will prevent post development pressure on the trees fronting Lawrie Park Crescent.

Overall the amount and layout of residential development within the site is considered to be appropriate from a design perspective.

Height and Mass

This site lies in an area of mixed character in terms of height and mass. There is a predominance of 2-storey buildings immediately adjacent to the site but it is acknowledged that larger scale blocks of flats are present in the wider area. This application proposes 3-storey houses as well as a 4-storey block of flats. Whilst these buildings would be of a larger scale than some of the immediate adjoining developments (Maybourne Close, Crystal Palace Park Road and 15 Lawrie Park Crescent) it would not be entirely inappropriate given the scale of buildings within the wider locality. For example, there are a number of post-war 3 and 4 storey buildings opposite the site in Lawrie Park Crescent, 3 storey blocks of flats in Springfield Road and 3-4 storey blocks further along Crystal Palace Park Road.

Within this site the 4 storey block would set back from Crystal Palace Park Road thus ensuring an appropriate visual relationship with neighbouring buildings. Whilst the terraces fronting Springfield Road will be higher than adjacent dwellings sufficient distances will be retained between the proposal and plots on either side to ensure an appropriate visual relationship. Taking account of the amount of development and siting and design of the blocks, on balance the proposal is considered to be acceptable in terms of height and mass.

Architecture

The proposed architectural treatment and materials palette is of fairly traditional design. The materials chosen (brick/slate and timber fenestration) are robust and will stand the test of time. Subject to detailed design features such as deep reveals and appropriate cladding of the soffits and fascia's for balconies the development could be executed to a high quality. The applicant has demonstrated a commitment to providing a high quality design by including large scale bay studies which show the architectural treatment of the façades, depth of reveals and how the development would look in detail as well as Computer Generated Images (CGIs) of the proposed dwellings and boundary treatments. Providing this level of detail as part of a planning application demonstrates how a proposal will be constructed and enables the local planning authority to exercise a greater level of control over the execution of a development.

It is proposed to incorporate 3 types of boundary treatment throughout the site comprising 1.2m railings with brick piers and 1.8m railings. In some locations native hedgerows will be planted behind the railings to provide additional privacy for future occupiers. This is an appropriate solution for this locality.

It is appropriate to secure material samples for the boundary treatment and facing materials by way of a condition.

Overall the proposal is considered to represent a high quality design in architectural terms in accordance with relevant design policies listed above.

Policy BE11 relates to the impact of a development upon a Conservation Area (CA), whilst BE15 seeks to protect registered historic parks and gardens. This site is not located within a CA but is close to Crystal Palace Park Road Conservation Area and the park which is in the English Heritage Register of Historic parks. Policy BE11 expects development to respect and complement the layout, form and

materials of existing buildings, respect and incorporate existing landscape and other features that contribute to the character and appearance of the CA and ensure that the level of traffic, parking and servicing or noise generated by the proposal will not detract from the character of the area. The proposal is considered to preserve the character and appearance of the nearby CA and Park as a heritage asset in accordance with Policies BE11 and BE15.

Site Security

Secure by Design principles have been considered as part of the design process. The layout and position of buildings within the site has been designed to maximise activity and natural surveillance within the site as well as introducing additional natural surveillance to surrounding streets. Parking areas are well overlooked. A condition should be attached to ensure appropriate lighting as part of the detailed design.

Landscaping and Trees

Landscaping is an integral part of the development and is fundamental to ensuring that the development responds appropriately to the character of the site and surrounding area and provide a high standard of amenity for future occupiers.

As discussed above the proposal offers a good amount of soft landscape compared to built form. The Landscape Strategy submitted proposes supplementary tree, hedge and shrub planting along the site perimeter boundaries, combining native and non-native plants. Areas of turf/grass, low shrub planting and small species tree planting for front gardens are proposed for individual residential plots. The approach is considered to be suitable and will facilitate a high quality landscaping treatment. It is appropriate to secure a fully comprehensive planting plan, hardworks detail, as well as landscape maintenance plans by way of a condition.

Based on the Mayor's play space SPG, 45 children are predicted to live in the development of which 23 would be under the age of 5. This gives rise to a total child play space requirement of 447 sq.m. of which 210 sq.m. should be on-site and designed for under 11s. This application proposes the provision of 250sqm of playspace on site. It is not proposed to provide dedicated facilities for over 11's on site. There are facilities within adequate proximity of the site and therefore this is acceptable.

There are a large number of mature trees on the site protected by a Preservation Order. This application was accompanied by a Tree Survey Report. The survey records 31 individual trees and nine groups of trees comprising mainly lime, sycamore, yew, ash and false cypress of which range in condition and form. No category A trees have been recorded. The majority of trees are recorded as falling within the category C and U (12) and 14 trees within Category B. These are almost entirely located on the sites perimeter boundaries with Crystal Palace Park Road, Lawrie Park Crescent, Springfield Road and adjacent to the rear gardens of properties in Cobden Mews, 46 Crystal Palace Park Road and Maybourne Close.

The Council's Tree Officer has scrutinised the applicant's submission and undertaken a site inspection. He is of the view that many of the existing mature trees exhibit signs of historic crown reduction management. In some cases this has been excessive resulting in an overall poor physiological and structural condition which may result in a future need for similar tree maintenance and management in order to maintain safety margins. This especially applies to the several trees located along the site's north western boundary.

In respect of the trees fronting Springfield Road - The redevelopment proposes the retention of all but three trees (T21 T22 and T23) to allow for and accommodate the revised vehicular access. A noticeable gap in the tree line will result, however this is not considered to be critical to the streetscape, and given the form and condition of these removal and replacement tree planting is appropriate. Tree T24 will be within close proximity to the new vehicular access and it will therefore be necessary for the applicant to provide a detailed assessment as to how this tree is to be retained, as conventional construction methods will impact upon root protection zones. An appropriate condition is recommended below. There is likely to be moderate post construction pressure to prune and thin out existing trees located within the side and rear garden spaces (G16) adjacent to Plot 1.

In respect of trees fronting Laurie Park Crescent - All frontage trees apart from T33 Holm oak are shown to be retained. The Tree Officer has confirmed that there is no objection to the loss of T33. These comprise mixed broadleaf species including ginkgo, lime, horsechestnut, silver birch, sycamore and holm oak. Individual tree form and condition vary considerably from tree to tree with many exhibiting extensive and severe canopy reduction management. The ginkgo and silver birch are visually the most significant individual trees and are generally in good physiological condition. Both are in close proximity to the current building line and will be almost in line the new building, requiring pruning back of several laterally projecting branches.

Amendments to Plots 19 to 27 mean that existing trees will now be positioned within front gardens rather than rear gardens which will reduce future pressure to prune/remove those trees.

In respect of trees adjacent to Maybourne Close boundary - All existing trees located along this boundary are shown as retained. The plans submitted show that most will be retained within rear garden plots measuring approximately 18-20m in length and therefore their retention is attainable avoiding undue post construction pressure to prune or remove. Trees T12 and T15 are most likely to come under such pressure. T14 is shown to be removed which is considered to be acceptable. T12-Sycamore is the most significant of this group although due to its current structural it is envisaged that significant canopy reduction management will be necessary in order to maintain safety margins. G11 is shown to be removed which is also considered to be acceptable.

Trees adjacent to boundary with Crystal Palace Park Road - These comprise a mix of mainly semi mature broadleaf trees acting to screen views into the site. Individual tree quality and condition is fair to poor, however collectively they are significant and valuable to the character and appearance of the streetscape. The

majority of these are shown to be retained. 10 trees are shown to be removed in order to accommodate upgrades to the vehicular access and car parking which is considered to be acceptable subject to mitigation tree planting. The pedestrian link from the main road to the car park appears to come to within very close proximity to several individual trees, making even specially constructed hard surfacing problematic. The final direction of the path should be planned to avoid unnecessary losses. A schedule of mitigation tree planting should be incorporated into the landscape strategy to supplement and reinforce the existing groups.

Trees adjacent to the northern site boundary - Existing trees located along this boundary comprise mature lime, sycamore and Lawson cypress measuring up to 15m in height. These have been heavily managed in the past exhibiting extensive canopy reduction management. Individual structural forms are generally poor, however each collectively act to mark and screen the northern boundary and should be retained. The plans submitted show the removal of G6 and G7 which is considered to be acceptable due to the very limited visual impact upon the site and streetscape. Housing plots along the northern boundary are shown with 14m long rear garden spaces. Crown reduction management is envisaged, and due to the general orientation of the boundary trees to the proposed building line it is considered that there would be low or insignificant post construction pressure to undertake or apply for tree pruning/removal.

In summary, the proposed layout shows the majority of existing trees to be retained. The removal of trees identified is considered to be acceptable subject to implementation of a detailed landscaping scheme.

Ecology

The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF addresses ecology in paragraph 109 which states, the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged. UDP Policies NE3 and NE4 seeks to protect wildlife features and protected species requiring development proposals to incorporate appropriate mitigation where damage may occur.

This site is a brownfield site with low ecological value. However, as discussed above there is potential for the proposal to have some impact upon wildlife and protected species given the dense boundary treatment and presence of vacant buildings on the site. The Council appointed a suitably qualified ecologist to assist with the assessment of the documents submitted. Following a period of negotiation an appropriate assessment has now been undertaken by the applicant which has enabled the Council to make a fully informed judgement as to the likely

significant effects of the proposed development and appropriate mitigation can now be secured through the use of planning conditions.

It is entirely appropriate that a development of this nature and scale should enhance opportunities for ecology and biodiversity as part of the redevelopment. A large proportion of the site would comprise soft landscaped areas which will help to enhance opportunities for biodiversity. It is also appropriate to require the development to incorporate log piles, bat boxes and native species as part of the landscape strategy.

Subject to suitable conditions as recommended below the proposal is considered to adequately address ecology and biodiversity.

Highways and Traffic Issues

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, safe and suitable access to the site can be achieved for all people. It should be demonstrated that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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

This planning application is accompanied by a Transport Statement (TS) to assess the impacts of the development on the local highway and transport network, including during the construction period as well as the operation of the development.

Access

Vehicular access to the proposed development would be via three points, Springfield Road serving 26 dwellings, Lawrie Park Crescent serving 1 dwelling and Crystal Palace Park Road serving 19 dwellings. The existing vehicular access to Springfield Road is proposed to be relocated slightly further north. The redundant access point from the site onto Crystal Palace Park Road will be reinstated to serve 19 units which are proposed to be for affordable and shared ownership flats.

Parking

The proposed parking has been based on the maximum LBB standards:

Housing type	Size	Private	Shared	Affordable	Car Spaces	Cycle Spaces
Houses	4	27	0	0	54	54
Apartments	1	0	4	3	9	13
	2	0	4	2	2	
	3	0	0	6	6	12
Total		27	8	11	71	79

Car and cycle parking for the site will be provided as per the Bromley Standards with 71 car spaces and 79 cycle spaces for the whole site.

The likely traffic generated by the proposed development will utilise three separate access points thus dissipating any relative traffic impact onto the local network. The likely split for traffic gaining access to the site to and from either Crystal Palace Park Road (45%) to the south or Westwood Hill (55%) to the north.

The likely proposed two-way trips expected for the site for the network peak periods of 7:30 to 8:30am and 17:00 to 18:00 are in table below:

Access	AM		PM		Daily	
	Arr	Dep	Arr	Dep	Arr	Dep
Springfield Road	2	6	5	4	44	49
Crystal Palace Park Road	1	4	4	3	31	35
Totals	3	10	9	7	75	84

Traffic Impact- The likely traffic impact was assessed using the above distributions and distributions derived from existing traffic surveys at the Lawrie Park Road junctions with Westwood Hill and Crystal Palace Park Road. Based on the derived distributions and likely trip generation the calculated impact on these junctions is less than 1% during the respective network peak periods as shown in table below:

Junction	AM			PM		
	Base	Dev	%	Base	Dev	%
Site Access/Springfield Road	36	8	21.1	74	9	12.8
Site Access/Crystal Palace Park Road	1318	3	0.3	1290	7	0.5
Crystal Palace Park Road/Lawrie Park Road	1749	9	0.5	1682	12	0.7
Lawrie Park Road/Westwood Hill	1215	3	0.3	1159	4	0.4

The Council's Highways Officer is of the view that the application would not have a significant impact on the surrounding road network and would provide an appropriate provision of parking.

Refuse

Refuse storage for the houses will be provided within the curtilage of each property. There is adequate space for bins and recycling. The refuse storage for

the flats will be located within one bin store positioned with the car parking area towards Crystal Palace Park Road. Refuse collection vehicles will enter the site for collections from the houses and for the flats collection will be made from Crystal palace park Road. The location of the waste collection points accords with current standards in relation to access by the refuse vehicle and pulling distances by waste operatives. There are no outstanding concerns about the size and location of the waste collection points proposed. Implementation of the refuse arrangements should be secured by condition.

Impact on neighbouring amenity

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

The proposed redevelopment will bring this currently vacant site back into use and consequently it will result in a noticeable change to the residential amenities that have been enjoyed by the occupants of the adjoining properties in recent years. The previous application was considered to give rise to an unacceptable overdevelopment of the site that would have caused significant harm to neighbouring amenity. However, the principle of redeveloping the site for housing was not disputed and it is considered that the revised scheme satisfactorily addresses concerns relating to impact on neighbours.

By reducing the amount of development on site, it has been possible to reduce the impact on neighbouring properties. It is considered that the proposal provides adequate separation distances between the proposed buildings and surrounding residential development. A more appropriate density of development (as currently proposed) would generate less traffic, and general noise and disturbance and would give rise to less overlooking and opportunities for creating a loss of privacy.

It is recognised that Plot 18 would be located fairly close to 15 Lawrie Park Crescent. However, this dwelling has been designed with a single storey element on the western side (facing the neighbour) with a distance of 3m (at its closest point) between the side flank and the shared boundary and over 5m between the upper floors and the shared boundary. Furthermore only rooflights are proposed in the western façade.

Some important detailed design changes have been incorporated into the current proposal in order to reduce the adverse impact on neighbouring properties by way of overlooking, loss of privacy and smells:

- Removal of first floor terraces from the properties facing Cobden Mews (House Types 1 and 2 – Plots 16 and 17 have a first floor terrace located 15-17m from the shared boundary with Cobden Mews but at this point views would be onto the internal access road of Cobden Mews)

- House Type T4 – Plots 8, 9 and 10 would now be located 17m from the shared boundary with 7 Maybourne Close with first floor windows being over 20m away (previous application proposed a distance of only 12m)
- There are no longer terraces or windows proposed on the east and west flank ends of the block of flats
- Appropriate screening will be erected on the terraces serving the flats located in the eastern end of the block.
- The bins store for the flats has been relocated away from neighbouring boundaries.

Whilst there may be some potential for overlooking and loss of privacy to existing adjacent dwellings it is not considered that the level of harm that could occur is significant enough to warrant refusal of this application. There are often instances of overlooking in suburban locations such as this and a balance must be struck between protecting the amenity of existing residents and other benefits of a scheme. It is also important to have regard to the fact that this site has historically been used as a children's home and housing for the elderly which would have resulted in a certain amount of noise and activity and opportunities for overlooking. On balance it is considered that the current application does address previous concerns in this respect.

Given the siting and scale of proposed buildings in relation to the existing surrounding development it is not considered that the proposal would give rise to an unacceptable level of overshadowing or loss of light so as to warrant refusal of this application. Furthermore the proposal would not be overbearing or give rise to harm by way of loss of outlook.

It is recognised that during construction of the development there could be a significant amount of noise and disturbance from construction related activity including vehicular traffic. Construction related noise and activity cannot be avoided when implementing a development of this nature and scale. This is a relatively short term impact that can be managed as much as practically possible through measures such as a Construction Logistics Plan (CLP), dust prevention measures and control of construction hours. On balance subject to conditions to control the aforementioned issues it is not considered appropriate or reasonable to raise an objection to the proposal on the grounds of harm to neighbouring amenity from construction related activity.

The concerns raised by third parties have been duly considered in the balanced assessment of this application. In conclusion for the reasons set out above the proposal is not considered to have a significant adverse impact upon neighbouring amenity.

Sustainability and Energy

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. For major development proposals there are a number of London Plan requirements in respect of energy

assessments, reduction of carbon emissions, sustainable design and construction, decentralised and renewable energy. Major developments are expected to prepare an energy strategy based upon the Mayors energy hierarchy adopting lean, clean, green principles.

An energy strategy was submitted which confirms that all new dwellings would meet CfSH Rating 4 and PVs would be incorporated to help meet London Plan CO2 reductions. The site is not located within proximity of a district heat network and is not considered to be suitable for CHP. As a result of achieving Level 4 under the CfSH sustainability assessment the proposal will address sustainability principles in terms of use of energy and water, construction techniques and building materials, waste, pollution and health and well-being. Whilst the statement submitted confirms the applicant's intention to meet policy requirements further confirmation of the energy strategy is required as part of the detailed design evolution. Consequently a condition is recommended to ensure that policy requirements can be met in full.

Sustainable Urban Drainage Systems

Policy 5.13 of the London Plan requires development to utilise SUDS, unless there are practical reasons for not doing so though supporting text to the policy also recognises the contribution 'green' roofs can make to SUDS. The hierarchy within that policy is for a preference for developments to store water for later use.

The surface water strategy for the site has been developed in conjunction with the Environment Agency and where possible incorporates SUDs features to reduce the impact on the receiving sewers and watercourses.

Other Considerations

Flooding, air quality and land contamination has been addressed by way of submission of technical reports which have been scrutinised by relevant consultees. Appropriate conditions are recommended.

Planning Obligations

The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, we will usually need to link Education and Health proposals to specific projects in the Borough.

In this instance in order to make the development acceptable in planning terms the following obligations are considered to be necessary:

- Provision of affordable housing as set out above
- Provision of 5 wheelchair units
- Contributions towards Education and Health
- Reimbursement of the Councils legal costs associated with the drafting, finalising and monitoring the agreement.

The applicant has agreed to enter into a s106 agreement to secure the above obligations.

Environmental Impact Assessment

As part of the application process, it was necessary for the Council to give 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 2011. 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 and the scale/characteristics of the existing and proposed development on the site.

Summary

The proposed development of the site raises issues associated with the nature and scale of the proposed development and its impact on the local environment and residential neighbouring properties. This report has considered those matters in the light of adopted and emerging development plan policies and other material considerations including third party representations. As discussed in this report the redevelopment of this site in the nature proposed is considered to make a positive contribution to housing supply in this part of the Borough. A significant reduction in the amount and density of development has led to a substantial reduction in the amount of built form and hardstanding as well as reducing the level of harm that may arise in respect of impact on neighbouring amenity. On balance the current proposal is considered to overcome the reasons for refusal of the previous application.

Officers consider that, with the recommended mitigation, planning conditions and obligations in place the proposal represents an appropriate form of development. Background papers referred to during the production of this report comprise all correspondence on file ref 14/01636, excluding exempt information.

RECOMMENDATION: PERMISSION Subject to completion of a satisfactory legal agreement, and conditions including those set out below:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

Drawings Nos. KTW017_P_001 and 010; KTW017_PL(20)_001, 002, 003, 004, 005; KTW017_EL(20)001, 002, 003, 004; KTW017_EL_311 and the Un-numbered Topographical Survey; Affordable Housing Statement; Air Quality Assessment; Arboricultural Survey and Planning Integration Report; Design and Access Statement ; Drainage Strategy including Engineering Layout Plans; Ecological Data Search; Flood Risk Assessment, Geo-Environmental Investigation; Planning Statement ; Statement of Community Involvement; Sustainability and Energy Statement; Transport Statement and Tunnel Report Received 03 October 2014

Drawings No. KTW017_EL(20)002 Received 06 November 2014

Drawings Nos. KTW017_PL_100,; KTW017_DE_(21)001, 002, 003, and 004; KTW017_PL(20)_006, 007; KTW017_EL_(20)011; KTW017_EL_301, 302 and the Supplemental to Design and Access Statement and Tree Protection Measures & Proposed Tree Pruning Document Received 13 January 2015

Ecology Phase 1 Habitat Survey and Bat Survey (Issue 4) received 26 January 2015

Drawing No. KTW017_PL(20)_010 and 011 and KTW017_SK_150127_01 Received 27 January 2015 and

Drawing No. 2082/14/B/1 Received 28 January 2015.

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority when judged against development plan policies in the London Plan 2011 and UDP 2006.

- 3 (i) No development shall commence on site until a detailed schedule and samples of all external materials and finishes, windows and external doors to be used on the buildings (in accordance with the principles set out in the Design and Access Statement and plans hereby approved) have been submitted to and approved in writing by the local planning authority.

(ii) The development shall be carried out in strict accordance with the approved details

ACC08R Reason C08

- 4 (i) A detailed scheme of landscaping which shall include

- Details of bird and bat boxes
- Details of log piles
- Details and samples of any hard surfaces (NB: No loose materials shall be used for surfacing of the parking and turning area hereby permitted)
- Samples of materials to be used in the boundary treatments hereby approved,
- Proposed plant numbers, species, location and size of trees and tree pits,
- Play equipment for the areas identified within the plans hereby approved
- Furniture and lighting
- Finished levels related to AOD and
- Details of the management and maintenance of the landscaping for a period of five years

shall be submitted to and approved in writing by the local planning authority prior to construction of any above ground works.

(ii) The approved landscaping scheme shall be implemented in full and all planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (i). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies BE1, BE7, NE3, NE5 and NE7 of the UDP.

- 5 (i) No development shall commence until an arboricultural method statement and tree protection plan is submitted to and approved in writing by the Local Planning Authority. The details shall include means of protective fencing and ground protection measures for trees effected by the development both within the application site as well as adjoining the site, and will specify information relating to foundation design and construction including an appropriately scaled survey plan showing the positions of trees affected by the proposed buildings, cross sectional drawings describing the depth and width of footings and hardstanding where they fall within the root protection areas, and means whereby the tree roots are to be protected in accordance with British Standard BS: 5837:2012.

ACB18R Reason B18

- 6 No development shall commence until a pre-construction tree works schedule is submitted to and approved in writing by the Council. Once approved the works schedule shall be undertaken in accordance with British Standard BS 3998 2010, and prior to the implementation of tree protection measures as detailed in the Tree Protection Plan.

ACB18R Reason B18

- 7 (i) The development hereby approved shall be implemented in full accordance with the recommendations contained in the Ecology Phase 1 Habitat Survey and Bat Survey (Issue 4) hereby approved.

(ii) For the avoidance of doubt an exit / re-entry survey for the Tree identified as TN3 in the documents hereby approved shall be undertaken immediately beforehand if felled during the active season (March to October) and an appropriate licenced inspection / supervision must be undertaken before / during works.

(iii) For the avoidance of doubt a further bat survey / investigation shall be undertaken in advance of any demolition or construction works commencing on site which shall include provision for exit / re-entry surveys with sufficient personnel to cover all aspects of the buildings during the optimal period for bat surveys (May - August).

ACN10R Reason N10

8 (i) The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, where possible, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates in line with the Preferred Standard of the Mayor's London Plan and the submitted flood risk assessment by Thomas Mackay Environmental Solutions dated September 2014.

(ii) The approved scheme shall be implemented in full accordance with the details before any part of the development hereby permitted if first occupied and shall be permanently retained thereafter

AED02R Reason D02

9 (i) No impact piling shall take place until a piling method statement (detailing the depth and 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 sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

(ii) 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 sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

10 ACH03 Satisfactory parking - full application
ACH03R Reason H03

11 ACH10 Provision of sight line (3 inserts) 43m x 2.4m x 31m
1m
ACH10R Reason H10

12 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16

- 13 ACH22 Bicycle Parking
 ACH22R Reason H22
- 14 ACH23 Lighting scheme for access/parking
 ACH23R Reason H23
- 15 ACH24 Stopping up of access
 ACH24R Reason H24
- 16 ACH29 Construction Management Plan
 ACH29R Reason H29
- 17 ACH30 Travel Plan
 ACH30R Reason H30
- 18 The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh.
- Reason:** To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan.
- 19 An electric car charging point shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces.
- Reason:** To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policies 6.13 and 7.14 of the London Plan.
- 20 Demolition works shall not begin until a dust management plan has been submitted for developing nearby residents and commercial occupiers from dust and other environmental effects have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The development shall not be carried out other than in accordance with the approved dust management plan.
- Reason:** To protect the amenity of nearby residents and commercial occupiers in accordance with the London Plan Supplementary Planning Guidance The Control of Dust and Emissions During Construction and Demolition Guidance.
- 21 ACI01 Restriction of all "pd" rights
Reason: In order to enable the local planning authority to control future development in the interests of visual and residential amenity in accordance with Policy BE1 of the UDP.
- 22 ACI24 Details of means of screening-balconies
 ACI24R Reason I24R

- 23 ACK05 Slab levels - no details submitted
 ACK05R K05 reason
- 24 ACK09 Soil survey - contaminated land
 ACK09R K09 reason
- 25 Before any works on site are commenced, a 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 a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation. The feasibility of the provision of combined heat and power (CHP) to supply thermal and electrical energy to the site or the most appropriate buildings within the permitted development should be included within the assessment.
 ADL01R Reason L01
- 26 (i) The building shall be designed so as to provide sound insulation against external noise and vibration.
 (ii) Development shall not commence until details of a sound insulation and vibration scheme complying with paragraph (i) of this condition have been submitted to an approved in writing by the local planning authority.
 (iii) The development shall not be occupied until the sound insulation and vibration scheme approved pursuant to paragraph (ii) has been implemented in its entirety. Thereafter, the sound insulation and vibration scheme shall be maintained in perpetuity in accordance with the approved details.
- Reason:** To safeguard the amenities of the occupiers of the proposed dwellings and to comply with Policy BE1 of the UDP.
- 27 (a) The residential buildings hereby approved shall achieve a minimum Code for Sustainable Homes Rating Level 4.
 (b) No development shall commence until a Design Stage Certificate for each residential unit (prepared by a Code for Sustainable Homes qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
 (c) Within 3 months of occupation of any of the residential units, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Code for Sustainable Homes qualified Assessor) to demonstrate full compliance with part (a) for that specific unit.
- Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2011).
- 28 Each of the dwellings shall meet Lifetime Home Standards in accordance with the plans and details hereby approved.
- Reason:** In order to ensure an adequate supply of accessible housing in the Borough in accordance with Policy BE1 of the UDP.

29 No construction work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Policy BE1 of the UDP.

30 ACH19 Refuse storage - implementation
ACH19R Reason H19

INFORMATIVE(S)

1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

2 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 groundwater. 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.

3 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant

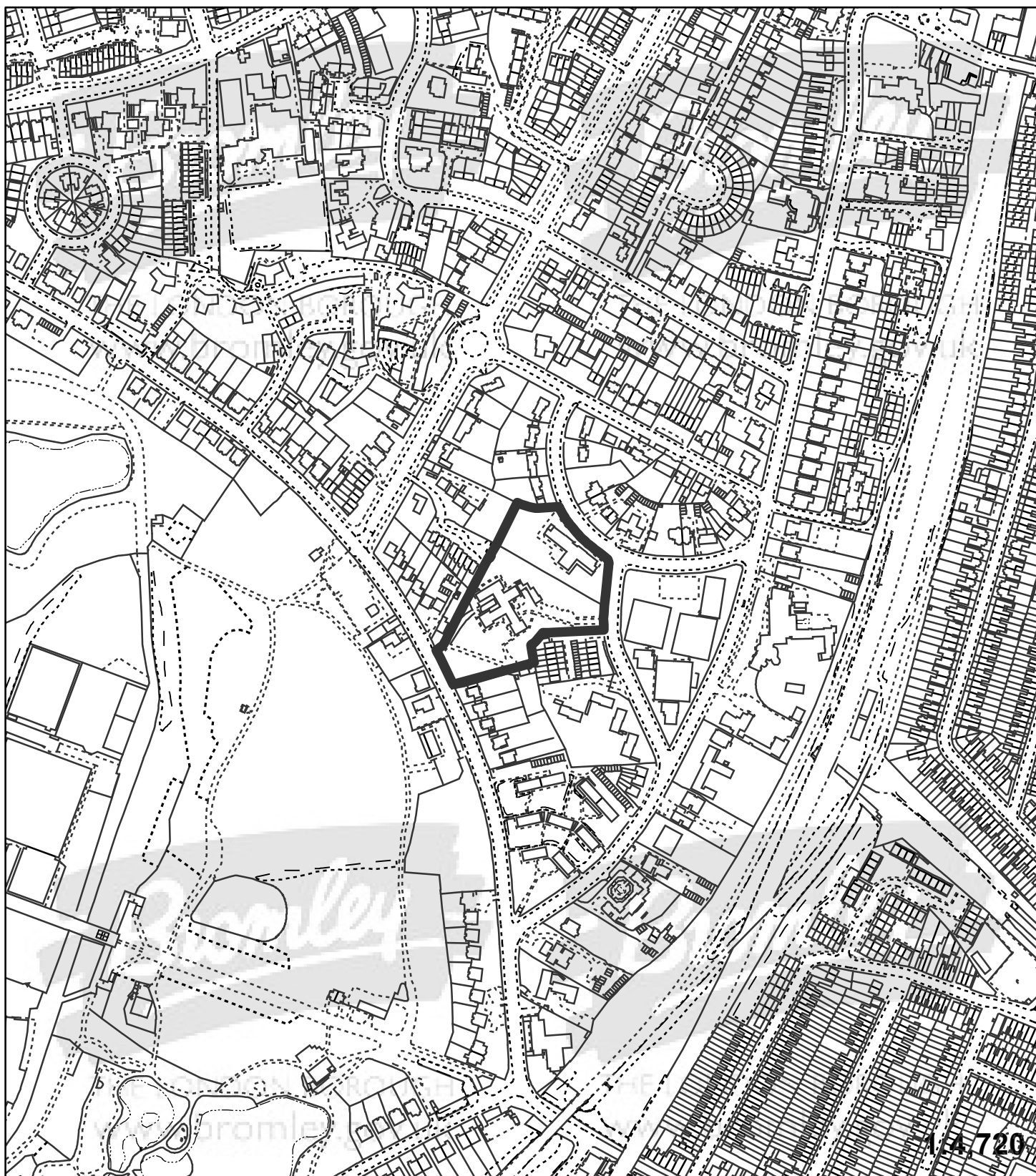
is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

- 4 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.
- 5 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. Application forms should be completed on line via 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.
- 6 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 7 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 8 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 9 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 10 The applicant is advised that the land contamination assessment to be submitted must cover screening for asbestos in soils and buildings.

Application:14/03991/FULL1

Address: The Haven Springfield Road Sydenham London SE26 6HG

Proposal: Demolition of existing buildings and redevelopment of The Haven and Rookstone House to provide 46 residential units comprising 27 x 4 bedroom houses, 7 x 1 bedroom flats, 6 x 2 Bedroom flats and 6 x 3 bedroom flats, together with 71 car parking spaces, cycle parking



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

Report No.
DRR15/014

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: DEVELOPMENT CONTROL COMMITTEE

Date: Tuesday 10 February 2015

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

Title: LAND REAR OF 86 - 94 HIGH STREET, BECKENHAM

Contact Officer: Tim Horsman, Deputy Development Control Manager (East)
Tel: 020 8313 4956 E-mail: Tim.Horsman@bromley.gov.uk

Chief Officer: Chief Planner

Ward: Copers Cope;

1. Reason for report

Application submitted under S106A of the Town and Country Planning Act 1990 which allows a person or persons against whom the obligation is enforceable to apply to discharge or modify a legal agreement attached to a planning permission. In this instance, development is subject to a S106 Planning Obligation 'Unilateral Undertaking', which is similar to a 'Planning Agreement'.

2. **RECOMMENDATION(S)**

APPROVE A DEED OF VARIATION TO THE S106 PLANNING OBLIGATION (UNILATERAL UNDERTAKING) SIGNED ON 13 JUNE 2012

The purpose of the modification is to enable amendments to the affordable housing obligation by way of:-

- Increasing the income threshold cap for eligibility for the Intermediate Units from £35,000 to £45,000
- Changing the location of the intermediate units by moving them from Blocks B and C to Block A

Corporate Policy

1. Policy Status: Not Applicable:
 2. BBB Priority: Excellent Council Quality Environment:
-

Financial

Not Applicable

Staff

Not Applicable

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Consulted
2. Summary of Ward Councillors comments: None received

3. COMMENTARY

Description of Development

Application to modify legal agreement attached to planning permission DC/11/02100/FULL1 in respect of the Unilateral Undertaking signed on 13 June 2012 in connection with the following planning permission:

Development of 3 x four storey blocks comprising 9 one bedroom, 32 two bedroom and 3 three bedroom flats, with 37 car parking spaces, bicycle parking, landscaping and access at Land to the rear of 86-94 High Street, Beckenham.

The purpose of the modification is to enable amendments to the affordable housing obligation by way of:-

- Increasing the income threshold cap for eligibility for the Intermediate Units from £35,000 to £45,000
- Changing the location of the intermediate units by moving them from Blocks B and C to Block A

Key Designations

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads
Tree Preservation Order

Location

This site is located on the western side of Beckenham High Street equidistance from the junctions of Beckenham High Street with Manor Road and Church Avenue. This is effectively a backland site accessed from an existing vehicular access route running between Nos. 94 and 88 Beckenham High Street.

The site is currently being redeveloped in accordance with DC/11/02100. The main residential blocks are largely complete.

Surrounding development typically comprises 3 and 4 storey commercial buildings with some residential uses on the upper floors and many of these buildings have been extended to the rear in a haphazard fashion. To the north of the site are the gardens of houses fronting Church Avenue whilst to the west is an area of undergrowth and trees which is part of the grounds of 32 Church Avenue.

There is also a wooded area of designated Urban Open Space to the west of the site.

Comments from Local Residents and Amenity Societies and Consultees

No third party comments received.

Housing: From a housing perspective it is acceptable to review the Council's affordability criteria. Prior to the Council formally reviewing and consulting upon the affordability planning policy guidance, the interim solution - a proposed threshold of £45,000 based upon available recent market evidence is considered to be sound.

Planning Considerations

This application is made under S106A of the Town and Country Planning Act 1990 which allows a person or persons against whom the obligation is enforceable to apply to discharge or modify a legal agreement attached to a planning permission.

The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 is also relevant.

In this particular case the issue to consider relates to the income eligibility criteria for intermediate housing therefore the following policies are relevant:

Unitary Development Plan (2006)

Policy H2 Affordable Housing - which requires affordable housing to be provided on sites capable of providing 10 dwellings or more. The supporting text for the policy states that intermediate housing will be available to people on moderate incomes who cannot afford to buy or rent housing generally available on the open market. This is defined as households on an income of less than £40,000 per annum (as at 2004). However, it is stated that the figure will be reviewed annually to reflect changes in income: house price ratios.

Supplementary Planning Document: Planning Obligations (2010)

This document sets out the Councils approach to securing obligations through the planning system. In respect of affordable housing it reflects the content of Policy H2 by setting thresholds for affordable provision and income cap for intermediate units. In 2012 the Council published an Addendum to the SPD dealing specifically with affordable housing provision. The addendum defines intermediate housing as:-

***“Intermediate housing:** sub-market housing available to people on moderate incomes who cannot afford to buy or rent housing generally available on the open market. This is presently defined as households on an income of less than £35,000 per annum (as at 2012), however this figure will be reviewed annually to reflect changes in income: house price ratios. Intermediate housing may take the form of shared ownership, low cost home ownership or sub market rented housing.*

This policy and SPD are consistent with the NPPF and the London Plan. The direction of policy is not changed in the emerging London Plan or Local Plan.

Planning History

In 2012 planning permission was granted on appeal for a development of 3x four storey blocks comprising 9 one bedroom, 32 two bedroom and 3 three bedroom flats, with 37 car parking spaces, bicycle parking, landscaping and access (DC/11/02100).

The application was allowed on appeal subject to 22 conditions and a S106 obligation (Unilateral Undertaking) to control the provision of affordable housing.

This planning permission has been implemented and the buildings are currently under construction.

Conclusions

The main issue to consider is the acceptability of allowing an amendment to the S106 obligation (Unilateral Undertaking) in respect of raising the income threshold for eligibility in respect of the shared ownership units.

The current legal agreement requires 35% affordable housing to be provided in the form of 15 residential dwellings (44 habitable rooms). The approved tenure is 8 affordable rent units and 7 intermediate (shared ownership). Within the legal agreement the definition of 'intermediate housing' sets a household income threshold of £35,000 per annum for the shared ownership units. This figure accords with the Planning Obligations SPD 2012 Addendum.

Given the changes that have taken place in market conditions and the review of the eligibility threshold it is considered necessary and reasonable to enter into a Deed of Variation to modify the existing legal agreement for this particular development. The amendment to the legal agreement would state a revised cap of £45,000 within the definition of 'Intermediate Housing'.

The second amendment sought relates to the location of the intermediate units. As originally approved the intermediate units would be provided in Blocks B and C (the affordable rented units are located in Block C). However, it is now proposed to locate all intermediate units in Block A which is positioned towards the rear of the site. This amendment would mean that the two bed units would slightly increase in size (71 sqm as opposed to 64 sqm). The increase in size would make the two bed units compliant with London Plan minimum sizes and would result in a higher standard of accommodation for future occupiers. This amendment would not result in any change to the overall number of affordable units to be provided nor would it change the unit size mix or tenure split. Consequently the relocation of the units to Block A is considered to be an acceptable amendment.

For the reasons set out above the proposed modifications to the S106 obligation (Unilateral Undertaking) are considered to be acceptable.

RECOMMENDATION: APPROVE A DEED OF VARIATION TO THE S106 OBLIGATION (UNILATERAL UNDERTAKING) SIGNED ON 13 JUNE 2012

The purpose of the modification is to enable amendments to the affordable housing obligation by way of:-

- Increasing the income threshold cap for eligibility for the Intermediate Units from £35,000 to £45,000
- Changing the location of the intermediate units by moving them from Blocks B and C to Block A

4. POLICY IMPLICATIONS

Planning policy implications discussed above.

5. FINANCIAL IMPLICATIONS

None

6. LEGAL IMPLICATIONS

Formal Deed of Variation to be prepared and agreed by the Council's Legal Team.

7. PERSONNEL IMPLICATIONS

None.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	

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Report No.
DRR15/015

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: DEVELOPMENT CONTROL COMMITTEE

Date: Tuesday 10th February 2015

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

Title: LOCAL LIST OF VALIDATION REQUIREMENTS FOR PLANNING APPLICATIONS

Contact Officer: Tim Horsman, Development Control Manager
E-mail: tim.horsman@bromley.gov.uk

Chief Officer: Chief Planner

Ward: (All Wards);

1. Reason for report

National Government Guidance requires Local Planning Authorities to undertake a regular review of their validation requirements for planning applications. It is necessary to ensure that the list remains fit for purpose in the context of changes to National Legislation and development plan policies. This report sets out the updated requirements and seeks Members agreement to the updated document.

A copy of the existing Local Information Requirements List is attached with amendments identified in *italics*.

2. **RECOMMENDATION(S)**

Members to agree that Officers will consult on the local information requirements document and then adopt the document in the event that no significant representations that could lead to amendments are received.

In the event that representations leading to amendments are received an update would be reported to the March DC Committee before formal adoption.

Corporate Policy

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

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Planning and Renewal
-

Staff

N/A

Legal

1. Legal Requirement: Statutory Requirement: Article 10 of the Town and Country Planning (Development Management Procedure) Order 2010
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Users of planning service
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not at this stage but consultation will be undertaken subject to Members agreement.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

On 8 October 2013 Members of the Development Control Committee agreed to adopt the Council's updated local list of validation requirements for planning applications. This list has been used since that time to ensure that planning applications are accompanied by all documentation necessary to ensure proper consideration, in addition to the basic documentation required by primary legislation.

The Town and Country Planning (Development Management Procedure) Order 2010 [the DMPO] requires the Local Planning Authority to review its local validation requirements every two years. However, it is open for a Local Planning Authority to review the requirements more frequently if necessary.

In the majority of cases agreement is easily reached with applicants regarding what is required to be submitted with an application, as officers use discretion to ask only for relevant documentation. The list predominantly provides guidance and help to those wishing to submit a planning application and explains why documents are required in certain circumstances. However, the legislation also introduced a right of appeal (Article 10A of the DMPO) where an applicant disputes the necessity of a document required by the Authority. If such an appeal is submitted, the local validation document will provide the basic justification as to why the document was requested to help settle the dispute.

The review process for the local validation requirements is set out in the National Planning Practice Guidance (online at planningguidance.planningportal.gov.uk/). For the reasons set out above, the local list of validation requirements has been reviewed.

The review has led to minor changes to items already on the list by way of making requirements clearer for applicants and ensuring that the most up-to-date policies are referenced. The revised list also introduces some additional requirements for non-householder applications to ensure that proposals meet current legislative and policy requirements, are capable of delivering high quality design and addressing sustainability policies. Furthermore by requiring applicants to submit certain details as part of the planning application for major and/or complex and sensitive proposals it is possible to reduce the use of conditions requiring further submissions which will reduce timescales for implementing permissions as well as reducing pressure on workload and resources.

Additional requirements added to the Local List include:-

- Clarification on the requirements within a Design and Access Statement
- Large scale (1:20) plans to show sensitive or complex design details
- Submission of Living Roof details for appropriate schemes
- Computer Generated Images for Major proposals
- Clarity of details required for applications which seek to amend existing planning permissions
- Accommodation Schedule to be submitted with all applications for new dwellings
- Submission of Construction Logistics Plans for major proposals or those which could generate significant construction traffic
- Submission of landscaping proposals for appropriate schemes

- Clarification on the information required to demonstrate that new units can meet wheelchair and lifetime home standards
- Submission of materials samples for appropriate schemes
- Submission of sustainability statements for appropriate schemes

In light of the minor changes it is recommended that Members to provide delegated authority for Officers to consult on the local information requirements document and then adopt the document in the event that no significant representations that could lead to amendments are received.

In the event that representations leading to amendments are received an update would be reported to the next available DC Committee before formal adoption.

POLICY IMPLICATIONS

The continued ability to require applicants to submit additional material with applications will assist in assessing them against development plan policies and help to maintain the quality of decisions.

Non-Applicable Sections:	Financial; Legal; Personnel
Background Documents: (Access via Contact Officer)	Town and Country Planning (Development Management Procedure) Order 2010 (as amended); DCLG National Planning Practice Guidance (online at planningguidance.planningportal.gov.uk/).

Validation Guidance and Local Information Requirements for Planning Applications

Introduction

Requirements for all planning applications

Standard application form including ownership certificates and agricultural land declaration (national requirement)
The correct fee (national requirement)
Site location plan (national requirement)
Site plan or block plan (national requirement)

Drawings

General guidance for drawings
Design and access statement
Existing and proposed elevations, sections and floor plans
Existing and proposed site sections and finished floor levels
Existing and proposed roof plan
Existing site layout plan
Photographs of existing site
Advertisement drawing
Section 96a (Non-material) and 73 (Minor-material) Applications

Supporting documents required for common types of applications

Affordable Housing Statement
Air Quality Assessment
Biodiversity and Geological Survey and Report
Daylight/Sunlight Assessment
Economic Statement
Energy Statement
Financial Viability Assessment
Flood Risk Assessment
Foul Sewage and Surface Water Drainage Assessment
Heritage Statement
Land Contamination Assessment
Landfill and Waste Transfer Statement
Landscape/Townscape and Views Impact Assessment
Lifetime Homes / Wheelchair Housing Statement
Lighting Assessment
Marketing Evidence
Noise and Vibration Impact Assessment
Parking Provision for Cars and Bicycles
Planning Obligations – Draft Heads of Terms
Planning Statement
Refuse and Recycling Storage
Section Drawings and Levels
Statement of Community Involvement (SCI)
Structural Survey and Rebuilding Method Statement
Town Centre Uses and Retail Impact Assessment
Telecommunication Development Information
Transport Assessment
Travel Plan
Tree Survey and Arboricultural Implications Report
Ventilation/Extraction Details and Specification
Contact Information and Appeals

Introduction

The Growth and Infrastructure Act (2013) requires that Local Information Requirements must be:

- *Reasonable having regard, in particular, to the nature and scale of the proposed development; and*
- *A matter that it is reasonable to think will be a material consideration in the determination of the application*

This reflects the Town and Country Planning (Development Management Procedure) Order 2010 and Paragraph 193 of the National Planning Policy Framework (2012).

This document is provided to help ensure that you understand what we expect to receive with a planning application to make it valid and why. It also comprises the Council's local information requirements or local validation list.

The information required for a valid planning application consists of:

1. Mandatory national information requirements (set out in the Town and Country Planning (Development Management Procedure) Order 2010)
2. Information provided on the standard application form; and
3. Information to accompany the application as specified by the local planning authority on their local list of information requirements. This document, along with the Local Validation Requirements Matrix comprises the Council's local list of information requirements.

The Council will only ask for what is required in order to determine the application. Each requirement has been tested against the Growth and Infrastructure Act and it is considered that the matters set out are reasonable having regard, in particular, to the nature and scale of the proposed development triggers and are matters that it is reasonable to think will be a material consideration in the determination of a planning application.

*When received, all planning submissions will be reviewed against the requirements set out within the local list. The level of detail to be provided should always be proportionate to the scale of the development, however, the advice below sets out when such information is likely to be required and the **minimum** detail that all submissions will need to address in order for a submission to be valid.*

If your application is made invalid due to lack of submission of any of the documents required by the Council which form part of our Local Validation Requirements, and you disagree with the requirement, you are encouraged to discuss your concerns with us

initially. If we can't reach an agreement, there is a right of appeal – more information regarding appeals, as well as contact details for any queries, is provided at the end of this document.

There are checklists provided for each application type on the Council's website at www.bromley.gov.uk/planningchecklists to help you make sure your application is valid and will be accepted.

Requirements for all planning applications

Standard application form including ownership certificates and agricultural land declaration (national requirement)

All applications for planning permission must include the appropriate standard application form fully completed and signed. The form includes appropriate certificate of ownership. An ownership certificate A, B, C or D must be completed stating the ownership of the property. **You should not sign more than one certificate as this will result in the application being invalid.** For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than seven years.

The agricultural land declaration must be completed for most applications to confirm whether the site includes an agricultural holding and ensure that any agricultural tenants. All forms must be signed and dated by or on behalf of the applicant.

Why is this needed?: The application form provides basic information required to register and assess the application and the declaration and certificates ensure that anyone with an interest in the application land is aware of the application.

The correct fee (national requirement)

All applications must be accompanied by the correct fee, or confirmation as to why no fee is provided where an exemption applies. You can check with the Council if you are unsure as to what fee applies (contact details at the end of this document). Payment can be made over the phone once the application has been submitted, by cheque at the time of making the application or online using the Planning Portal.

Why is this needed?: The government sets fees nationally to help Local Planning Authorities cover the cost of processing planning applications.

Site location plan (national requirement)

All applications must include 4 copies (unless submitted electronically) of a site location plan which should:

1. Be based on an up-to-date map.

Validation Guidance and Local Information Requirements for Planning Applications

2. At an identified standard metric scale (typically 1:1250 or 1:2500, but wherever possible the plan should be scaled to fit onto A4 or A3 size paper).
3. Identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear.
4. Show the application site edged clearly with a red line. The site must include all land necessary to carry out the proposed development – for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings.
5. Show a blue line drawn around any other land owned by the applicant, close to or adjoining the application site.

Why is this needed?: To identify the land to which the application relates and any nearby land also in the control of the applicant

Site plan or block plan (national requirement)

All applications must include a site or block plan which should:

1. Be to an identified standard metric scale (normally 1:100, 1:200 or 1:500 but wherever possible the plan should be scaled to fit onto A4 or A3 size paper)
2. Show the direction of north, and the proposed development in relation to the site boundaries and other existing buildings on the site with written dimensions to the boundaries.

The plan should also include the following, unless these would not influence or be affected by the proposed development:

3. All buildings, roads and footpaths on land adjoining the site including access arrangements
4. All public rights of way crossing or adjoining the site
5. The position of all trees on the site, and those on adjacent land
6. The extent and type of any hard surfacing
7. Boundary treatment including walls or fencing where proposed

Why is this needed?: To ensure that the Council has sufficient information to understand how the development will relate to its surroundings and assess the impact of the proposal.

Design and access statement

The purpose of a Design and Access Statement is to provide a framework for applicants to explain how a proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users.

Validation Guidance and Local Information Requirements for Planning Applications

Statements are required only for the following applications (although it may be helpful to provide one to help justify other proposals such as for new dwellings)

- Planning applications for Major Development
- Applications in Conservation Area but only if for one or more dwellings or for building works with a floor space of over 100sqm
- *Listed Building Consent*

The statement should be proportionate to the scale of the development forming the basis of the application. The document should be very visual, using diagrams, sketches, plans and photographs to provide the necessary explanations and descriptions wherever possible and appropriate.

For major applications Design and Access Statements shall:

- *Explain the design principles and concepts that have been applied to the development*
- *Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account*
- *Include all options considered in the evolution of a scheme with a clear explanation as to why other options were discounted*
- *Explain the policy adopted as to access*
- *Explain how any specific uses which might affect access to the development have been addressed*

In addition for Outline Planning Applications where scale and/or layout are Reserved a Design and Access Statement must include details of the design approach and design intent for future Reserved Matters Applications.

For Listed Building or Conservation Area Applications reference must be made as to how the development will affect the heritage asset.

Why is this needed?: To ensure that the Council has sufficient information to understand what is proposed, how the development will relate to the existing situation and assess the impact of the proposal.

Drawings ~~required for common types of applications~~

General guidance for drawings

Drawings are preferred at A4 or A3, however where this is inappropriate larger drawings are acceptable. Drawings which say 'Do not scale' are not generally acceptable. All drawings should include the following information:

- The scale of the drawing (e.g. 1:100, 1:200 – should be a metric scale).
- Indicate the direction of North on site location and block plans.

Validation Guidance and Local Information Requirements for Planning Applications

- A scale bar indicating a minimum of 0-10 metres (to assist with reading online).
- A title to identify the development and subject of the drawing
- A unique drawing number which also indicates any revisions
- All revisions should be described to identify any changes
- The date of the drawing and any changes made.
- Key external dimensions in metric.

Existing and proposed elevations and floor plans

Required for any new building work and certificates of lawfulness for proposed development (applications relating only to use require floor plans only) and should:

- Be at a scale of 1:50 or 1:100
- Only show existing or proposed development and not include any other proposed works, for example permitted development not yet carried out
- Include key written dimensions and a scale bar
- *For applications for new buildings or substantial extensions to sensitive buildings, elevations and sections at 1:20 should be provided to show typical window sections, entrances and balconies. It may also be necessary to provide 1:5 details for important design features or at important junctions (further advice can be given during pre-application discussions).*
- *For Listed Building Consent applications 1:20 existing plans must be submitted to show all existing doors, windows, shop fronts, panelling, fireplaces, plaster moulding and other decorative details that are to be removed or altered and 1:20 proposed plans and sections to show all new doors, windows, shop fronts, panelling, fireplaces, plaster moulding and other decorative details*

Why is this needed?: To ensure that the Council has sufficient information to understand what is proposed, how the development will relate to the existing situation and assess the impact of the proposal. Large scale plans and sections are required to demonstrate design detail and quality can be achieved in new buildings and/or sensitive extensions.

Existing and proposed site sections and finished floor levels

Normally required for any new building works for sites which slope or where a change in ground level is proposed and should:

- Be at a scale of 1:50 or 1:100
- Only show existing or proposed development and not include any other proposed works, for example permitted development not yet carried out
- Include key written dimensions and a scale bar

Why is this needed?: To ensure that the Council has sufficient information to understand what is proposed, how the development will relate to the existing situation and assess the impact of the proposal.

Existing and proposed roof plan

Normally required for building works where any changes to the roof of the building are not evident from the elevations and should:

- Be at a scale of 1:50 or 1:100
- Only show existing or proposed development and not include any other proposed works, for example permitted development not yet carried out
- Include key written dimensions and a scale bar
- *Where a living/green/brown roof is proposed to address climate change policies it will be necessary to provide full details (see living roof section below).*

Why is this needed?: To ensure that the Council has sufficient information to understand what is proposed, how the development will relate to the existing situation and assess the impact of the proposal.

Existing site layout plan

Normally required for certificates of lawfulness for an existing use and should:

- Be at a scale of 1:50, 1:100 or 1:200
- Include key written dimensions and a scale bar
- Show the precise area for each existing use

Why is this needed?: To set out what is being sought in the application and ensure that the Council has sufficient information to assess the lawfulness of the use.

Photographs of existing site

Whilst photographs are not required to validate an application, it is very helpful for photographs of the existing site and building(s) to be submitted in particular with listed building consent and conservation area consent applications and for major applications.

Whilst not a substitute for scaled plans, for major applications Computer Generated Images (CGIs) are very useful to demonstrate the visual impact of a proposal particularly for third parties who wish to comment on an application. In some instances Fully Verified Views will also be required. Further advice can be given by planning officers as part of the pre-application discussions.

Why is this needed?: It is helpful for consultees to be able to see the existing site (and where relevant visual images of the proposed development in its context) at an early stage in the application process as they are normally consulted before a site visit is carried out.

Advertisement drawing

Required for applications for advertisement consent showing advertisement size, siting, materials and colours to be used, height above ground, extent of projection and details of the method and colour(s) of illumination if applicable and should:

- Be at a scale of at 1:50 or 1:100
- Include written dimensions and a scale bar

Why is this needed?: To enable the Council to consider the impact of the advertisement

Section 96a (Non-material) and Section 73 (Minor-material) Amendments

Required for any application seeking amendments to an existing planning permission:

- *Proposed plans, elevations and sections that meet the requirements set out above*
- *Copies of the approved plans marked up to show where the changes are for information purposes (the copies can be to A3 size even if the originals were larger).*
- *The proposed plans must be a full update/revision of that originally approved including all information originally shown on the plans that is not subject to change as well as the amendments sought (i.e. you cannot partially supersede a plan)*
- *A full schedule of originally approved and proposed replacement plans must be provided. The schedule must explicitly state which of the original plans is to be superseded by the proposed amendments.*

Submission of Applications

Applications can be submitted electronically via the planning portal or in paper copy. When paper copies are submitted it is necessary to provide 4 copies of all plans and documents.

Whilst it is appropriate for householder and minor applications to be submitted electronically major applications are often accompanied by a number of large sized plans and range of technical supporting documents, which cannot be adequately assessed electronically. To prevent delays with validation and to assist with a more efficient assessment all major applications should be submitted in hard copy with a minimum of 2 paper copies and a disk (even if also submitted via the planning portal)

Supporting documents required for common types of applications

Supporting documents are most frequently required with applications for larger or more complex developments rather than householder extensions and are required to help explain the impacts of the proposal. In addition to the guidance in this document, the

Validation Guidance and Local Information Requirements for Planning Applications

need for such further information can also be identified at pre-application meetings with Council planning officers, for which there is to be a charge.

The information submitted should provide material to enable the Council to assess the specific relevant impacts of the proposed development and put forward mitigation measures in relation to the effects identified. Material should also be provided to justify the proposal in relation to specific planning policies.

As a general rule it is suggested that the documents required for a planning or other application be prepared by a professional in the relevant field. If the Council finds during processing an application that the material included in a submitted document does not address the relevant issues, permission / consent may be refused on grounds of inadequate information.

Supporting documents that the Council may, at its discretion, require to be submitted for particular types of application are set out in the following section. The list is alphabetical and each item includes a summary of the relevant policies and the type of application and area of the Borough for which the item is likely to be required. There is also a detailed explanation of the expected content, reasons for requiring the item and where to look for further information.

Accommodation Schedule

Relevant policies: *UDP Policies H1 Housing Supply, H2 & H3 Affordable Housing; London Plan Housing Policies 3.3, 3.4, 3.8, 3.10, 3.11, 3.12 and 3.13; Mayor's Housing SPD: Housing (2012); NPPF (2012) and NPG (2014)*

Likely to be required for: *All developments proposing new residential dwellings*

Locations: *Borough-wide*

This document is required to demonstrate how the proposal will meet National Planning Legislation and Guidance and development plan policies in terms of housing provision, unit size and mix, affordable housing, standard of accommodation and density

The accommodation schedule must be submitted as a standalone document (not included within any other supporting statement) and must include the following details:

- *Existing floor space Gross and Net (broken down into occupied and vacant floorspace at the time the application is submitted)*
- *Gross proposed floorspace*
- *Net proposed floorspace*
- *Proposed unit numbers (broken down into size and tenure)*
- *Proposed habitable rooms*
- *Confirmation of unit sizes for each new dwelling*
- *Confirmation of residential density by unit number and habitable rooms*

For development proposals that trigger an affordable housing requirement it will also be necessary to provide a full Affordable Housing Statement (see below). If as part of the application, you are seeking to benefit from Vacant Building Credit it will be necessary to demonstrate that all existing floorspace within each building is vacant on the day that the application is submitted.

Affordable Housing Statement

Relevant policies: *UDP Policies H2 & H3 Affordable Housing; London Plan Housing Policies 3.10, 3.11, 3.12 and 3.13; Mayor's Housing SPD: Housing (2012); NPPF (2012) and NPG (2014)*

Likely to be required for: *Residential developments of 11 or more dwellings or combined residential floorspace of 1000 sqm*

Locations: Borough-wide

This will be required for all residential developments of 11 or more dwellings and residential proposals with a combined floorspace of 1000 sqm. Policy H2 of the UDP requires that 35% of the habitable rooms in such developments be affordable, comprising 70% social-rented and 30% intermediate housing, also 35% of the affordable housing should be family accommodation.

The Statement should include the number and mix of dwellings, with the numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. The affordable housing statement should also include details of any Registered Provider acting as partners in the development. A planning obligation will be necessary to secure the provision of affordable housing.

All Affordable Housing should meet the current Homes and Communities Agency (HCA) Quality Standards and 10% should meet the South East London Housing Partnership Wheelchair Design Guide Standards – see Lifetimes Homes / Wheelchair Housing Statement below. See also Planning Obligations – Draft Head(s) of Terms below.

Useful references: Bromley Affordable Housing Supplementary Planning Document (SPD) http://www.bromley.gov.uk/download/downloads/id/197/adopted_affordable_housing_spd

Air Quality Assessment

Relevant policies: *London Plan Climate Changes Policies 5.1, 5.2 and 7.14 Improving Air Quality; NPPF (2012); NPG (2014)*

Likely to be required for: Major developments and other potentially polluting & traffic generating development

Locations: Air Quality Management Areas (AQMA) and adjacent to them

This will be required for major developments and other potentially polluting and traffic-generating developments in or adjacent to the AQMA. The information should be sufficient to enable full consideration of the impact of the proposal on the air quality of the area. Where increased building and/or transport emissions are likely, reduction/mitigation measures should be set out in a detailed emissions statement.

Useful references: Bromley AQMA Map

http://www.bromley.gov.uk/downloads/file/682/bromley_air_quality_management_area_aqm_a_map

Biodiversity and Geological Survey and Report

Relevant policies: *UDP Policies NE1, 2, 5 and 6 Nature Conservation and Development, Protected Species and World Heritage Site; Bromley Biodiversity Action Plan; London Plan Policies 7.19 Biodiversity and Nature Conservation and 7.20 Geological Conservation; NPPF (2012); Countryside / Wildlife Acts and related legislation*

Likely to be required for: Major developments; Non-Major Developments in relevant locations; Hedgerow Removal

Locations: Within or adjacent to Site of Special Scientific Interest (SSSI), Local Nature Reserve (LNR), Site of Interest for Nature Conservation (SINC), Kent Downs Area of Outstanding Natural Beauty (AONB), and where protected species may be present on or adjacent to the site.

Developments within and adjacent to designated sites (Sites of Special Scientific Interest, Local Nature Reserves, Sites of Importance for Nature Conservation, the proposed World Heritage Site, Kent Downs Area of Outstanding Natural Beauty and Regionally Important Geological Sites) will need to be accompanied by such survey/report material.

Where a proposed development may have possible impacts on wildlife and biodiversity, information should be provided on existing biodiversity interests and possible impacts on them to allow full consideration of those impacts. Where proposals are being made for mitigation and / or compensation measures, information to support those proposals will be needed. Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994 or the Protection of Badgers Act 1992.

Applications for development in the countryside that will affect areas designated for their biodiversity interests are likely to need to include assessments of impacts and proposals for long term maintenance and management. This information might form part of an Environmental Statement, where one is necessary. Certain proposals which include work such as the demolition of older buildings or roof spaces, floodlighting, removal of trees, scrub, hedgerows or alterations to water courses may affect protected species and will need to provide information about them, any potential impacts on them and any mitigation proposals for such impacts.

Useful references: See <http://www.biodiversityplanningtoolkit.com>; , www.naturalengland.org.uk and the Bromley Biodiversity Action Plan <http://www.bromley.org/ciswebpl/bbap/introbio.asp>

Construction Logistics Plan (CLP)

Relevant policies: UDP Policies T2 Assessment of Transport Effects, Policy T15 Traffic Management, T6 Traffic Management and Sensitive Environments, T18 Road Safety and London Plan Policy 6.14 Freight.

Likely to be required for: All major applications and others likely to have a significant impact on traffic congestion or pedestrian safety. Any application where loading activities associated with the construction phase of a development would cause congestion or obstruction on the highway.

Locations: Borough-wide

CLPs help to manage all types of freight movement to and from construction sites. They improve the safety and reliability of deliveries to a site, reduce congestion and minimise environmental impact. A CLP may be included within a Transport Assessment.

Depending on the scale of the development or particular sensitivities of the site the following information may be needed for an application to be determined:

- Construction vehicle routing (swept path analysis may be required) to demonstrate that construction vehicles can access the development and to limit or prevent HGV movements on residential roads
- Details for maintaining clean roads (wheel washing)
- Security and Access Controls (for larger sites)
- Details of waste management
- Numbers and times of deliveries

You are advised to speak to the Highways Team at an early stage to discuss your scheme and to agree the necessary scope of the application.

Further guidance can be found at

http://www.tfl.gov.uk/microsites/freight/documents/construction_logistics_plans.pdf

Daylight/Sunlight Assessment

Relevant policies: UDP Policy BE1 Design of New Development, NE1, 2 and 5 Nature Conservation and Development, Protected Species and Policy 7.7 Location and Design of Tall and Large Buildings

Likely to be required for: All major developments and any application where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or buildings including associated gardens or amenity space or in the vicinity of a river or open space

Locations: Borough-wide

A Daylight / Sunlight Assessment may be required for major developments, particularly in town centres, in circumstances where there is a potential adverse impact upon the current levels of sunlight / daylight enjoyed by adjoining properties or buildings, including associated gardens or amenity space or upon areas of public open space or rivers. An Assessment may also be required in situations where the application site itself is subject to potential adverse impact from adjoining buildings or features or where one part of the development is affected by another part of the same development. However the impacts of most developments on the amenities of adjoining and nearby properties will continue to be assessed on a case-by-case basis on their individual merits, without the need for a Daylight / Sunlight Assessment.

The assessment should be carried out in accordance with the Building Research Establishment document Site Layout Planning for Daylight and Sunlight – A guide to Good Practice. A daylight, vertical sky components, sunlight availability and shadow study should be undertaken and assessed against the criteria set out in the BRE document.

Useful references: Building Research Establishment <http://www.bre.co.uk/index.jsp>

Economic Statement

Relevant policies: UDP Policies EMP1, 4, 5 & 7 Office & Business Development and *London Plan Economic Policies 4.1, 4.2, 4.3 and 4.4*

Likely to be required for: Major developments >2000 sq m or >1ha; Redevelopments where loss of employment may arise

Locations: *Business Areas; Town / District Centres; Biggin Hill Airfield*

The statement should set out any regeneration benefits from the proposed development, including: details of any new jobs that might be created or supported: the relative floor space totals for each proposed use (where known), any community benefits and reference to any regeneration strategies that might lie behind or be supported by the proposal. Proposals for redevelopment of employment sites should include details of existing employment that will be lost. The statement should include justification for the proposal in planning policy terms.

Energy Statement

Relevant policies: *London Plan Climate Change Policies 5.1, 5.2, 5.3, 5.4, 5.5, 5.6 and 5.7; NPPF (2012) and NPG (2014)*

Likely to be required for: Major developments

Locations: Borough-wide

The London Plan provides the policy framework in respect of sustainable construction and renewable energy, and attention is drawn to Chapter 5 of the London Plan and the Supplementary Planning Guidance entitled Sustainable Design and Construction www.london.gov.uk/thelondonplan/guides/spg/spg_04.jsp - this document provides an example of a report format for an Energy Statement that is relevant and comprehensive.

The Statement should include an energy assessment which shows how the need for energy is to be minimised, and how it will be supplied. In accordance with the energy hierarchy, developments should firstly be designed to use less energy; secondly the energy needed should be supplied as efficiently as possible and thirdly should use renewable energy where feasible. The Energy Statement should show how building construction will provide energy efficiency savings that exceed the requirements of the Building Regulations and should include calculations of both carbon dioxide emissions and energy (in KWh) and show how options for producing renewable energy have been considered.

To comply with LP Policy 5.2 the development should provide at least a 40% reduction in carbon dioxide emissions (improvement on 2010 Building Regulations) through the energy efficient design of buildings, use of decentralised energy and then from onsite renewable energy generating technology. If a reduction of 40% carbon dioxide emissions on site is not feasible, the energy statement should explain why and any shortfall will be met through a cash in lieu contribution .

The Energy Statement should be related to the particular development proposed for the site and should demonstrate the feasibility of installing the particular measures proposed. The layout of the scheme should ensure that there is sufficient space on site for any equipment and fuel storage, if required, and should investigate implications of fuel delivery. The potential site and form of buildings and flues should be included in the information submitted with the application.

In cases where the form of renewable energy cannot be fully determined at time of application, feasible options must still be presented. It is unlikely to be possible to submit details for the compliance of a condition regarding energy efficient/renewable energy where additional permissions may be required (e.g. for flues or buildings not in the original application).

Useful references: <https://www.london.gov.uk/priorities/environment/tackling-climate-change>

Financial Viability Assessment

Relevant policies: *UDP Policies H1 Housing Supply, H2 & H3 Affordable Housing, IMP1 Planning obligations and SPD Planning Obligations; London Plan Housing Policies 3.3, 3.4, 3.8, 3.10, 3.11, 3.12 and 3.13, Policy 8.2 Planning Obligations and 8.3 Community Infrastructure Levy; NPPF (2012) and NPG (2014)*

Likely to be required for: *Major development proposals and residential developments where the combined floorspace of new dwellings exceeds 1000 sqm that do not offer planning obligations or offer <35% affordable housing*

Locations: Borough-wide

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A Financial Viability Assessment (FVA) will be required for any development that generates a need for developer contributions where the applicant is of the view that the economics of the development cannot support the likely requirements for contributions made by the Local Planning Authority or other stakeholders.

The Council will seek to enter into legal agreements under Section 106 regarding developments *which trigger the threshold for planning obligations and affordable housing*, in accordance with Government guidance and its Supplementary Planning Document (SPD) regarding Planning Obligations

http://www.bromley.gov.uk/info/856/local_development_framework/160/planning_obligations_supplementary_planning_document

When applicants are not able to offer such obligations (or less benefit than indicated by the SPD), this should be justified by such an Assessment. *This requirement also applies where less or no affordable housing than is required by Policy H2 is included in a residential development of 11 or more dwellings or with combined floorspace of more than 1000 sqm, or when public subsidy is sought for the affordable housing (SPD Planning Obligations paragraphs 2.16. and 3.2 refer).*

The Assessment should set out in detail the costs of carrying out a development and the anticipated return on that investment. The purpose of the Assessment will be to allow the Local Planning Authority to have a clear understanding of the economics of development a particular site, and will be used to assess whether or not a development is able to meet the full requirements for planning obligations normally required.

The Viability Assessment should be in the form of a fully detailed land appraisal including reference to the scheme revenue and sales values. Details should also include the full costs of carrying out the development including for example land cost, construction costs, fees and the costs of the various contributions thought likely to be required (e.g. for community infrastructure, off site highway works etc). *Viability information should be set out using Argus software (or other software as agreed with the Council in writing prior to submission) and must include a scheme layout plan and Land Registry Plan with a Statement of Ownership.*

Such material will be open to public inspection as the Freedom of Information Act 2000 and Environmental Information Regulations 2004 apply. The Council will require the applicant to pay for an RICS certified consultant / organisation to be commissioned to independently appraise the FVA in order to assist the Council in processing the application.

See Planning Obligations – Head(s) of Terms below.

Useful references:

Flood Risk Assessment

Relevant policies: *London Plan Policies 5.12 Flood Risk Management and 5.13 Sustainable Drainage.; NPPF (2012); NPG (2014)*

Likely to be required for: *Sites of 1ha or more in Flood Zone 1 and any development in Flood Zones 2 & 3, except “minor development” as defined by Environment Agency*

Environment Agency Guidance defines Flood Zones as follows-

Zone 1 – low probability of flooding (less than 1 in 1000 annual probability of river or sea flooding)

Zone 2 – medium probability – between 1 in 100 and 1 in 1000

Zone 3 – high probability – 1 in 100 or greater annual probability

A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1 and for all proposals for new development located in Flood Zones 2 and 3 as designated by the Environment Agency. It is a statutory requirement that such proposals be referred to the Agency, with the exception of “minor developments” (domestic extensions and garden buildings, and non-domestic extensions of <250m²).

The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include the design of surface water management systems including Sustainable Drainage Systems (SUDs) and address the requirements for safe access to and from the development in areas at risk of flooding. It should be prepared with reference to the Council’s Strategic Flood Risk Assessment (SFRA).

Though an FRA will not be required for “minor development” in Zones 2 and 3, flood resistance and resilience measures may be required and a condition will be imposed on planning permissions granted for such extensions. See Foul Sewage and Surface Water Drainage Assessment below.

Useful references: Environment Agency flood risk guidance <http://www.environment-agency.gov.uk/research/planning/82587.aspx>

Foul Sewage and Surface Water Drainage Assessment

Relevant policies: *London Plan Policies 5.15 Water Quality and Wastewater Infrastructure, 5.15 Water Use and Supplies and 5.16 Water Self-Sufficiency*

Likely to be required for: *Developments that will increase surface water runoff and/or result in increased demand for sewerage and sewage treatment; Sites traversed by public sewers*

Locations: Borough-wide

Most new developments need to be connected to existing utilities, particularly to mains foul drainage and (if on-site filtration like soakaways is not feasible) to the mains surface water sewer. Particular issues arise if there are existing sewers crossing a development site, as the proposal will need to take such infrastructure into account, including possible diversion, and the Assessment should put forward suitable proposals if this is necessary.

Proposals for disposal of surface water should be in line with the criteria set out in *London Plan Policy 5.15*, using the principles of Sustainable Drainage Systems (SUDS) to reduce and attenuate run-off from the proposal so that the development does not exacerbate the risk of flooding elsewhere. The use of soakaways is desirable where ground conditions are suitable, and this should be evidenced by percolation tests. The proposals for on-site infrastructure should show service routes that avoid as far as possible the potential for damage to trees and archaeological remains.

See Flood Risk Assessment above, and Tree Survey and Arboricultural Implications Report below.

Useful references: <http://www.thameswater.co.uk/home/11425.htm>

Heritage Statement

Relevant policies: UDP Chapter 6 Conservation & the Built Environment, in particular Policies BE8 – 16; NPPF (2012)

Likely to be required for: Planning applications in Conservations Areas, and affecting the setting of a Listed Building Conservation Area Consent; Listed Building Consent; Scheduled Ancient Monument Consent; Hedgerow Removal

Locations: Conservation Areas; Listed Buildings; Historic Parks & Gardens; Scheduled Ancient Monuments; Areas of Archaeological Significance

The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application. Applicants are advised to discuss proposals with the conservation officer before any application is made. Pre-application advice relating only to heritage matters is currently not subject to a fee. The following is a guide to the information that may be required for different types of application:

One way of setting out a Heritage Statement is to assess the significance of the “heritage asset” the subject of the application in terms of the building or feature concerned (that part specifically affected by the proposal and the whole building / feature) and its site and setting, under the following headings –

- historic significance – the age and history of the asset, its development over time, the strength of its tie to a particular architectural period, the layout of the site, the plan form of a building, and internal features of special character

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- cultural significance – the role a site plays in a historic setting, village, town or landscape context, the use of a building perhaps tied to a local industry or agriculture, social connections of an original architect or owner
- aesthetic / architectural significance – the visual qualities and characteristics of the asset (settlement site or building), long views, legibility of building form, character of elevations, roofscape, materials and fabric, special features of interest
- archaeological significance – evolution of the asset, phases of development over different periods, important features, evidence in building fabric, potential for below ground remains.

For applications for listed building consent, a written statement that includes a schedule of works to the listed building(s), an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required. When photographs are necessary they should be dated, numbered and cross-referenced to a plan. Perspectives, photomontages, models or computer visualisations may be helpful to show the impact of new works on the heritage asset and its setting.

Plans for listed building consent should usually be at 1:50 scale and show existing and proposed floor plans, internal and external elevations, and sections through affected floor, roof and wall structures. A structural survey by an engineer or surveyor familiar with historic buildings which identifies defects and proposes remedies is likely to be required in support of an application for listed building consent, when significant elements of demolition or rebuilding are proposed. When partial or complete demolition is proposed, a statement of justification should be based on the following criteria – the condition of the building, cost of repairing and maintaining it in relation to its importance and the value derived from its continued use, adequacy of efforts to retain the building in use (including evidence that it has been offered on the open market at a realistic price) and merits of alternative proposals for the site.

For applications for conservation area consent, a written statement that includes a structural survey, an analysis of the character and appearance of the building/structure, the principles of and justification for the proposed demolition and its impact on the special character of the area may be required.

For applications either related to or impacting on the setting of heritage assets a written statement that includes plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens and scheduled ancient monuments and an analysis of the significance of the archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of a listed building or structure, its setting and the setting of adjacent listed buildings may be required.

For applications within or adjacent to a conservation area, an assessment of the impact of the development on the character and appearance of the area may be required, to assist the Local Planning Authority in determining whether the proposal preserves or enhances the character and appearance of the conservation area.

For all applications involving the disturbance of ground within an Area of Archaeological Significance in the Unitary Development Plan and on sites >0.4ha, an desktop Archaeological Assessment is required.

It is suggested that the Heritage Statement be prepared by a professional with experience of working with historic structures and features. Descriptive information about the heritage asset should include photographs of the site and its surroundings, so that the context of the proposal can be understood. See also Landscape and Assessment Views impact below.

Useful references: Advice can be found on the joint English Heritage CABE website Building in Context (www.building-in-context.org)

Land Contamination Assessment

Relevant policies: *UDP Policy ER7 Contaminated land; London Plan Policy 5.21 Contaminated Land; NPPF (2012) and National Planning Policy for Waste (2014)*

Likely to be required for: Any redevelopment in relevant locations, in particular where the proposed use is sensitive eg residential, schools *or where the previous use of land could give rise to contamination*

Locations: Borough-wide - On and near former landfill sites; Sites that have a history of commercial use or where previous uses are unknown

This should comprise a desktop study setting out the previous uses of the site. Sufficient information should be provided to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level. Where contamination is known or suspected or the proposed use would be particularly sensitive (e.g. residential, children's nursery, school), the applicant should provide such information with the application as is necessary to determine whether the proposed development can proceed. If permission is granted, a condition will be imposed requiring submission of a contaminated land assessment (comprising sampling of soil, gas, surface water and groundwater) and details of proposed remediation works.

Useful references: Further advice on contaminated land can be found on the Environment Agency's website www.environment-agency.gov.uk/research/planning/40407.aspx
And in Bromley's Contaminated Land Strategy
http://www.bromley.gov.uk/info/418/pollution_control-contaminated_land/558/contaminated_land.

Landscaping Scheme

Relevant policies: UDP Policy BE1 Design of New Development, BE7 Boundary Walls and Other Means of Enclosure, Policy NE7 Trees; London Plan Policy 7.1 Building London's Neighbourhoods and Communities, 7.4 Local Character and 7.5 Public Realm.

Likely to be required for: All new build residential development, developments that include external amenity space and any proposals including alterations to a front garden

Locations: Borough-wide

Landscaping schemes are integral to good design and should be incorporated into schemes from the earliest stage of the design process. Good landscaping and trees designed in as a positive part of the design process can add amenity value to a development and the public realm as well as benefiting wildlife habitats and biodiversity.

The detail provided should be proportionate to the scale of the development. At the outset of a proposal areas for hard surfaces, soft landscaping, playspace etc... should be identified even if detailed soft planting specification is not yet known.

The landscaping scheme should include plans showing details of hard and soft landscaping proposals for all parts of the site where no buildings are proposed. This must indicate the relevant site features and note those to be retained and the presence of any species of nature conservation interest;

- Proposed plans must specify the plant species, their size and planting densities and any trees proposed stating their size and identify hard landscaping materials;
- Site levels, gradients and any earthworks required, storage areas for bicycles and/or refuse storage areas, boundary treatments and SUDs must be shown as relevant; and
- A management plan for a period of 5 years identifying how and by whom any communal landscaping or public realm areas would be managed.
- Applications proposing **hardstandings** must specify the location and area of porous paving materials if proposed.

Living Roof Details

Relevant policies: London Plan Policies 5.10 Urban Greening, 5.11 Green Roofs and Development Site Environs, 5.12 Flood Risk Management, 5.13 Sustainable Drainage; NPPF (2012)

Likely to be required for: All proposals that are seeking to include living roofs and walls as a way to address climate change policies

Locations: Borough-wide

Living roofs are an essential sustainable design consideration and can make a significant contribution to flood mitigation and climate change particularly when paired with other renewable energy sources such as PV panels. However, it is essential to ensure that a living roof has been design into a building from the outset and that appropriate maintenance is secured to ensure its success.

For applications proposing the incorporation of a living roof the following information must be provided

- Fully detailed plans (to scale) showing and stating the area of the roof. This should include any contoured information depicting the extensive substrate build up and details of how the roof has been designed to accommodate any plant, management arrangements, and any proposed photovoltaic panels and fixings.
- A scaled section through the actual roof (i.e. not a generic section of a living roof) showing the details of the extensive substrate base and living roof components.
- Details of the proposed plug planting and seed composition and planting methodology
- Details of the proposed plug plant and seed composition.
- A statement outlining a management strategy detailing how the living roof would be maintained and monitored for a period of at least 5 years post installation shall be provided.

Useful references: <http://livingroofs.org/>

Landfill and Waste Transfer Statement

Relevant policies: UDP Policy ER2 Waste management facilities; *London Plan Policy 5.16 Waste Self-Sufficiency, 5.17 Waste Capacity, 5.19 Hazardous Waste, the Mayor's Waste Strategy and National Planning Policy for Waste (2014).*

Likely to be required for: All proposals for transfer, treatment and deposit of waste

Locations: Borough-wide

This guidance applies to applications for all types of waste management and waste transfer facilities and proposals for landfill or re-contouring land with refuse or waste materials.

The Statement should supplement an application with the following information:

- details of the type of waste to be deposited or transferred, including source of input and destination of output, tonnage and expected duration of the landfill / waste management operation. Where relevant, a topographical survey including
- existing and proposed levels / contours and cross sections, showing relationship with adjacent land
- detailed technical information relating to the plant and equipment proposed for the site and a method statement for the processes involved, including on-site procedures / machinery and a phasing programme
- detailed assessment of the impact of the proposed processes in terms of surface water runoff, air quality, noise, vibration, odour, dust, gas, leachate and energy produced, attraction of birds and vermin and measures to mitigate these impacts (including the plant and equipment concerned). Effects assessed should include hydrology / geology / groundwater and risks of flooding, subsidence, landslides or avalanches on landfill sites

- details of the visual impact of all buildings, plant and structures including information relating to land levels, screening and landscaping, if necessary – see Landscape / Townscape and Views Impact Assessment
- details of all vehicular movements to and from the site, based on the maximum capacity of the site, including vehicle size, frequency of movements and load capacity – see also Transport Assessment
- details of proposed restoration works, landscaping and aftercare, including timing / phasing.

Details of any relevant information relating to the requirements of the Environment Agency should also be included in the Statement. In the case of applications for landfill sites, sufficient information should be provided in the Statement to enable the waste planning authority to fulfil its requirements under the Landfill (England and Wales) Regulations 2002.

If the application site lies within the Green Belt or on Metropolitan Open Land, a Planning Statement (see below) setting out details of ‘very special circumstances’ should be submitted, and it should also include an assessment of alternative sites to demonstrate the need for the development on designated land.

Separate statements may also be required in the form of a Flood Risk Assessment and / or Foul Sewage and Surface Water Drainage Assessment (see above). Pre-application discussions are recommended on all proposals in this category to ensure that individual site requirements can be identified and addressed in the Statement and other documents that may be required.

Useful references: *National Planning Policy for Waste (2014) and PPG (2014)*

Landscape/Townscape and Views Impact Assessment

Relevant policies: *UDP Policies in Chapters 6 Conservation and the Built Environment, Chapter 8 Green Belt and open space; Bromley Town Centre AAP Policy BTC19 Building height; London Plan Policies 7.1 Buildings London’s Neighbourhoods and Communities, 7.4 Local Character, 7.6 Architecture and 7*

7 Location and Design of Tall and large Buildings. Kent Downs AONB Management Plan Policies incl LLC Policies Landscape and landform character

Likely to be required for: Development that may affect the openness of protected open spaces, important local views, or views of landmarks or major skyline ridges. Proposals for tall buildings

Locations: Borough-wide incl Town Centres, Conservation Areas, Historic Parks and Gardens, Green Belt / MOL, Urban Open Space, Kent Downs AONB and its setting

Some developments will have a visual impact over a wide area, not just on their immediate surroundings. An Assessment is likely to be necessary for developments-

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- that exceed the general height of buildings in the area (see Policy BE19)
- that affect important local views, or views of landmarks or major skyline ridges (see Policy BE20 and Appendix VII of the UDP)
- for high buildings in Bromley Town Centre
- that are located in or adjoining open land
- that affect heritage assets - Conservation Areas, Historic Parks and Gardens , Kent Downs Area of Outstanding Natural Beauty, and nearby listed buildings.

Generally an Assessment for such proposals will be required in respect of major developments, though not for all. Some Assessments can comprise photographs and photomontages to help show how the development proposed can be satisfactorily integrated into the street scene and / or the surroundings generally, but for some proposals verified computer-generated visualisations/photomontages will be necessary. In such cases, the assessment should include a computer generated zone of visual influence and the impact on local, medium and long distant views which should be done through accurate visual modelling of proposals – photomontages or three-dimensional computer models (buildings fully rendered) – from relevant assessment points defined by the Council. Proposals should be shown in daylight and night conditions and in different seasons. The Assessment should be carried out by an appropriate professional in accordance with Guidelines for Landscape and Visual Impact Assessment 2nd Edition Landscape Institute and IEMA 2002.

If the proposal affects heritage assets the Assessment should include a historical analysis of the evolution of the landscape / townscape. It may also be necessary to produce a Heritage Statement (see above).

See relevant UDP policies, and (if relevant) the Kent Downs AONB Management Plan www.kentdowns.org.uk/Management%20Plan%202004%20-%202009

Lifetime Homes and/or Wheelchair Housing Statement

Relevant policies: *UDP Policy BE1 Design of New Development; London Plan Policies 3.8 Housing Choice, 7.1 Building London's Neighbourhoods and Communities and 7.2 An Inclusive Environment; the Mayor's SPG: Accessible London: Achieving an Inclusive Environment Supplementary Planning Guidance (2014), SPD: Housing (2012) and South East London Housing Partnership Wheelchair Design Guide (2012)*

Likely to be required for: *Lifetime Homes Checklist – all new residential developments. Wheelchair Housing - proposals for major residential developments which trigger a requirement of 10% wheelchair provision*

Locations: *Borough-wide*

London Plan Policies require all new housing to be built to "Lifetime Homes" standards and 10% of new housing to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Bromley Council require all wheelchair units to meet SELHP Standards.

Provision of new housing with these criteria in mind will allow householders to remain in their homes when their mobility is reduced, due to illness, old age or other causes, thereby providing a sustainable housing stock that is adaptable, flexible, convenient, appropriate to changing needs and enabling independent living in a cost-effective way.

Lifetime Homes

In order to demonstrate compliance with the standards floor plans at a scale of 1:50 for each unit type proposed must be submitted. The floor plans must be annotated to show compliance with the 16 lifetime homes criteria.

A statement/checklist alone is not sufficient to demonstrate compliance.

Where standards cannot be met (for example due to existing access arrangements into a building) this must be clearly set out and justified in the application.

Wheelchair Homes

*In order to demonstrate compliance with the standards floor plans at a scale of 1:50 for each unit type proposed must be submitted. The floor plans must be annotated to show compliance with **full SELHP** criteria which will include the provision of 2 lifts for units located above the ground floor and plans to show sufficient width of communal corridors and entrances.*

A statement alone is not sufficient to demonstrate compliance.

Useful references: Further information is available on the Lifetime Homes website and the South East London Housing Partnership Wheelchair housing design guidelines.

<http://www.lifetimehomes.org.uk/pages/revise-design-criteria.html>

http://www.selondonhousing.org/downloads/file/43/wheelchair_homes_design_guidelines

Lighting Assessment

Relevant policies: UDP Policies BE1 Design of new development and NE1, 2 and 5 Nature Conservation and Development, Protected Species

Likely to be required for: Floodlights and other lights that may impact on visual or residential amenity or nature conservation interests on or adjacent to an application site

Locations: Borough-wide, particularly near residential property and in / close to Green Belt / MOL; Within or adjacent to SSSI, LNR and SINC, and where protected species may be present on or adjacent to the site

All proposals that include floodlighting or involve the provision of publicly accessible developments in the vicinity of residential property, a Listed Building or a Conservation Area, or open countryside, where external lighting would be provided or made necessary by the development, should be accompanied by details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam

orientation, a schedule of the equipment in the design, and a lighting diagram showing the intensity of illumination.

Lighting schemes should take account of –

- any possible effects on wildlife that is sensitive to lighting eg bats
- security lighting being low level / low key to avoid adverse effects on nearby properties
- lighting of public and communal areas in developments including access drives and car parking should comply with BS5489-1:2003.

Useful references: Lighting in the Countryside: Towards Good Practice (1997) <http://archive.defra.gov.uk/environment/quality/noise/neighbour/documents/lighting-in-the-countryside-970701.pdf> is a valuable source of advice which demonstrates what can be done to lessen the effects of external lighting, including street lighting and security lighting. It is applicable in towns and cities as well as in the countryside. Conditions may be imposed on permissions that include lighting eg to control hours of use.

Marketing Evidence

(including means and period of marketing, and justification for departure from policy)

Relevant policies: UDP Chapter 10 Business & Regeneration, in particular Policies EMP3, 4 & 5, also C1 Community facilities, H12 Conversion of non-residential buildings & S4 / S5 Local and neighbourhood centres *and Chapter 4 of the London Plan: London's Economy.*

Likely to be required for: Development / reuse of business premises for non-business purposes; Loss of community facilities; Change of use of retail shops to non-retail purposes

Locations: Business Areas, other business sites; shopping centres

Applications which involve the loss of retail use, loss of commercial use, and the loss of social and community uses will need to demonstrate that harm will not be caused by weighing market and other economic information alongside environmental and social information, take full account of any longer term benefits, as well as the costs, of development, such as job creation or improved productivity including any wider benefits to national, regional or local economies, and consider whether those proposals help to meet the wider objectives of the development plan.

The evidence should set out clearly the means and period of marketing (which should not normally be less than 18 months), and the justification for any departure from planning policies.

Useful references: See The Economic Development and Employment Land Study prepared for the Council by GVA Grimley.

http://www.bromley.gov.uk/downloads/file/714/btcaap025-bromley_economic_development_employment_land_study

Material Samples

Relevant policies: UDP Policy BE1, London Plan Design Policies 7.1, 7.4, 7.5, 7.6 and 7.7.

Likely to be required for: Major development proposals and other complex or sensitive proposals as advised by Planning Officers as part of the pre-application process.

Locations: Borough-wide

Good design is indivisible from good planning and the detailing of a scheme and how it is delivered is key to ensuring that a scheme is capable of being delivered as designed and is of necessary high quality. Such details, if not considered fully as part of the early design stages, can cause difficulties at a condition stage and this detail is therefore needed up front for major or complex/sensitive proposals which will make a significant contribution towards place-making in the Borough.

Details must include:

- *A full specification of all materials (including windows, doors and balconies) with at least brochure details showing the appearance of materials or ideally samples of the materials to be provided. The specification must be accompanied by a statement explaining the choice and appropriateness of materials proposed.*
- *A clear explanation of the longevity of the materials chosen as well as details of any measures taken to prevent adverse weathering and/or staining*
- *Elevations and sections at a scale of at least 1:20 showing a bay study of the buildings which shall include a window within the façade and the reveals, cills etc...*
- *All pipework, drainage, vents etc... must be shown*

Noise and Vibration Impact Assessment

Relevant policies: UDP Policy BE1; London Plan Policy 7.15 Reducing Noise and Enhancing Soundscapes; Kent Downs AONB Management Plan Policies GNR5 & SDT 6 & 10 Geology and natural resources, and Sustainable development and travel

Likely to be required for: All mixed use developments and Noise-sensitive development (including residential) close to noise generating activities; Proposals that include noise generating activities & equipment / machinery

Locations: Borough-wide

Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise should be supported by a noise survey and report prepared by a suitably qualified acoustician.

Surveys should be carried out in accordance with British Standard 7445-1:2003 (see www.standardsuk.com) to determine the range of ambient and background noise levels, the report should contain details of noise assessments, predictions and calculations, and give recommendations and specifications of any works necessary to control noise – such works should be detailed on the planning application drawings.

Any works necessary to control noise should be detailed on the planning application drawings. Where external noise attenuation equipment is proposed, such as acoustic enclosures or acoustic screens, the noise survey report should demonstrate the location, size and visual impact of equipment on the site/building. This is especially important with regard to historic buildings or buildings situated in conservation areas. Noise measurement surveys undertaken to establish ambient and background noise levels should be undertaken in accordance with the recommendations of BS7445. Noise surveys and reports will generally be required for developments including:

- building services and other external plant
- Other commercial proposals that include noise-generating activities and equipment / machinery
- Places of entertainment, or uses which attract large numbers of people
- Residential and other noise-sensitive developments close to busy transport routes and other noise-generating activities.

Certain of the above will also require an assessment of the impact of vibration e.g. residential development adjacent to railway tracks, proposals that include use of heavy machinery or mobile plant.

Useful references: Advice can be sought from the Environmental Health team on 020 8313 4953.

Parking Provision for Cars and Bicycles

Relevant policies: UDP Policies T3 & T7 Parking & Cyclists, UDP Appendix II; *London Plan Policies 6.9 Cycling and 6.13 Parking*

Likely to be required for: Residential development, places of employment, education & entertainment / leisure

Locations: Borough-wide

This requires that the level of parking for certain types of development should be determined by a Transport Assessment. The Council will seek a flexible approach to on-site parking for housing schemes which considers planning applications on their individual merits in the light of the particular circumstances of the locality, to deliver parking provision that is consistent with the character of the area, so as to minimise impact on on-street parking.

A site layout showing car parking spaces and bicycle parking should be provided for all residential, commercial, retail and business developments and other uses as set out in the UDP Appendix. The layout should clearly show how space can be provided within the development for bicycle parking appropriate to the particular use (see II.7 of the Appendix), including secure/covered facilities, and details of the proposed bicycle stands and their spacing. In residential development, cycle parking can be provided within domestic garages and garden sheds, or in purpose-built secure structures.

The car and bicycle parking should be well related to the property they are intended to serve in terms of proximity, and secure in terms of surveillance from the relevant property within the development. Layouts should also show clearly where on-site Refuse and Recycling Storage will be provided (see below). See also Transport Assessment below.

Useful references: Appendix II Parking standards of the UDP

http://www.bromley.gov.uk/info/1004/planning_policy/162/unitary_development_plan_udp gives guidance on criteria for numbers of parking spaces and acceptable layouts

Planning Obligations (S106 and Unilateral Undertaking Legal Agreements) – Draft Heads of Terms

Relevant policies: *UDP Policy IMP1 and SPD Planning obligations; London Plan Policy 8.2 Planning Obligations and 8.3 Community Infrastructure Levy; NPPF (2012); NPPG (2014)*
Likely to be required for: Commercial and residential major proposals and residential developments comprising floorspace of more than 1000 sqm; Certain Non-Major developments eg in town centres

Locations: Borough-wide

Planning obligations (or “Section 106 agreements”) are private agreements negotiated between Local Planning Authorities and persons with an interest in land (or “developers”), and are intended to make acceptable development which would otherwise be unacceptable in planning terms.

In accordance with the Council’s adopted Supplementary Planning Document on Planning Obligations (December 2010),
http://www.bromley.gov.uk/info/856/local_development_framework/160/planning_obligations_supplementary_planning_document in appropriate cases where S106 requirements are known, developers will be required to submit a draft “Heads of Terms” statement regarding those matters regarding which they are willing to enter into a legal agreement with the Council. Alternatively a draft legal agreement can be submitted with the application, using the template in the SPD. The matters that would be appropriate to include in a planning obligation should be identified in pre-application discussions with planning officers.

For major applications, in order to facilitate the preparation of a legal agreement prior to a scheduled committee date so that decisions can be issued swiftly after a committee resolution, it will be necessary for the applicant to provide:

- *Proof of the **owner’s title** (including title plan). All the owners of the site will need to enter into the agreement. If the land is registered this will be by recent office copy entries (no more than 21 days old). If it is unregistered, an epitome of title should be provided.*
- ***Names and addresses of any chargees, lessees, mortgages or other holders of security on the land, as all parties with an interest in the land would need to sign the agreement.***
- *A written **agreement to pay the Council’s reasonable legal costs** in connection with the negotiation, preparation and monitoring of the legal agreement. In the event*

that the application is refused (contrary to Officers recommendation) it will still be necessary for the applicant to pay any legal fees associated with the draft of the legal agreement

- *Contact details if there is a solicitor acting on behalf of the applicant*

Useful references: Further information on planning obligations is available in Circular 5/05 Planning Obligations.

www.communities.gov.uk/publications/planningandbuilding/circularplanningobligations

See also Financial Viability Assessment above.

Planning Statement

Relevant policies: Wide range of UDP Policies including G1, G2, G8 Green Belt, MOL & Urban Open Space, those in Chapter 10 Business & Regeneration, and C1 Community Facilities; BTC AAP

Likely to be required for: Major developments which raise a wide range of planning issues, including justification of “very special circumstances” regarding Green Belt / MOL

Locations: Borough-wide including applications in Green Belt / MOL / Urban Open Space and Town Centres

A planning statement identifies the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies.

A Planning Statement will be required for certain “major” developments, developments not in accordance with the Unitary Development Plan / Local Development Framework (LDF), and other developments if specified in pre-application advice. One example is the need to submit a statement regarding any “very special circumstances” regarding “inappropriate” development in the Green Belt or on Metropolitan Open Land.

Another circumstance where a Planning Statement is likely to be required is when a proposal would lead to a loss of community facilities - if it can be demonstrated that there is no longer a need for the facilities or alternative provision can be made in an equally accessible location, this should be explained in the Statement.

The statement will explain how the proposal relates in policy terms to national and regional planning guidance, the development plan and adopted Supplementary Planning Guidance; and as they emerge, the LDF and Supplementary Planning Documents. It should also include details of consultations with the Local Planning Authority and statutory consultees undertaken prior to submission. Pre-application consultation with the local community should be set out in the Statement of Community Involvement.

Useful references:

Refuse and Recycling Storage

Relevant policies: UDP Policy BE1 Design of New Development

Likely to be required for: Residential development, places of employment, education & entertainment / leisure

Locations: Borough-wide

The layout for developments should show where storage can be provided for refuse and recycling before it is collected. The location shown should be convenient for collection from an adopted highway in terms of distance, route and gradient, and comprise an adequate area for storage in relation to the proposal. Layouts should also show clearly where on-site Parking Provision for Cars and Bicycles will be provided (see above).

Useful references: Guidance is given in Notes for Developers and Architects (December 2009) The Storage and Collection of Refuse from Residential and Commercial Buildings, which is available on the Council's website.

Section Drawings and Levels

Relevant policies: UDP Policy BE1 Design of New Development; *London Plan Design Policies 7.1, 7.4, 7.5 and 7.6*

Likely to be required for: Proposals that involve a change in levels and on sloping sites

Locations: Borough-wide

Such plans drawn at a scale of 1:50 or 1:100 should show cross sections through the proposed works, building(s) or extension(s). In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels, including details of foundations and eaves and how encroachment onto adjoining land is to be avoided.

Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings.

In the case of householder development, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified. Levels should also be taken into account in the formulation of Design and Access Statements.

Useful references:

Statement of Community Involvement (SCI)

Relevant policies: LDF Statement of Community Involvement

Likely to be required for: Major developments sites

Locations: Borough-wide

An SCI will normally only be required for major developments. It will explain how the applicant has complied with the requirements for pre-application consultation set out in Section 4 of the Local Development Framework Statement of Community Involvement http://www.bromley.gov.uk/info/856/local_development_framework/154/statement_of_community_involvement and demonstrate that the views of the local community have been sought and taken into account in the formulation of development proposals.

Useful references:

Structural Survey and Rebuilding Method Statement

Relevant policies: UDP Policies BE8, 9, 10 and 12 G1 & G2 Listed Buildings / Conservation Areas, Green Belt & MOL; NPPF 2012

Likely to be required for: Listed Building Consent; Demolition of Statutory & Locally Listed Buildings; Conversion / reuse of buildings in Green Belt /MOL

Locations: Borough-wide

Proposals for the conversion / reuse of an existing building in the Green Belt and Metropolitan Open Land are “appropriate” development providing certain criteria are met, including that the building is of permanent and substantial construction. A Structural Survey / Rebuilding Method Statement should be submitted with such proposals and include a survey of the structure and building fabric and a method statement setting out what existing fabric can be retained and what will be replaced, and the construction work and new materials necessary to bring the building up to modern standards to comply with the Building Regulations.

A Statement may need to be submitted with an application for Listed Building Consent, though this material could form part of a Heritage Statement (see above). A Statement should be submitted with a planning application that involves the substantial alteration or demolition of a statutory or locally listed building, and for Conservation Area Consent applications to demolish – in the case of the latter, if the building concerned has a negative impact on the character and appearance of the area, a Statement will not be required. Pre-application advice can be given by the Council’s conservation officer. The Statement could form part of a Heritage Statement (see above).

Useful references:

Sustainability Statement

Relevant policies: London Plan Climate Change Policies 5.1 and 5.3; NPPF (2012) and NPG (2014)

Likely to be required for: Non majors (i.e 1-10 dwellings which do not generate the need for a full energy assessment)

Locations: Borough-wide

The purpose of a Sustainability Statement is to demonstrate how a development has been designed to improve the environmental performance and efficiency of a building, at the construction and operational phase. The need for this type of assessment is outlined in London Plan Policies.

The statement must demonstrate energy efficiency and water saving measures and details of how these will be delivered as far as practically possible within the scale of the development proposed.

Further advice can be found in the GLA's supplementary planning guidance on Sustainable Design and Construction http://www.london.gov.uk/thelondonplan/guides/spg/spg_04.jsp

Telecommunication Development Information

Relevant policies: BE22 Telecommunications Apparatus

Likely to be required for: Telecommunications masts, base stations & related apparatus

Locations: Borough-wide

Planning applications for mast and antenna development by mobile phone network operators in England should be accompanied by a range of supplementary information including the area of search, details of any consultation undertaken, details of the proposed structure, and technical justification and information about the proposed development.

Planning applications should also be accompanied by a signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

Useful references: Further guidance on the information that may be required is set out in the Code of Practice on Mobile Network Development

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11486/codemobilenetwork.pdf

Town Centre Uses and Retail Impact Assessment

Relevant policies: Policies in UDP Chapter 11 “Town Centres & Shopping”; *London Plan Retail Policies 4.7 – 4.9; NPPF 2012*

Likely to be required for: Major developments; Non-Major developments including changes of use of retail premises

Locations: Commercial floorspace within and outside retail centres

Town Centre uses include retail, leisure / entertainment, sport / recreation, office and hotel developments. Dependent on their floor space and location (which type of Centre, or other location), evidence may need to be submitted providing-

- a needs assessment, including quantitative and qualitative need, justifying the development
- details of the sequential approach undertaken that have led to the proposed site being selected (excluding extensions to existing developments if they are less than 200 sq. m)
- an assessment of the proposed development’s impact on the vitality and viability of existing centres
- an assessment of how the chosen location is accessible.

Applications for changes of use of ground floor premises in shopping centres from retail to other uses should be accompanied by a mapped survey of the uses of nearby premises and a statement to address issues in the relevant policy in Chapter 11 of the Unitary Development Plan

http://www.bromley.gov.uk/info/1004/planning_policy/162/unitary_development_plan_udp

See also Marketing Evidence above.

Useful references: Planning for Town Centres

<http://www.planningportal.gov.uk/planning/planningpolicyandlegislation/currentenglishpolicy/goodpracticeguides/towncentres>

Transport Assessment

Relevant policies: UDP Policies T1, T2, T3 & T18 Transport demands, Transport effects, Parking & Road safety; *London Plan Policy 6.3 Assessing Effects of Development on Transport Capacity, Policy 6.9 Cycling, 6.10 Walking, 6.11 Smoothing Traffic Flow and Tackling Congestion, 6.12 Road Network Capacity and 6.13 Parking; NPPF 2012*

Likely to be required for: Major developments and other developments which would have an impact on the highway

Locations: Borough-wide

A Transport Assessment (TA) should be submitted as part of any planning application where the proposed development has significant transport implications. The coverage and detail of the TA should reflect the scale of the development and the extent of the transport implications of the proposal. For smaller schemes the TA should simply outline the transport aspects of the application, while for major proposals, the TA should illustrate accessibility to

the site by all modes of transport, and the likely modal split of journeys to and from site.

It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts. It may be necessary for the TA to determine the car parking requirement for the development.

Useful references: Further guidance can be found in the Department of Transport's Guidance on Transport Assessment (March 2007)

<https://www.gov.uk/government/publications/guidance-on-transport-assessment> and Transport for London's Transport Assessment Best Practice Guidance Document

<http://www.tfl.gov.uk/assets/downloads/businessandpartners/transport-assessment-best-practice-guidance.pdf> . See also Policies T1 and T2 and Appendix II.16 of the Unitary Development Plan.

http://www.bromley.gov.uk/info/1004/planning_policy/162/unitary_development_plan_udp

See Parking Provision for Cars and Bicycles above.

Travel Plan

Relevant policies: UDP Policy T2 Transport effects; *London Plan Policy 6.3 Assessing Effects of Development on Transport Capacity, Policy 6.9 Cycling, 6.10 Walking, 6.11 Smoothing Traffic Flow and Tackling Congestion, 6.12 Road Network Capacity and 6.13 Parking; NPPF 2012*

Likely to be required for: Major developments

Locations: Borough-wide

A Travel Plan is a general term for a package of measures tailored to meet the transport needs of individual developments and aimed at promoting environmentally sustainable travel choices for residents, staff, visitors and customers, including reductions in car use, particularly single occupancy car journeys. They are just as important as other transport infrastructure and mitigation measures addressed in a Transport Assessment and can be used to identify measures that would reduce the level of potential traffic impact of development proposals. These can include car sharing, encouraging cycling, providing information about public transport and promoting flexible working. Travel Plans can address commuter journeys, business travel undertaken during the working day, visitors and deliveries.

They should be submitted with applications for major developments that are likely to have significant transport implications. The Travel Plan should be worked up in consultation with the Council and local transport providers. In the case of speculative development it may be difficult to fully detail all aspects of a Travel Plan in the absence of a known occupier. The implementation of a Travel Plan is normally secured by a planning condition which will require that the Plan is regularly reviewed, and this can include updating once the development is occupied.

Useful references: Further information can be found in the Department for Transport's "Delivering Travel Plans Through the Planning System", <http://www.planningportal.gov.uk/planning/planningpolicyandlegislation/currentenglishpolicy/goodpracticeguides/deveringtravelplans> and Transport for London's Guidance for residential travel planning in London www.tfl.gov.uk/microsites/interchange/documents/guidance-residential-travel-planning-2008.pdf and Guidance for workplace travel planning in London www.tfl.gov.uk/microsites/interchange/documents/guidance-workplace-travel-planning-2008.pdf. Transport for London also have a travel plan tool ATTrBuTe for drawing up and evaluating Travel Plans www.attrbute.org.uk

Tree Survey and Arboricultural Implications Report

Relevant policies: UDP Policy NE7 Development & trees

Likely to be required for: Development on sites where there are existing trees

Locations: Borough-wide

Where there are trees within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees), information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a qualified arboriculturist. Full guidance on the survey information, protection plan and method statement that should be provided with an application is set out in the current British Standard 5837:2005 'Trees in relation to construction – Recommendations', see www.standardsuk.com. Using the methodology set out in the BS should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

Seeking pre-application advice from the Planning Divisions' Tree Officer is recommended to establish what level of information is required. The following information should normally be submitted-

- Land Survey – this should be precise and show all relevant site features, including accurate location and identification of all trees, hedgerows and shrubs over 2 metres in height and/or with a stem diameter of 7.5cm measured at 1.5 metres above ground level. It should be made available at pre-application stage as scale drawings (1:100 or 1:200) and in a commonly agreed digital format, if available. The survey should also include spot heights of ground level throughout the site and location of trees on adjoining land less than half a tree height from the site boundary.
- Tree Survey – All trees should be numbered on the land survey plan. Where appropriate, due to dense tree cover, tags with a corresponding number should be attached to all trees. A tree survey should only be undertaken by a suitably qualified arboriculturist with experience of trees on development sites and will be expected to meet the requirements of sections 4.2 to 4.4 of BS5837 (or the current revision of this document). It should assess all existing trees, including those on neighbouring land that may be affected by the development, and should include at least the following information; Species of tree, height (in metres), diameter of the trunk (measured at

1.5m above ground level on single stem trees and immediately above the root flare on multi-stemmed trees), canopy spread in metres in relation to all four compass points (to be recorded on tree survey plan), height of crown base (i.e. clearance above ground of lowest branches; in metres), age class (young, middle age, mature, over mature, veteran), assessment of condition (physiological and structural), tree management recommendations (e.g. Remove deadwood, crown lift etc), desirability for retention in accordance with Table 1 of BS5837. The category of each tree should be clearly differentiated on the survey schedule and plan i.e. A, B, C and R (good, medium and low quality and value, or removal for reasons of sound arboricultural management respectively).

Unless otherwise agreed with the planning tree officers, the Tree Survey and Arboricultural Implications Report should be prepared in at least draft form prior to pre-application discussions regarding the proposed development, to establish which trees are desirable to retain. Where appropriate, the Council will impose conditions on planning permissions to protect trees on development sites during the construction period.

Useful references: Other sources of information are Arboricultural Practice Note 12 (APN 12) Through the Trees to Development www.treesource.co.uk and NJUG10 Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees <http://www.njug.org.uk/category/3/pageid/5/>

Ventilation/Extraction Details and Specification

Relevant policies: UDP Policies ER9 & S9 Ventilation & Food & drink premises; 7.14 *Improving Air Quality; NPPF (2012); NPG (2014)*

Likely to be required for: Restaurants, cafes & hot food takeaways (Classes A3, A4 & A5) and other commercial extraction flues

Locations: Borough-wide

Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications for the use of premises for purposes within Use Classes A3 (Restaurants and cafes – use for the sale of food and drink for consumption on the premises), A4 (drinking establishments – use as a public house, wine-bar or other drinking establishment), A5 (Hot food takeaways – use for the sale of hot food for consumption off the premises), B1 (general business) and B2 (general industrial).

This information (excluding odour abatement techniques unless specifically required) will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed. Please contact us for information about ventilation and ductwork systems for food and drink premises.



Validation Guidance and Local Information Requirements for Planning Applications

Even when a future occupier is not known, applicants are likely to be required to demonstrate that any necessary equipment and ducting can be provided without any harmful visual or amenity impact.

Useful references:

Contact Information

Planning – planning@bromley.gov.uk 020 8313 4956

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Report No.
DRR15/010

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **DEVELOPMENT CONTROL COMMITTEE**

Date: **Tuesday 10 February 2015**

Decision Type: Non-Urgent Non-Executive Non Key

Title: **UPDATE ON THE FURTHER ALTERATIONS TO THE LONDON PLAN AND IMPLICATIONS FOR THE BOROUGH**

Contact Officer: Mary Manuel, Head of Planning Strategy and Projects
Tel: 020 8313 4303 E-mail: mary.manuel@bromley.gov.uk

Chief Officer: Chief Planner

Ward: (All Wards);

1. Reason for report

- 1.1 This report updates the Committee on the progress of the Mayor's Further Alterations to the London Plan and the main implications for Bromley. The Mayor, in December 2014 wrote to the Secretary of State advising that he intends to publish, and adopt the Further Alterations to the London Plan accepting the recommendations of the Inspector following the Examination in Public. It is anticipated that the FALP will be adopted in March 2015. They will then form part of the Development Plan for the Borough.
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2. **RECOMMENDATION(S)**

That the Committee:

- 2.1 note the intention of the Mayor to adopt the Further Alterations to the London Plan (FALP) in March 2015;
- 2.2 note the recommendations of the Inspector, and the issues for Bromley as set out section 3.
- 2.3 note the requirement for the Council to be able to demonstrate conformity with the housing supply figure of 641 dwellings per annum.

Policy

1. Policy Status: New Policy:
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safer Bromley Supporting Independence Vibrant, Thriving Town Centres:
-
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: N/A
 5. Source of funding: N/A
-
-

Staff

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

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Not Applicable:
-
-

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3 COMMENTARY

- 3.1 The Mayor published the draft Further Alterations to the London Plan (FALP) in January 2014, in the same week the Council approved Bromley's Draft Policies and Designations (DP&D) for consultation in February/March. Consequently, the DP&D document made no reference to the FALP. The Council's Executive in April 2014 agreed the Council's response to the FALP which included a number of objections and concerns.
- 3.2 The Council's main objections related to the proposed increase in the Borough's ten year housing figure from 5000 to 6413 and annual housing figure from 500 to 641, minimum residential parking standards and the down grading of Orpington and Bromley Town Centre classification under the office guidelines. In addition, the Council raised concern regarding the wording and impact on density and character of the Opportunity Area status for Bromley Town Centre, and request for the three month limit on local income criteria for intermediate housing to be extended to six months, and a cautious welcome to the identification of Crystal Palace as a potential Strategic Outer London Development Centre.
- 3.3 On 15th December the Mayor published the Inspector's report (dated 18th November) into the Examination in Public (EiP) of the FALP, which took place in September over a three week period. The Mayor made Suggested Changes in July and Further Suggested Changes in September (during the EiP) and in October. The Inspector concludes if these are incorporated into the FALP together with his recommendations the London Plan as changed by the FALP provides an appropriate basis for the strategic planning of London.
- 3.4 The Mayor has written to the Secretary of State for Communities and Local Government advising that he intends to adopt the FALP with amendments, and also to address government concerns over current London Plan policy on car parking and also housing standards. FALP para 0.16F provides a formal commitment, and the Mayor is looking to address this through additional minor alterations without delaying the publication of the FALP.
- 3.5 The Mayor has stated his intention to adopt the FALP in March 2015, reconvene the Outer London Commission to provide advice on the most effective approach to progressing national parking proposal in the distinct circumstances of London and commence the review of the London Plan as soon as the FALP is adopted.
- 3.6 A copy of the Further Alterations to the London Plan with changes since 2011, and a copy of the Inspector's Report in full can be found at <http://www.london.gov.uk/priorities/planning/london-plan/draft-further-alterations-to-the-london-plan> . Copies of both have been placed in the Members' Room for information.

Key Issues for Bromley

- 3.7 The London Plan, with its alterations is part of the Development Plan for the Borough. General conformity with the London Plan is a central requirement of the Borough's Local Plan to be found 'sound'.
- 3.8 The Inspector's report highlights several key issues and points for Bromley:
- the household projections produced by the GLA are seen as reasonable, and a build rate of 62,000 dwellings per annum is required to meet London's objectively assessed need over 10 years or 49,000 per annum required if met over 20 years.

- Table 3.1 of the FALP (reproduced as Appendix 1) which sets targets for all London borough, and 641 dwellings per annum for Bromley, totals 42,389 dwellings per annum, leaving 6,600 dwellings per annum to be found across London. The Inspector's view is that if a Local Plan made provision for the housing number in Table 3.1 it would be hard to see how it would not be in general conformity with the London Plan. The figures in Table 3.1 will need to be worked through to new provision in Boroughs' Local Plans.
 - The Mayor committed to a review of the London Plan starting in 2016, however the Inspector states that he does 'not consider that London can afford to wait until then and recommend that a review commences as soon as the FALP is adopted in 2015'.
 - The FALP deleted text allowing local eligibility criteria to be set for affordable housing for three months, however, the Inspector recommended this be reinstated, however, he accepted that three month limit was sufficient time.
 - No changes are made to the Opportunity Areas, including Bromley Town Centre. Bromley had requested minor modifications to the description for the town centre.
 - The objection to the demotion of the office guideline classification their town centres, by Bromley and Kingston Councils is not supported with the statement that 'the change in designation does not preclude either borough from permitting schemes for office development in their town centres'.
 - The Inspector did not recommend any changes to the residential car parking standards in the FALP with the comment that the FALP is flexible and strikes the right balance. While the FALP does not change the maximum parking standard, it does change the wording in relation to planning decisions from 'apply' the standards to their being 'the basis for considering'. The inspector does not recommend changes.
- 3.9 The main issue for the Council is the increased housing figure of 641 dwellings per annum for Bromley Borough.
- 3.10 The Bromley Local Plan will need to demonstrate conformity with the FALP housing figure for the Borough to be found 'sound'. The annual 641 figure is based on the London wide Strategic Housing Land Availability Assessment (SHLAA) which included a methodology to assess the probability of sites over 0.25 hectares being delivered within the London Plan period and a figure for sites below this size (small sites) based on historic delivery between 2004-2012.
- 3.11 The main difference between the 500 and 641 per annum housing provision arises, as is evident from the London SHLAA, from the 'small sites' part of the housing provision.
- 3.12 The National Planning Policy Framework (NPPF) specifies that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional 5% (moved forward from later in the plan period) to ensure choice and competition in the market for the land. This buffer is increased to 20% where there has been persistent under delivery of housing. Bromley has met its housing figure in recent years and therefore a 5% buffer is adequate.
- 3.13 The Council's Development Control Committee in September 2014 agreed the Borough's Five Year Housing Land Supply Paper for 2014/19. This shows the Council having a suitable five year land supply to meet the 500 homes per annum figure in the 2011 London Plan. If the Mayor adopts the FALP, a further report will be made to the Committee on the Five Year Housing Land Supply, with the aim of complying with national guidance.
- 3.14 While the FALP does not change the residential parking maximum standards the wording in Policy 6.13 Parking, provides increased flexibility together with a recognition of greater dependence on the private car in outer London. The GLA objected to the proposed

residential parking standards in the Council's Local Draft Policies and Designations in 2014 as being in non-conformity with the 2011 London Plan and it is anticipated they would still have objections. However, as part of the updating of the Council's evidence base for the Local Plan research is being undertaken to support specific Bromley standards in the context of the increased flexibility in the FALP.

4. POLICY IMPLICATIONS

4.1 The London Plan forms part of the Development Plan for the Borough, and the Council's Local Plan is required to be in 'general conformity' with the London Plan.

5. FINANCIAL IMPLICATIONS

5.1 Although there are no financial implications at this stage, it should be noted that should a higher housing figure be adopted in the future, this may have implications for the Council, with a greater demand for public services due to an increased population.

5.2 There could be future costs associated with the preparation and submission of the Council's representation and attendance at any subsequent hearing sessions into further alterations of the plan. Any costs will have to be contained within the existing planning budget.

Non-Applicable Sections:	Personnel and Legal Implications
Background Documents: (Access via Contact Officer)	Report DRR14/025 Draft Further Alterations to the London Plan - Executive 2 nd April 2014

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Table 3.1 Annual average housing supply monitoring targets 2015 – 2025
~~2011-2021~~

Borough	Minimum ten year target 2015-2025	Annual monitoring target 2015-2025
Barking and Dagenham	12,355	1,236
Barnet	23,489	2,349
Bexley	4,457	446
Brent	15,253	1,525
Bromley	6,413	641
Camden	8,892	889
City of London	1,408	141
Croydon	14,348	1,435
Ealing	12,972	1,297
Enfield	7,976	798
Greenwich	26,850	2,685
Hackney	15,988	1,599
Hammersmith and Fulham	10,312	1,031
Haringey	15,019	1,502
Harrow	5,927	593
Havering	11,701	1,170
Hillingdon	5,593	559
Hounslow	8,222	822
Islington	12,641	1,264
Kensington and Chelsea	7,330	733
Kingston upon Thames	6,434	643
Lambeth	15,594	1,559
Lewisham	13,847	1,385
LLDC	14,711	1,471
Merton	4,107	411
Newham	19,945	1,994
Redbridge	11,232	1,123
Richmond upon Thames	3,150	315
Southwark	27,362	2,736
Sutton	3,626	363
Tower Hamlets	39,314	3,931
Waltham Forest	8,620	862
Wandsworth	18,123	1,812
Westminster	10,677	1,068
London total	423,887	42,389

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Report No.
DRR15/016

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **DEVELOPMENT CONTROL COMMITTEE**

Date: **Tuesday 10 February 2015**

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

Title: **DELEGATED ENFORCEMENT ACTION (OCTOBER TO
DECEMBER 2014)**

Contact Officer: John Stephenson, Acting Development Control Manager Planning
Investigation
Tel: 0208 461 7887 E-mail: John.Stephenson@bromley.gov.uk

Chief Officer: Chief Planner

Ward: (All Wards);

1. Reason for report

Enforcement action has been authorised under Delegated Authority for the following alleged breaches of planning control. In accordance with agreed procedures Members are hereby advised of the action taken.

2. **RECOMMENDATION(S)**

Members to note the report

3. COMMENTARY

3.1 Enforcement action and prosecutions have been authorised by the Chief Planner under Delegated Authority during the period 1 October to 31 December 2014 in respect of development undertaken without the benefit of planning permission at the following sites:

ENF Ref	Complaint	Site	Ward	Recommendation	Decision date
14/00410	Unauthorised extensions	2 The Drive	Copers Cope	Enforcement Op Dev	2.10.14
14/00410	Unauthorised extensions	2 The Drive	Copers Cope	Enforcement Op Dev	2.10.14
14/00027	Untidy site	land adj 42 Plaistow Lane	Plaistow and Sundridge	S215	7.10.14
13/00500	Untidy site	land at Keston Court Farm, Blackness Lane	Darwin	S215	7.10.14
14/00435	Unauthorised development	1 The Parade Croydon Road Penge	Penge and Cator	Enforcement Op Dev	6.10.14
14/00252	Not in accordance with plans	16 Queensway, West Wickham	Hayes and Coney Hall	Enforcement Op Dev	7.10.14
14/00466	Untidy site	land at Broom Bank Reservoir, Shire Lane	Farnborough and Crofton	S215	15.10.14
14/00231	Satellite dish CA	3A Fairway, Petts wood	Petts Wood and Knoll	PCN	15.10.14
14/00069	Unauthorised business use	1A Sanderstead Road, Orpington	Cray Valley East	Enforcement Op Dev	15.10.14
14/00069	Unauthorised business use	1A Sanderstead Road, Orpington	Cray Valley East	Change of Use	15.10.14
14/00069	Unauthorised adverts	1A Sanderstead Road, Orpington	Cray Valley East	Advert proceedings	15.10.14
12/00124	Untidy site	land adj 39 Southend Road, Beckenham	Copers Cope	S215	16.10.14

13/00165	Change of use from car sales to car wash	Perry Hall Road	Cray Valley East	Prosecution	22.10.14
14/00494	Untidy land in front and rear gardens	94 Lower Gravel Road	Bromley Common and Keston	Untidy Site S215 Notice	23.10.14
14/00407	Unauthorised over height decking	15 The Ridge, Orpington	Farnborough and Crofton	Enforcement Op Dev	23.10.14
14/00379	Alleged unauthorised change of use from urban open land to storage of motor vehicles and additional hard standing	Land at Junction with South Eden Park Road and Bucknall Way Beckenham	Kelsey and Eden Park	Enforcement Change of Use	23.10.14
14/00015	Alleged unauthorised change of use temporary static caravan for securing purposes	Footzie Social Club Station Approach Lower Sydenham	Copers Cope	Enforcement Change of Use	23.10.14
14/00533	Commercial and domestic waste in front/rear gardens	3 Victor Mills Cottages	Cray Valley East	Untidy site S215 notice	29.10.14
14/00371	Untidy and overgrown rear garden	66 Babbacombe Road Bromley	Plaistow and Sundridge	Untidy Site S215 Notice	03.11.14
14/00104	Building not built in accordance with approved plans	72 Maberley Road, Anerley	Crystal Palace	Enforcement Notice, Op Dev	03.11.14
14/00488	Untidy site including overhanging vegetation	Land adjacent to 1 Stembridge Road Penge	Clock House	S215 Untidy Site Notice	06.11.14
14/00576	Untidy site in rear garden	131 Wickham Chase	West Wickham	S215 Untidy Site Notice	06.11.14
13/00635	Unauthorised raised timber balcony posts and handrail	21 Downe Avenue, Cudham	Darwin	Enforcement Notice Op Dev	06.11.14
14/00565	Untidy site, front and rear gardens overgrown, neglected with abandoned vehicles	41 Lennard Road, Bromley	Bromley Common and Keston	S215 Untidy site Notice	06.11.14

14/00449	Untidy land front and rear gardens and boundary fencing	39 Lennard Road	Bromley Common and Keston	S215 Untidy site notice	06.11.14
11/00599	Unauthorised use of outbuilding as separate accommodation	1 Ruskin Walk Bromley	Bromley Common and Keston	Planning Contravention Notice	07.11.14
14/00446	Creation of an access at the rear of the first floor flat	30A Hayes Street, Hayes	Hayes and Coney Hall	Enforcement Notice Op Dev	07.11.14
14/00463	Unauthorised change of use of land for storage of two containers	Unit 1 Kangley Business Centre Kangley Bridge Road	Penge and Cator	Enforcement Notice COU	10.11.14
14/00224	Alleged business operating from residential premises	89C Albemarle Road, Beckenham	Copers Cope	Planning Contravention Notice	13.11.14
14/00547	Alleged unauthorised hard standing including tarmac area and no drainage installed	89C Albemarle Road, Beckenham	Copers Cope	Planning Contravention Notice	13.11.14
14/00603	Breach of condition 5 of DC/14/01529	Treesway Lodge Road, Bromley	Plaistow and Sundridge	Breach of Condition Notice	13.11.14
14/00153	Extension not built in accordance with approved plans DC/07/02325	26 Brooklyn Road, Bromley	Bromley Common and Keston	Enforcement Notice	20.11.14
14/00487	Advertisement /newspaper cabinets in poor state of repair	72 Parish Lane, Penge	Penge and Cator	Section 215 Untidy Site Notice	25.11.14
14/00518	Untidy Site	29 Southover, Bromley	Plaistow and Sundridge	Section 215 Untidy Site Notice	26.11.14
14/00380	Unauthorised decking and balustrade	22A Hayes Street Hayes	Hayes and Coney Hall	Enforcement Notice	25.11.14
14/00556	Untidy Site	Land rear of 46 to 48 Homefield Rise, Mortimer Road Orpington	Orpington	Section 215 Untidy Site Notice	28.11.14

14/00535	Unauthorised first floor side and part one-two storey rear extension	7 Courtfield Rise, West Wickham	West Wickham	Enforcement Notice	16.12.14
13/00328	Unauthorised sub division of a flat to create another	47c High Street Bromley	Bromley Town	Enforcement Notice	18.12.14
13/00609	Over height building in rear garden	36 Pembroke Road Bromley	Bickley	Enforcement Notice	22.12.14
14/00670	Unauthorised change of use to various businesses, cash for clothes, firework sales, scaffolding storage areas, car holding spaces	Flamingo Park Club, Sidcup By Pass Road, Chislehurst	Chislehurst	Planning Contravention notice	29.12.14
14/00266	Use of car park as a car hire business	Flamingo Park Club Sidcup by pass Road Chislehurst	Chislehurst	Enforcement Notice	29.12.14
14/00266	Unauthorised erection of a porta cabin and metal fencing around car park	Flamingo Park Club Sidcup by pass Road Chislehurst	Chislehurst	Enforcement Notice	29.12.14

Non-Applicable Sections:	POLICY, FINANCIAL, LEGAL, PERSONNEL
Background Documents: (Access via Contact Officer)	NA

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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