



THE LONDON BOROUGH
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DATE: 27 August 2015

To: Members of the
DEVELOPMENT CONTROL COMMITTEE

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

A meeting of the Development Control Committee will be held at Bromley Civic
Centre on **TUESDAY 8 SEPTEMBER 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 13 JULY 2015**
(Pages 1 - 14)

4 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

In accordance with the Council's Constitution, questions to this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5 pm on Wednesday 2 September 2015.

5 PLANNING REPORTS

Report No.	Application Number and Address	Page No.	Ward
5.1	(DC15/00140/FULL3) - Old Town Hall, 30 Tweedy Road, Bromley BR1 3FE	15 - 50	Bromley Town
5.2	(DC/15/00141/LBC) - Old Town Hall, 30 Tweedy Road, Bromley BR1 3FE	51 - 56	Bromley Town
5.3	(DC/15/00701/FULL1) - Footzie Social Club, Station Approach, Lower Sydenham SE26 5BQ	57 - 114	Copers Cope

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DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 13 July 2015

Present:

Councillor Peter Dean (Chairman)
Councillor Nicky Dykes (Vice-Chairman)
Councillors Graham Arthur, Douglas Auld, Eric Bosshard,
Katy Boughey, Kevin Brooks, Lydia Buttinger, Simon Fawthrop,
Ellie Harmer, Charles Joel, David Livett, Russell Mellor,
Alexa Michael, Richard Scoates, Michael Turner and
Angela Wilkins

Also Present:

Councillors Nicholas Bennett J.P., Tom Philpott and
Stephen Wells

16 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Vanessa Allen and Kathy Bance; Councillors Angela Wilkins and Kevin Brooks acted as their respective substitutes.

17 DECLARATIONS OF INTEREST

No declarations of interest were received.

18 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 9 JUNE 2015

Minute 11 - Planning Appeals - Costs 2014/15 (page 10)

The final paragraph was amended to read:- *‘Some Members commented it should be the policy of the DCC that, where appropriate, the recommendation of “members views requested” be used in reports to Development Control and Plans Sub-Committees.’*

RESOLVED that subject to the amendments set out above, the Minutes of the meeting held on 9 June 2015 be confirmed and signed as a correct record.

19 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

20 PLANNING REPORTS

20.1 (15/00909/FULL1) - Harris Academy Beckenham, Manor Way, Beckenham BR3 3SJ

Members considered the following planning application report:-

Item No.	Ward	Description of Application
5.1 (page 23)	Kelsey and Eden Park	Demolition of all buildings on site (except the basketball block) and erection of replacement buildings to accommodate a 3 storey 6FE Academy (8,112 sqm GIA) for 1,150 pupils and a 2 storey primary Academy (2,012 sqm GIA) for 420 pupils together with temporary classroom accommodation for a period of two years, provision of 97 car parking spaces, 170 cycle parking spaces, associated circulation and servicing space, multi-use games areas and landscaping.

The Planning Development Control Officer reported the following:-

1. Late objections in respect of both applications received on behalf of KEPA, including a Transport Report by independent consultants, raised concerns about the impact on residential amenity for the secondary only application including use of the MUGA. In respect of the primary and secondary application, concerns about the impact on the conservation area through views of the site and the associated increased activity, unacceptable highway impacts including parking stress, harm to residential amenity through noise and disturbance and flaws in the educational need argument in particular relating to the proposed school at Langley Park which it was argued had not been taken into account and the possibility of the use of permitted development rights to open a school elsewhere to accommodate the need.
2. A number of other late objections had been received raising issues as summarised in the committee report and additionally the issues raised in the KEPA objection.
3. There were also some late letters of support, including one from the Central Beckenham Residents Association.
4. The Council's Highway Engineer had provided comments on the Transport Report received with the late KEPA objection. He confirmed that the Highway Authority maintained no objection to either application. He pointed out that the focus of the objection was flaws in the parking stress survey methodology which claimed that the 200m distance used in

the assessment was not correctly followed. In fact the Lambeth Methodology for parking surveys allowed for a 500m distance for commercial development and the 200m distance was for residential schemes.

5. The Education Authority's Head of Strategic Place Planning had provided comments on the educational need issues raised in the late KEPA objection. He pointed out that there were many risks relating to the school expansion programme in Bromley and there was no guarantee that any of the schemes without planning permission would progress. He considered that the argument for need had been made clear and there would be a deficit without Harris Beckenham. The actual demand for this site had been evidenced through the admissions process.

None of the late information and responses received altered the recommendations as set out in the agenda. Copies of all of these documents were available on the application files.

Oral representations in objection to the application were received from Mr Mark Batchelor on behalf of Kelsey Estate Protection Association. Mr Batchelor made the following points:-

- The development would have a significant impact on residents in Manor Way.
- The educational need requirement was questionable.
- The development would result in an increased headcount of 75%.
- There would be an impact on vehicular traffic; the Parking Stress Survey had indicated an increase in traffic of 124% at peak times.
- The applicant's parking survey showed people would need to walk ½ kilometre from the nearest parking provision to the school gate.
- The development would be harmful to the character of the conservation area.

Mr Batchelor urged Members to give proper weight to educational need requirement when considering the application.

Oral representations in support of the application were received from Mr Mike Ibbott, the applicant's agent. Mr Ibbott commented briefly on key issues and responded to KEPA comments. He also made the following points:-

- Planning Officers had produced a comprehensive report and had worked closely with the applicant and agent at both pre and post-application stages to address key planning issues.

- Education was at the heart of the planning system – the policy test was set out in London Plan Policy 3.18D.
- The secondary application would enable the school to operate at its agreed capacity. The primary school need was established and documented in the Council's Primary Schools Development Plan; without it, there would be a deficit of education in the Borough.
- There were no planning proposals in regard to the new Park Langley School and there was no likelihood of a permitted development scheme being put forward in the short term. The school would also service a different catchment area.
- The secondary school was expanding to agreed capacity.
- The primary school would operate in the same way as the secondary school with off-site drop-off/pick-up. KEPA comments were wrong – the Lambeth methodology is only a guideline and the 200m rule is based on long-term parking for residential development which was very different from school drop-off. The Highways Officer agreed the methodology and agreed with the conclusions.
- MUGA had very generous separation distances. The playground was part of the school's PE provision.
- This was an existing school site and the policy test emphasised education need against local impacts.

Mr Ibbott responded to Member questions as follows:-

- He was unsure how many of the existing four disabled parking spaces were utilised by staff however, the school would manage them according to need.
- In regard to reconfiguring the new primary school building by turning it 90% away from residential properties to face the other building, Mr Ibbott stated that the new school was designed to create a buffer between the playground and the other building. Various configurations had been tested and the current proposal had proved, on balance, to be the best option. There would be no direct overlooking onto residential properties. The option to rotate the building had not been discussed with planning officers.

The following oral representations on behalf of the Portfolio Holder for Education, Councillor Peter Fortune were received from Executive Support Assistant Councillor Tom Philpott:-

"I wanted to set out my support for the Harris Beckenham Primary Academy. The new school is central to my planning for school places in Beckenham. The Harris Federation has already demonstrated their ability to improve the secondary provision at Harris Beckenham. I know how ambitious the Federation is about raising standards and outcomes for our local children and I am sure once open, Harris Primary Academy Beckenham will join the other high performing and popular schools in this part of the borough.

All bar one local primary school in Beckenham were oversubscribed in the last academic year, with many places filled by siblings and the proximity from which schools attracted pupils decreased as demand grew. The evidence of need for the school as presented to the Education Scrutiny Committee on 27 January this year is clear. Without Harris Beckenham, we would have a deficit of 13 school reception places this September and that situation only gets more acute as we move into the next decade, rising to 53 in 2020/21. When we add 5% for contingency and choice, in line with Council policy and that of many other councils, that deficit increases to 75 by the beginning of the next decade. When we look at the data for the over-subscribed, non-faith primary schools in proximity to this site, they draw their pupils from extremely tight locations. Last year one of these schools took pupils from no more than a third of a mile away.

The balance to be struck between protecting our local neighbourhoods from over-development and providing the infrastructure they require is a fine balance to be struck. As a Council we have a statutory responsibility to provide sufficient school places for people living in our neighbourhoods. In this instance I am convinced that the proposal before the committee meets local need and through the use of existing school land fits well with local, nation and regional planning policy and minimises the impact on the local community."

In making his own representations, Councillor Philpott referred to the new Langley Free School and urged Members to consider the following:-

- This very welcome additional school has been approved by the Secretary of State as an educational institution but has not yet confirmed their site, been given planning permission or agreed their premises with the EFA. The Langley Boys site where the free school may be situated is, by my calculation, 1.3 miles drive from the Harris Beckenham site.
- Even if the Langley School took all of its 2 FE entrants from the Planning Area which Harris Beckenham would be located in, LBB would still have a deficit of places in this area (without Harris Beckenham) once the 5% surplus policy is accounted for.
- In reality it is unlikely that Langley will take 100% of its pupils from this area as, depending upon the oversubscription criteria they use, it is likely that they will draw student not just from the north in Beckenham but also from West Wickham in the South and the Langley estate to the North East.

- Therefore we do not feel that the potential creation of this new school invalidates the need for the Harris Beckenham Primary Academy.

As Ward Member for Kelsey and Eden Park, the Chairman had received a significant amount of mail from interested parties both in support and in objection to the application. He had, therefore, considered the application as objectively as possible. The new Langley Free School was nowhere near fruition and there was categorically, a distinct educational need within the Borough. Whilst the Chairman had objected to the previous application on the grounds of over-development and loss of amenity to local residents, the current proposal would result in a smaller footprint of land being used and the playground between the two schools would act as an acoustic wall to lessen the impact on local residents. There would be minimal impact on the conservation area.

Whilst there would be an increase in traffic, a Traffic Plan had been submitted. Local residents would be within walking distance of the school and arrival and departure hours would be staggered. The Chairman therefore moved that permission be granted.

Councillor Michael particularly liked the configuration of the buildings and the way in which the primary school would act as a buffer to block noise. The removal of 26 trees from the site raised concerns and in this regard the addition of a condition regarding replacement trees was requested. It was noted that the school would be open for community use. For the reasons set out above Councillor Michael seconded the motion for permission to be granted.

It was generally agreed that:-

- the current application was much-improved;
- the Council had a statutory duty to provide education sites within the Borough;
- Condition 20 be amended to include a proviso that floodlights should not be used at any time;
- Permitted Development Rights be removed as a matter of course;
- a slab level condition should be included.

Members having considered the report, objections and representations **RESOLVED that PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 LEGAL AGREEMENT** as recommended and subject to the conditions and informatives set out in the report of the Chief Planner with conditions 6 and 20 amended to read:-

'6 (i) A detailed scheme of landscaping which shall include:-

- details of replacement trees;
- details of bird and bat boxes;
- details of log piles;
- details of ecological improvements to the existing pond;
- details and samples of any hard surfaces (NB: No loose materials shall be used for surfacing of the parking and turning area hereby permitted);
- full details of boundary treatments;
- proposed plant numbers, species, location and size of trees and tree pits;
- furniture and lighting; 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 hereby approved, 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.

20 The Multi Use Games Area (MUGA) hereby approved, shall only be used between the hours of 08:25 and 18:00 on any day Monday to Sunday inclusive and for the avoidance of doubt there shall be no floodlighting erected or used at any time.

Reason: In the interests of protecting neighbouring residential properties from activities that could result in excessive noise and disturbance outside of normal school hours and in accordance with Policy BE1 of the UDP (2006).'

A further two conditions were added as follows:-

24 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage of the school buildings hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of protecting amenity in accordance with UDP Policy BE1.

25 Details of the proposed slab and finished roof levels of the buildings hereby approved and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences on the permanent buildings hereby approved and the development shall be completed strictly in accordance with the approved levels.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

20.2 (15/00908/FULL1) - Harris Academy Beckenham, Manor Way, Beckenham BR3 3SJ

Members considered the following planning application report:-

Item No.	Ward	Description of Application
5.2 (page 23)	Kelsey and Eden Park	Demolition of all buildings on site (except the basketball block) and erection of replacement buildings to accommodate a 3 storey 6FE Academy (8,112 sqm GIA) for 1,150 pupils together with temporary classroom accommodation for a period of two years, provision of 71 car parking spaces, 128 cycle parking spaces, associated circulation and servicing space, multi-use games areas and landscaping.

The commentary contained in Minute 5.1 also pertains to this report.

Members having considered the report, objections and representations **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with conditions 6 and 20 amended to read:-

'6 (i) A detailed scheme of landscaping which shall include:-

- details of replacement trees;
- details of bird and bat boxes;
- details of log piles;
- details of ecological improvements to the existing pond;
- details and samples of any hard surfaces (NB: No loose materials shall be used for surfacing of the parking and turning area hereby permitted);
- full details of boundary treatments;
- proposed plant numbers, species, location and size of trees and tree pits;

- furniture and lighting; 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 hereby approved, 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.

20 The Multi Use Games Area (MUGA) hereby approved, shall only be used between the hours of 08:25 and 18:00 on any day Monday to Sunday inclusive and for the avoidance of doubt there shall be no floodlighting erected or used at any time.

Reason: In the interests of protecting neighbouring residential properties from activities that could result in excessive noise and disturbance outside of normal school hours and in accordance with Policy BE1 of the UDP (2006).'

A further two conditions were added as follows:-

22 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage of the school buildings hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of protecting amenity in accordance with UDP Policy BE1.

23 Details of the proposed slab and finished roof levels of the buildings hereby approved and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences on the permanent buildings hereby approved and the development shall be completed strictly in accordance with the approved levels.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

**21 LOCAL LIST OF VALIDATION REQUIREMENTS FOR
PLANNING APPLICATIONS**

Report DRR 15/075

National Government Guidance required local planning authorities to undertake a regular review of their validation requirements for planning applications. It was necessary to ensure that the list remained fit for purpose in the context of changes to National Legislation and development plan policies.

In this respect, Members were asked to formally adopt a revised Local List of Validation Requirements. The revised list included amendments requested by Members at a meeting of the DCC on 10 February 2015 as well as addressing issues arising from an 8 week period of public consultation.

It was agreed that the word 'generally' be deleted from the second sentence of the paragraph headed 'General guidance for drawings' (page 97); the sentence was therefore amended to read: '*Drawings which say 'Do not scale' are not acceptable.*'

RESOLVED that, subject to the amendment referred to above, the revised Local List of Validation Requirements be formally adopted.

22 PETITION - BULL LANE ALLOTMENTS

Report CSD15091

As requested by Members at a full meeting of the Council held on 29 June 2015, DCC Members considered a petition submitted by the Bull Lane Action Group with 801 validated signatures calling on the Council to designate the Bull Lane Allotments in Chislehurst as Local Green Space.

Ward Member Cllr Boughey supported the petition as she considered the allotment land fully met the criteria set out in the National Planning Policy Framework for designating land as Local Green Space.

It was generally agreed that the land should be protected and the allotments retained.

RESOLVED to recommend to the Executive that the merits of designating the Bull Lane Allotments as Local Green Space be formally considered through the Local Plan process and the Petition be included as a submission seeking this change.

Councillor Arthur abstained from voting.

**23 BROMLEY'S LOCAL PLAN - POTENTIAL SITE ALLOCATIONS
DRAFT POLICY AND DESIGNATIONS ALTERATIONS' FOR
CONSULTATION**

Report DRR15/070

Members were requested to endorse Appendix 1 as the consultative 'Local Plan – Potential Sites, Draft Policy and Designation Alterations' stage in the preparation of Bromley's Local Plan. Members were also asked to refer the document to the executive for approval for the purpose of consultation with residents, partner organisations and the wider community.

The Chairman reported that progress in drafting the Local Plan had been reviewed by the Local Development Framework Advisory Panel. The Potential Sites, Draft Policy and Designation Alterations' stage focussed on designating sites in Wards for particular purposes. The latest updates incorporated an increased housing target of 641 units; minimal parking provision and variations to the Biggin Hill SOLDC.

The following comments were made:-

- Living in Bromley (page 135) - the first sentence within the coloured table should read 'The Council will make provision for **at least 641** additional homes per annum over the fifteen year Plan period which will be facilitated by:'.
- Getting Around (page 136) - with regard to the provision of off-street parking for 1-2 bedroom accommodation, clarification was sought on what constituted 0.7 space.
- Safeguarding land for transport investment (page 136) - One Member was pleased to note the Council's proposal to explore with TfL the potential for improvements at the junction of the A232 Croydon Road and the A233 Westerham Road and Oakley Road as currently this was an extremely precarious junction. Feedback on progress achieved in this matter was requested.
- Potential Draft Site Allocations and Designations (Table 1 - page 139) - One Member was unhappy with the proposal to redesignate land at Turpington Lane for educational use due to the winding nature of the surrounding roads and the inability to prevent vehicles from speeding.
- Potential Draft Site Allocations and Designations (Table 1 - page 140) - The Maybury Works in Worsley Bridge Road was currently industrial, commercial and employment use. The former Dylon site located adjacent to this had been designated for commercial use. Redesignating The Maybury Works to mixed residential would result in an over-intensive use and a request to retain its current designation was requested. Members

were informed that retaining the site's current designation would be difficult because whilst it provided employment for 40-60 people, approximately one third of the site remained unused.

- Potential Draft Site Allocations and Designations (Table 1 - page 140) - in regard to Bromley Civic Centre, the words "and other town centre uses" was vague and should be clarified.
- Potential Draft Site Allocations and Designations (Table 1 - page 141) - One Member opposed the expansion of the site at Higham Hill Farm, Layhams Road, Keston. The land was used as a buffer between the road and the showman's site. A long-term strategy was required to locate plots elsewhere.
- School sites should be safeguarded and one Member asked whether this could be done at the determination stage of an application. The Chairman reported the Education Department considered it necessary to redesignate now to present less difficulty in future consideration of applications. It was also incumbent upon the Council to identify and adopt land for educational use. It was noted that if the Council identified enough sites, then applications submitted from elsewhere could be turned down at determination stage.
- Table 2 - Sites not recommended for housing/mixed use allocations (page 143) - A proposal for high density housing at Potters Yard, Turpington Lane was recently refused. An appeal had been submitted for which a decision was yet to be made.
- Members were informed that the redesignation of various schools from Green Belt to Urban Open Space would make it easier in the future for land to be used for education purposes.
- One Member was uncomfortable with the development proposals at Biggin Hill Airport and the removal of Green Belt land from what was an important historical site. The developers had asked for more land to be redesignated than that already included within the consultation document. There was concern that agricultural land next to the site would be used for development purposes; Members were assured that the SOLDC boundary would remain the same and the quality of the environment would be retained.
- It was agreed that Tree Preservation Orders be placed on trees at the Biggin Hill site. The Chief Planner confirmed that provisos would be implemented in relation to re-planting.
- In regard to parking (page 73, paragraph 5), it was noted that three areas had been identified where lower minimum parking standards than the rest of the borough would be appropriate given their higher level of public

transport accessibility. Despite this, there was a very high density of housing in these areas and the majority of residents owned cars.

The following officer updates and clarifications were circulated to Members (revised text in italics): -

'Appendix One - Draft Consultation Document (pages 23-24)

Show as a Policy/Proposal. Insert at the top of page 24 '*The following sites are proposed as allocations for consultation purposes:-*' (list as in Appendix One p.24 then follows)

Page 24

After 'Site Assessment 2015' (at the foot of the page) insert '*which is enclosed as Additional Document B. The Broad Locations for growth in the later stages of the Plan are identified mainly due to Opportunity Area, Town Centre and/or Renewal Area status*'.

Page 34

Amend Traveller site boundary Map 1 Star Lane (below). The amended site boundary (blue hatched line) limits the site to the extent of existing traveller pitches. The red line, in the DC report, predominantly followed physical features (escarpment/earth bunds).



Page 47/48

Show as a Policy/Proposal: '*In conclusion, the sites that comprise Table 7 which are set out in full at Appendix 3 (p62-66) are draft allocations and*

proposals for consultation purposes. All are subject to their being supported by the necessary site specific infrastructure’.

The recommendations set out on page 130 of the report were amended to read (amendments in bold):-

‘That development Control Committee:

- 2.1 Endorse Appendix 1 as the Local Plan, potential sites, draft policy and designation alterations document for the executive to agree for public consultation.

That the Executive:

- 2.2 Consider the comments from DCC with regard to the Local Plan – potential sites, draft policy and designations alterations, and
- 2.3 **Approve** Appendix 1 as the Local Plan – potential sites, draft policy and designations alterations, document for **public** consultation, **together with any agreed amendments**, subject to the Director of Regeneration & Transformation, in consultation with the Chairman , being authorised to make any minor alterations to the document as required, **and agree the final supporting documents** prior to the publication.

RESOLVED that subject to the amendments set out above, **Appendix 1 be endorsed as the ‘Local Plan – Potential Sites, Draft Policy and Designation Alterations’ document for the Executive to agree for public consultation.**

The meeting ended at 8.40 pm

Chairman

Application Number: DC/15/00140/FULL3

Ward: Bromley Town

Address: Old Town Hall, 30 Tweedy Road, Bromley BR1 3FE

Grid Reference: E: 540445 N: 169451

Applicant: Mr K Foster

Description of Development

Application for planning permission and listed building consent to enable partial demolition of the Bromley Town Hall building and replacement with extensions no greater than 3 storeys high to facilitate a change of use from Office (Class B1) to 94 bedroom hotel use (Class C1) to include hotel restaurant, conference, wedding and multi-functional space in addition to 2 independent restaurants (Class A3) fronting Widmore Road together with re-configuration of the existing access ramp on Widmore Road and provision of pickup/drop off in Tweedy Road and South Street and

Planning Permission for the erection of a 5-storey residential apartment building (Class C3) containing 53 units (18 x 1bed, 34 x 2-bed, 1 x 3 bed), with basement parking for 28 cars and 104 cycle parking spaces upon the neighbouring South Street Car Park, together with associated landscaping and public realm improvements.

Key designations:

Conservation Area; Bromley Town

Listed Building Grade II

Adjacent - conservation area

Adjacent-Listed Building

Biggin Hill safeguarding birds

Biggin safeguarding area

Local Cycle Network

London City Airport safeguarding

Proposal sites in Stat routes

Proposal

Joint report with 15/00141/LBC

Planning permission is sought for the conversion of the Old Town Hall to a hotel and restaurants and erection of a 5 storey residential block on the vacant South Street Car Park. The proposals for the Old Town Hall site (OTH) and the South Street Car Park site (SSCP) are described separately as follows:

Old Town Hall

The original Town Hall faces Kentish Way and was built in 1907. The building was extended in 1939 adding the section of the building that partly fronts Kentish Way and wraps around to Tweedy Road. There have been several minor extensions. The whole building is a statutory Grade II listed building

- Change of use from offices to use as a hotel with 94 bedrooms, 1 hotel related restaurant, 2 independent restaurants, a spa facility, conference and function/events facilities and a chapel building.
- Partial demolition of existing extensions within the internal courtyard and the first floor of 1970's extensions at the corner of Court Street and South Street and erection of several new extensions including
 - a 2 storey extension above retained ground floor at the junction of Court Street and South Street (called the 'corner extension' in this report) to provide hotel bedrooms.
 - increasing the height and width of the central courtyard structure to provide conference and events space and bedrooms for the hotel.

- extension to rear of central courtyard building to provide restaurant kitchen space with external terrace at first floor level.
- 2 storey courtyard extension to provide hotel bedrooms.
- Dormer extension to rear north facing roof elevation to provide hotel bedrooms.
- Basement extension within the courtyard area to provide servicing floorspace
- Rooftop plant and equipment enclosure above central courtyard building and new corner extension
- Additional alterations to the building include
 - New entrance to the hotel restaurant at the corner of Tweedy Road and Kentish Way with canopy and proposal for art installation.
 - Alterations to the façade to Widmore Road to lower the cills of one window on either side of the existing entrance door and enlargement to the exiting ramp to provide wheelchair access and an external seating area.
 - Alterations to the Kentish Way hotel entrance to provide replacement ramp.
 - Use of the former Courtroom as a chapel/conference facility.
- 2 disabled car parking spaces are provided in the rear servicing area and 12 cycle spaces are provided for staff within the basement.
- Refuse storage space will be provided in the basement with a storage structure in the servicing area for bins on collection days.
- Landscaping will be provided within the newly laid out rear courtyard and the servicing area with some tree planting in Court Street and Widmore Road.
- Highway alterations are proposed to Tweedy Road, South Street and Court Road to facilitate the proposal and these are discussed in detail below

Quantum of development for the Old Town Hall

- | | |
|---|---------------------------------|
| ● Existing floorspace | 6,880 sqm (Gross Internal Area) |
| ● Existing floorspace to be demolished | 862.6 sqm |
| ● Proposed new build floorspace | 1,763 sqm (GIA) |
| ● Total floorspace for hotel and restaurant | 7,781 sqm |

The total floorspace includes 1,098sqm to be used by 2 independent restaurants including ancillary office, kitchen and all basement areas

South Street Car Park

This comprises a vacant site to the north of the OTH which is currently used as a London Borough of Bromley staff/public car park

- Erection of a 5 storey flat roofed building with basement. The 5th floor will be set back from the lower floors
- A total of 53 residential flats comprising 18x1 bed, 34x2 bed, 1x 3bed units.
- No affordable housing is proposed
- 26 parking spaces are provided in the basement including 6 disabled parking spaces.
- 88 cycle parking spaces are also provided in the basement
- Refuse storage and the plant room is provided in the basement
- All units have private balconies or terraces and there will be a communal garden with children's playspace within the north western corner of the site
- A landscaped buffer along the Tweedy Road frontage will be provided with several retained trees, new trees and shrub planting
- Provision of a green roof.

Quantum of development for the South Street Car Park

- The vacant site area is 0.21 ha
- Total proposed floorspace is 4,128 sqm Gross Internal Area, excluding the basement car park area.
- A total of 142 habitable rooms is proposed.

A centralised heating system for hot water and space heating is provided serving both the OTH and SSCP sites

The applicant has submitted the following technical reports to support the application, the content of which is referred to in the relevant sections below:

Planning Statement, Design and Access Statement, Financial Viability Assessment, Air Quality Assessment, Noise Impact Assessment, Archaeological Assessment, Daylight and Sunlight Assessment, Ecological Phase 1 Habitat Assessment, Energy and Sustainability Assessment, Heritage Statement, Land Contamination Assessment, Statement of Community Involvement, Transport Assessment, Framework Travel Plan, Delivery and Service Plan and Tree Survey,

Listed Building Consent Application

A separate listed building consent application has been submitted to accompany this application under ref 15/00141/LBC. It is considered that the issues discussed in this report deal with the requirements of the listed building consent application. A separate report setting out details of relevant conditions specifically related to the LBC is also on the agenda.

Location

This 0.7ha site comprising the Old Town Hall (0.49ha) and the South Street Car Park (0.21ha) lies on the north side of Bromley Town Centre just to the south of Bromley North Station. The two sites are separated by part of South Street.

To the north and east the site is bounded by the A21 Tweedy Road dual carriageway. On the opposite side of the road is Bromley North Station and substantial commercial buildings with a converted residential building opposite the Old Town Hall known as The Clockhouse.

To the west of the South Street site is East Street which comprises a mixture of retail and leisure uses on the ground floor of 3 storey Victorian/Edwardian buildings with commercial and residential units on the upper floors. Immediately to the west, adjoining the site, is locally listed Bromley Fire Station.

To the west of the Old Town Hall is Court Street with locally listed Community Hall on the corner of South Street and Court Street.

To the south of the Old Town Hall is Widmore Road which comprises a mix of commercial and retail premises, with some residential units on the upper floors of the property at the corner of Widmore Road and Court Street

Widmore Road and Tweedy Road are heavily trafficked and busy roads. South Street is one way from west to east with traffic only entering from Tweedy Road. Both Court Street and South Street are less heavily trafficked and provide local access and a minor through route between Tweedy Road and Widmore Road.

Consultations

Comments from Local Residents

Nearby properties were notified and representations have been received from 9 residents and the Bromley Civic Society, 20th Century Society, Cllr Michael Rutherford and Babbacombe Road Residents Association which can be summarised as follows:

Residents to the north of the site were not formally invited to the pre application consultation events. There was a low attendance at the 2 meetings (24 and 12 visitors respectively) so any value in the comments in the Statement of Community Involvement is limited. However the agent did arrange a personal view of the documents for these residents once this position was drawn to their attention.

Comments on the Old Town Hall site are summarised as follows

- The OTH should be used for its original use
- The sale of the site by the Council is 'selling the family silver'

- Inadequate parking for hotel guest puts pressure on town centre car parks and leads to anti-social parking in residential streets nearby
- Provision of independent restaurants is contrary to NPPF and BTCAAP policy and is a departure – outside designated retail frontage, the opportunity site doesn't specify restaurants, sufficient restaurants elsewhere in the town centre, provision of restaurants reduces the number of bedrooms/ conference/events space the building can offer and no justification relating to public benefit of the scheme is given for this use.
- Harm to listed building from alterations to Tweedy Road frontage to accommodate the proposed restaurants – lowering of windows cills disrupts the visual appearance of this part of the building and is being done purely for commercial purposes. This does not overcome the harm done to the building and there is no evidence provided to demonstrate that this is necessary for viability of the proposal as a whole.
- Proposed signage would be cluttered and not sympathetic to the building
- New entrance at the junction of Tweedy Road and Widmore Road and proposed artwork would remove the simple appearance of this corner. The indicative artwork would jar appallingly with the rest of the building
- Proposed rear dormers are unsympathetic and bulky
- Original 1930's lavatories should be retained as examples are very rare from this period.
- Loss of the existing extension at the corner of South Street and Court Street is regrettable and the proposed modern extension is too large, top heavy, inappropriate and not inkeeping with this listed building. The extension will be dominant in the streetscene and materials are alien. The design does not meet the criteria in the BTCAAP which requires a sensitive and respectful approach to changes to the renovation of the building

Comments on the South Street Car Park site are summarised as follows:

- Inadequate parking for residential units puts pressure on town centre car parks
- Use of grey brick for the residential block results in an industrial appearance and contrast with existing buildings in Tweedy Road. A red brick would be more appropriate and consistent.
- Design of the residential block is not great but the block minimises the impact on the OTH with its set back position on the site.
- The block presents a full height 4 storey building too close to the OTH which will have an adverse effect on its setting.
- The 5 storey building is higher than the Town Hall and this is contrary to the Design Principles in the BTCAAP which requires buildings to be inkeeping with the scale and character of the surrounding development
- Request that restriction of access to residents parking permits should apply to new residents to avoid additional on street demand
- Noise and disturbance to office properties in East Street and properties opposite the site in Tweedy Road during construction. Dust will disrupt IT business nearby that relies on 'clean' environment for its equipment
- Loss of light to the offices in East Street
- Overlooking to residential properties in buildings opposite the site in Tweedy Road
- Night time disturbance from lighting from the hotel and flats
- Impact on highway safety from more pedestrians, pulling in/ dropping off residents and hotel guests
- Increased litter associated with restaurants
- Increased noise levels and anti-social behaviour from hotel and new residents at night and at the weekends.

The Advisory Panel for Conservation Areas has objected on the following grounds:

Old Town Hall – the fenestration on the Widmore Road frontage should not be altered and signage shown is not appropriate. The extension at the junction of Court Street and South Street needs to be reconsidered to provide a more sympathetic treatment to the existing building.

South Street Car Park – Acceptable in principle but materials need reconsideration to compliment surrounding buildings.

4 letters of support have been received and are summarised as follows

- The proposal is an important development to bring jobs, investment and customers to the town centre and the development is part of the area action plan. The proposed use of the Town Hall building and provision of housing to produce the funds for the hotel and restaurants is an acceptable development
- The building has been vacant too long and will deteriorate.
- Proposed alterations to the Town Hall are sensitive. A larger spa facility and gym should be provided plus a gift shop

Comments from Consultees.

The Council's Highways Officer raises no objections subject to conditions and legal agreement to secure proposed highway works.

The Council's Drainage Officer raises no objections subject to conditions.

The Council's Environmental Health Officer (Pollution) raises no objections subject to conditions.

Advice from the Council's Waste Advisor will be reported verbally to the meeting

The Environment Agency raise no objections subject to conditions.

Thames Water raise no objections subject to conditions

The Metropolitan Police Crime Prevention Design Adviser raises no objections subject to conditions.

Historic England (Archaeology) raise no objections subject to conditions

Historic England (Listed Buildings) raise no objections subject to conditions

Transport for London raise no objections subject to conditions. TfL is the Highway Authority for the A21 Tweedy Road and they have been consulted on the highway proposals for both the Old Town Hall and South Street Car Park sites that affect this trunk road. Conditions have been recommended requiring the submission of a Construction Logistic Plan and Service Delivery Plan. In addition TfL require that the applicant seeks approval from TfL for any landscaping or tree planting works in the footway and that they are consulted on schemes submitted for approval. They also require the submission of travel plans for both sites and this will be secured by condition.

Planning Considerations

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes the Bromley Unitary Development Plan (UDP) (2006) and the London Plan (March 2015). Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) as well as other guidance and relevant legislation, must also be taken into account.

1. The application falls to be determined in accordance with the following Unitary Development Plan policies:

- BE1 Design of New Development
- BE2 Mixed Use Developments
- BE4 Public Realm
- BE8 Statutory Listed Buildings
- BE9 Demolition of listed building
- BE11 Conservation Areas
- BE 13 Development adjacent to a Conservation Area
- EMP3 Conversion or Redevelopment of Offices
- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- L11 Tourist related Development
- NE7 Trees and Development
- S6 Retail and Leisure Development
- S9 Food and Drink Premises
- T1 Transport Demand

- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T11 New Accesses
- T16 Traffic Management and Sensitive Environments
- T17 Servicing of Premises
- T18 Road Safety
- IMP1 Planning Obligations

In addition to:

- Affordable Housing Supplementary Planning Document (SPD)
- Planning Obligations Supplementary Planning Document (SPD)

- Supplementary Planning Guidance 1: General Design Principles
- Supplementary Planning Guidance 2: Residential Design Guidance

The Council intends consulting on the next stage in the preparation of its Local Plan. Expected in September, the consultation will focus on draft site allocations, a limited number of revised draft policies and designations.

The Council's Local Development Scheme is available on the website, and will be updated to reflect the consultation taking place after the main summer holiday period rather than during July/August

The draft Local Plan is a material consideration (albeit it of limited weight at this stage). Of particular relevance to this application are the following policies:

- 5.1 Housing supply
- 5.3 Housing design
- 5.4 Provision of affordable housing
- 7.1 Parking
- 7.2 Relieving congestion
- 8.1 General design of development
- 8.7 Nature and trees
- 8.33 Statutory Listed Buildings
- 9.5 Business Improvement Areas
- 9.6 Large Office Development
- 9.8 Office Change of Use/Redevelopment outside Business Improvement Areas (BIA)
- 10.4 Sustainable Urban Drainage Systems
- 10.10 Sustainable design and construction
- 10.11 Carbon reduction, decentralised energy networks and renewable energy
- 11.1 Delivery and implementation of the Local Plan

The application falls to be determined in accordance with the following policies of the Bromley Town Centre Area Action Plan (BTCAAP)

- BTC1 Mixed Use Development
- BTC2 Residential Development
- BTC3 Promoting Housing Choice
- BTC4 New Retail Facilities
- BTC5 Office Development
- BTC8 Sustainable Design and Construction
- BTC9 Flood Risk
- BTC11 Drainage
- BTC12 Water and Sewerage Infrastructure
- BTC16 Noise
- BTC17 Design Quality
- BTC18 Public Realm

BTC20	Play and Informal Recreation
BTC24	Walking and Cycling
BTC25	Parking
BTC28	Car Clubs
OSC	Former Town Halls and South Street Car Park

The application falls to be determined in accordance with the following policies of the London Plan 2015:

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London Economy
- 2.8 Outer London: Transport
- 2.15 Town Centres
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- 3.8 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
- 4.1 Developing London's Economy
- 4.2 Offices
- 4.5 London's Visitor Infrastructure
- 4.7 Retail and Town Centre Development
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.5 Decentralised Energy Networks
- 5.6 Decentralised Energy and Development Proposals
- 5.7 Renewable Energy
- 5.10 Urban greening
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 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
- 7.8 Heritage Assets and Archaeology
- 7.9 Heritage-led Regeneration
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing acoustic environment and promoting appropriate soundscapes
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

Bromley Town Centre is designated an Opportunity Area in Policy 2.13 and strategic policy directions are set out in Annex 1 of the Plan.

Also relevant are:

The Mayor's Economic Development Strategy
 Supplementary Planning Guidance: Housing
 Supplementary Planning Guidance

Housing Strategy

The National Planning Policy Framework is also a material consideration, with which the above policies are considered to be in accordance. Sections 2 'Ensuring the vitality of town centres'; 6 'Delivering a wide choice of high quality homes,' 7 'Requiring good design' and 12 'Conserving and enhancing the historic environment' are of particular relevance.

Planning History

There is no relevant planning history for the site.

Conclusions

The main planning issues are considered to be:

Principle of Development and Land Use

Design, Layout, Siting and Appearance

Standard of Accommodation, including viability matters

Amenity Space

Impact on Heritage Assets

Impact on Neighbour Amenity

Highways and Traffic Matters,

Trees and Landscaping

The report covers all of these aspects for both the Old Town Hall and South Street Car Park sites where they are relevant to each proposal.

Principle of Development

The Old Town Hall was last used as offices in 2013 by the Council and the South Street Car Park has been used for part staff/part public car parking for numerous years.

The application site is identified in the Bromley Town Centre Area Action Plan as Opportunity Site C. Policy OSC states that the Council will work with developers to secure a mixed use development comprising offices and/or hotel uses. The site is identified as suitable for up to 5,000 sqm B1 office use; 150 bed hotel with an option for a conference centre; small scale residential development. As such the principle of a mixed hotel/residential use on the site is established and would contribute positively to the vision for Bromley Town Centre as set out in the BTCAAP. It is considered that the proposal will be particularly beneficial to the wider daytime and night time economy within the town centre, which is now designated as an Opportunity Area in the London Plan.

Any redevelopment of the site will need to address policies relating to the loss of existing office use. Policy EMP 3 of the UDP, Policy BTC5 of the BTCAAP and Policy 4.2 of the London Plan seek to protect against the loss of offices and the employment generating opportunities that they offer. The proposed development will result in a loss of existing office floorspace and does not offer any replacement office floorspace as part of this scheme.

The emerging Local Plan policies 9.5 and 9.6 consider the future mechanism for the provision of large scale office development (over 2,000 sqm) in the borough and direct development to designated Business Improvement Areas (BIA's). In Bromley Town Centre, there are 3 BIA's; one each in Bromley North, Bromley South and London Road. The application site does not fall within a dedicated BIA so it is not expected that large scale office development would be encouraged on the Old Town Hall site in the future.

In addition to the policy considerations above there are other factors to take into account when considering the appropriateness of office development in the Old Town Hall.

There are considerable difficulties in providing modern office floorspace in a listed building. This building comprises a large number of individual, small rooms which provide limited opportunities for the large, open plan, flexible, high quality office space floorspace that is in demand. Works to achieve this type of floorspace

would involve considerable internal alteration that would cause significant harm to the fabric of the listed building and this would be unacceptable.

Historic England comment that the proposed uses would make good use of the many large ceremonial and civic rooms and staircases within the building and would, once again, provide a degree of public access to these significant assets and spaces. The existing suites of offices arranged along central corridors lend themselves to hotel accommodation. Therefore the proposed uses are well suited to the Town Hall and should provide it with a sustainable and long term future. Furthermore the redevelopment should enliven what is currently a somewhat undervalued part of Bromley Town Centre Conservation Area.

In terms of the re-provision of employment opportunities, the applicant advises that 120 full time jobs and 30 casual/part time jobs will be created by the proposed hotel, conference, events and restaurant uses. It is recognised that the staff are likely to be local so this increases the likelihood of the provision of jobs for residents of the borough which is a welcome benefit of the proposal.

In terms of development quantum, the applicant advises, in their Planning Statement, that it is not physically possible to provide a 150 bedroom hotel on the Old Town Hall site alone. The joint use of the OTH and the SSCP for a split hotel use was not pursued on the grounds of lack of viability and disjointed and an operationally inefficient hotel offering. This resulted in the hotel being confined to the OTH site. The use of the SSCP for a wholly residential scheme would serve as enabling development for the conversion and re-use of the OTH, along with the 2 independent restaurants in the OTH.

Turning to the provision of residential units on the South Street Car Park site, there is general policy support for this provision, in addition to the specific support in BTCAAP Policy OSC. The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The London Plan 2015 sets a housing target for the Borough and this site would contribute towards that target. The London Plan goes on to seek to optimise housing potential in Policy 3.4 and provide mixed and balanced communities in Policy 3.9. Policy H1 of the Bromley UDP reiterates the requirement to make provision for housing in the borough.

The proposal also includes 2 independent restaurants in the building. Policy S9 of the Bromley UDP deals with Food and Drink premises and it is considered that the proposal for these restaurants meets the policy requirements as follows: the use will not result in an overconcentration of food and drink premises that would be out of character with the retailing function of the area, there will be no adverse impact on residential amenity, there will be no undue resultant traffic congestion. While the OTH is not within the designated Primary or Secondary retail frontages, it is considered that the application site is located within the town centre and relates to the retail functions opposite and immediately adjacent to the site. The introduction of restaurants in this location is considered to be a positive contribution by providing an active frontage that would help draw visitors and shoppers to this underused part of Widmore Road.

In terms of quantum of development across the 2 sites, the applicant has compared that total gross internal area of the current scheme for 94 bed hotel and 53 flats (8,039 sqm) with the estimated gross internal area for a scheme that reflects the Bromley Town Centre Area Action Plan of 150 bed hotel and 20 flats (7,860 sqm). This indicates that quantum of development is broadly comparable between the actual and theoretical policy based scheme.

In summary, Members will need to consider the limitations of the listed Old Town Hall to provide desirable modern office floorspace due to its internal layout which cannot be significantly altered without causing significant harm to the building. Also the benefit from introducing viable uses for the OTH and for the long term vacant car park would secure the re-use of the listed building and remove it from the Buildings at Risk Register. In addition the proposed mix of uses conforms with the requirements of Policy OSC in the BTCAAP and the provision of additional 53 new homes makes an important contribution to addressing the Borough's housing need.

It is considered that the benefits of the redevelopment of this important, strategic site in the town centre outweigh the loss of office floorspace.

In considering the details for each element of the development, each site will now be considered separately below, with relevant cross reference where necessary.

Old Town Hall

In terms of layout of the building, a hotel with a total of 94 bedrooms will be provided on the part ground, first and second floors. The main entrance to the hotel will be from the existing Tweedy Road entrance and a replacement ramp will be provided.

Conference and event accommodation will be provided in the former courtroom and above the former Committee Room. In addition a hotel restaurant and 2 independent restaurants will be provided on the ground floor. A gym and treatment rooms and servicing facilities will be provided in the basement.

Design and appearance

There are numerous aspects that need to be considered individually and collectively to assess this aspect of the current proposal as follows:

- Extension at the Court Street/South Street junction

This provision of a new extension would firstly require the demolition of the existing, modern first floor extension on either side of the corner of Court Street and South Street. The existing extension is poorly designed and does not contribute to the appearance of the OTH and its demolition is considered acceptable.

There have been considerable discussion at pre application stage about the design and appearance of this extension, including comments from CABE. The resultant proposal has a distinctly modern appearance and sits above the existing first floor on this corner and will be 2 storeys in height. The barrel façade to South Street will be retained and the extension will be articulated, with recessed windows, to avoid a flat appearance to the structure. The use of Portland stone facings will tie the extension into the main building and provide separation between the new building and lower historic ground floor. The applicant has recommended the use of copper colour anodised aluminium panels with brown framed windows and bronze tinted glass.

Historic England and the Council's Conservation Officer have commented on the proposal. They support the modern design approach to the extension and measures to relate the extension to the historic building with the use of Portland Stone and retention of the external barrel parapet to South Street. It is accepted that this is the only location for a 2 storey extension and, whilst a lower extension would be preferred, it is recognised that there are significant heritage gains in the removal of the existing extension and the high quality design of the replacement extension. The use of high quality materials and finishes is essential and conditions to secure materials and details of the finish between the barrel roof and the new extension are recommended.

It is accepted that the provision of a replacement extension in this location is acceptable in principle as is the assertion from the applicant that this is required for the provision of a viable scheme on the application site.

- Alterations to Widmore Road façade and terrace

The application includes alterations to the Widmore Road frontage to provide separate access to the 2 independent restaurants and an external seating area and ramped access. The original submission showed the dropping of the cills of 4 windows on either side of the existing entrance to improve visibility into the restaurants and commercial viability. However significant objections were raised to the extent of harm that would be done to this elevation from such an intervention.

Revised plans now show the dropping of the 1 window cill on either side of the existing entrance and this is considered acceptable from a visual and historic point of view.

- Alterations to the internal courtyard, including rear dormer windows and roof top extension above the Committee Room

The appearance of the existing rear courtyard is unattractive and detracts from the historic value of Old Town Hall. Several existing modern extensions will be demolished to facilitate extensions that will allow a more unified appearance to this area.

The largest new extension involves increasing the height above the former Committee Room by 1 storey and providing glass cladding to the existing link to the main building. The design and appearance of this extension is considered to be in proportion with the Old Town Hall and is modern in appearance to reflect the design and appearance of other extensions and distinguish itself from the older parts of the building.

A further 2 storey extension would be within the courtyard to the rear of the South Street frontage. The design and appearance of this extension would also match the other extensions referred to above and the proportions of the extension are appropriate to the host building. This extension would not be visible from outside the site

The applicant proposes to use the roof void at the rear of the 1939 building for bedroom accommodation and to achieve this an extended dormer window is proposed in the roof plane. The full dormer will not be visible from Court Street and this will reduce the visual impact on the dormer. The mansard will be perforated lead sheet cladding to match the slate roof. It is considered that the proportion of the dormer window is acceptable and it would not interfere with significant views of the frontage of the building.

- New entrance at the junction of Tweedy Road and Widmore Road

A new entrance is proposed at the junction of Tweedy Road and Widmore Road that opens up a corner of the building and will provide direct access into the hotel restaurant. This will increase the visibility of the building and provide further active frontage. The proposed plans show steps to the front door and a canopy following the curve of the steps. The plans indicate that the area above the canopy could be the location for a piece of public art but this has not been finalised. A retractable 'sesame' lift will be provided in the central part of the staircase to provide disabled access at this entrance.

It is considered that the new entrance will enliven this part of the elevation. The detailed materials and finishes are important and a condition to secure high quality materials is recommended.

- Signage for the proposed hotel and restaurants

The submitted plans indicate the location of proposed signs for the hotel and the restaurants. This does not form part of this application and will be subject to a separate application in due course.

- Materials

There have been detailed discussion regarding the materials that will be used for all of the elements described above and it is essential that high quality materials are used to secure the standard of appearance that is required for this listed building.

The applicant has submitted a number of large scale bay studies (elevations and sections to demonstrate how a high quality design would be executed. Such details show how the proposed extensions would relate to the existing building.

A specific condition and accompanying plan identifying the materials for the following components is recommended.

- External materials for the cladding, the windows and the window glass for all of the extensions to the listed building.
- External materials for the dormer extension, windows and window glass.
- The use of Portland Stone for detailing for the extensions.

A general condition is recommended for all other materials to be used that are not detailed above, for example the rooftop plant enclosures, boundary railings, courtyard and terrace external surfaces.

Standard of Accommodation.

The London Plan Policy 4.5 sets out policy relating to the London's Visitor Infrastructure. The policy requires that at least 10% of bedrooms are wheelchair accessible. The proposal identifies 10 bedrooms that are wheelchair accessible and large scale plans have been submitted to demonstrate that wheelchair users can manoeuvre within the bedrooms. A detailed Access Statement has been included in the Design and Access Statement which shows details of how accessibility access for visitors and staff is achieved.

Impact on heritage assets

Section 12 of the National Planning Policy Framework sets out policy requirements for proposals affecting heritage assets. In determining applications the NPPF requires local authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contributions that conservation of heritage assets can make to sustainable communities including the economic vitality and the desirability of new development making a positive contributions to local character and distinctiveness.

The Bromley UDP policies BE8 (Statutory listed buildings), BE9 (Demolition of listed building), BE10 (locally listed buildings), BE11 (Conservation Areas) and BE13 (Development adjacent to a conservation area) are all relevant to this application and seek to protect the heritage assets in the borough.

In this instance the impact on the listed building itself must be considered and the impact on the locally listed Fire Station and Community House and the Bromley Town Centre Conservation Area.

With regard to the impact of the development on the Old Town Hall this has been discussed in the paragraphs above and it is considered that the location of the 'corner' extension is appropriate insofar as this area has been previously altered and is the least sensitive elevation in the complex. The use of the muted materials that are proposed will also give the extension a degree of visual subservience. Furthermore it is considered that the scale of the extension is subservient to the host building and well considered in terms of the surrounding building heights. Finally it is recognised that there are wider heritage gains from securing the re-use of the OTH and the extension is an integral part of the proposal to reuse the building.

With regard to the impact on the locally listed properties nearby and the conservation area, the primary change will result from the proposed 2 storey extension at the corner of Court Street and South Street. Many of the other changes to the Old Town Hall will not have a lesser impact on these buildings as they are set within the rear courtyard and the opportunity to see them is limited.

The adjacent buildings form a strong enclave with shared administrative history, appearance and form. The proposal will introduce a modern extension to this area. However it is considered that the scale and massing of the extension is appropriate in the context of the local area. The use of high quality materials and the introduction of stone mullions and a strong vertical rhythm also relates the extension to the host building and the local area. In addition the extension will enliven this part of the conservation area. The extension will be clearly contemporary but it is considered that it does preserve and enhance the character and appearance of the Conservation Area for the reasons set out above.

In summary it is considered that the changes to the fabric of the OTH building will have an impact on the host building and the surrounding area. However sufficient comfort has been given in respect of the quality of the proposals so, on balance, it is considered that, for the reasons set out above, the alterations result in a high quality scheme which will accord with the policy requirements in the London Plan and the UDP.

Highways and Traffic Matters

The applicant has submitted a Transport Assessment (TA) to support the conversion of the Old Town Hall. The conclusions are summarised above.

In terms of the impact on the transport network, there are currently 30 parking spaces on the OTH site. The development proposes 2 disabled parking spaces and no car parking for hotel and restaurant patrons. This will result in a net reduction in traffic movements from the site which is acceptable.

Using data contained within the TRICS database it is likely that 4 large service vehicles will visit the site and approximately 18-19 smaller service vehicles per day for the hotel and the 2 restaurants. It is anticipated that the larger vehicles will have to reverse into the site while the smaller vehicles will be able to turn within the site. Traffic data for hourly vehicle movements in Court Street suggest that this arrangement is acceptable and will have minimal impact on the free flow of traffic in Court Street.

In terms of refuse collection, bin stores are provided in the basement with a service lift to take waste to ground level for collection from the highway.

Measures have been agreed with the applicant to improve the flow of traffic in Court Street including moving 2 disabled parking spaces from the east to the west side of the road and widening the site access off Court Street. This will minimise the impact of service vehicle movements on Court Street. These measures will be secured by legal agreement.

With regard to the demand for car parking for hotel and restaurant users, Policy BTC25 states that parking provision for non-residential development will be provided in the form of publicly available paid parking. The TA expects that the majority of visitors will use town centre car parks. The TA assesses the likely demand generated by hotel visitors and the capacity of local car parks to meet this demand. The TA concludes that during times when the hotel will be attracting its maximum parking demand, the existing nearby car parks are not at their busiest and can easily accommodate the additional demand.

A total of 12 cycle parking spaces will be provided within the OTH site for staff of the hotel and restaurants and this is considered acceptable.

There are additional highway measures proposed including

- A coach pick up and drop off space on South Street
- A pickup/drop off bay on Tweedy Road for taxis and the cellar drop.
- Tree planting in Court Street and Widmore Road depending on the location of pavement services and traffic visibility requirements.

It is recommended that these measures are secured by a S106 legal agreement.

Furthermore a condition is recommended seeking the provision of 1 electric car charging point on the Old Town Hall site

Trees, landscaping and amenity space

The applicant has submitted a landscape statement and indicative plans which show semi mature tree planting and shrub planting in the proposed courtyard garden and the car parking/servicing area off Court Street plus the provision of permeable paving and a green wall on the side of the central courtyard building. Green roofs are shown on the new extensions.

A condition requiring the submission of a landscaping scheme is recommended to secure details of the proposed location and type of planting for the ground landscaping, trees and the green roofs.

South Street Car Park

In terms of quantum of development on this vacant site, policies in the NPPF, the London Plan, the Bromley UDP and BTCAAP recognise the need to optimise the use of the development while respecting the local context of the development. In this instance, the site has constraints from its location adjacent to the Bromley Town Centre Conservation Area, locally listed buildings and a Grade II listed building. This requires a sensitive approach to physical site coverage as well as the design of the proposed building. With this in mind this section considers the elements of the proposed scheme and its acceptability within its local context.

UDP Policies BE1 and H7 set out specific policy requirements relating to the standard of residential development that is expected in the borough. In addition Policies BE8, BE9 and BE11 set out standards expected for development involving or related to listed and locally listed building and in and adjacent to conservation areas. These policies refer to the design of new development, the standard that the development is expected to meet and the impact on the amenities of future occupants of the development and occupants of nearby properties.

There are other UDP and London Plan policies relating to specific aspects of the development and these are referred to in the relevant sections below.

Layout, Height and Massing, Density, Design and Appearance

The proposed building comprises a 4 storey block with a recessed fifth floor and a basement. The basement provides 26 car parking spaces (including 6 disabled spaces), refuse and recycling storage, 88 cycle parking

spaces and all plant and meter rooms. Vehicle access to the basement will be from South Street and there will be 2 pedestrian entrances to the block from Tweedy Road.

Layout

In terms of layout the proposal comprises a single building placed centrally on the site. The applicant advises that considerable design work has been undertaken to determine the actual position of the building and the primary constraint was to retain views of the Old Town Hall from the north of the site and ensure satisfactory boundary separation with neighbouring properties. To this end the front elevation is 'cranked' with part of it facing primarily north east and part facing primarily east and is also set back from the boundary of the site to Tweedy Road. The northern end will broadly align with the side elevation of No 48 East Street. At the southern end of the block the building will be set back from the front elevation of the Old Town Hall, broadly in line with the position of the existing fence. The 'cranked' layout of the building to Tweedy Road provides interest and articulation to the building which generates interest to the building itself and the street scene.

On the western elevation the building is approximately 4.3m from the boundary with the Fire Station and a minimum of 8m from the East Street boundary. To South Street there is a minimum separation of 3m. To the east the building is set back between 2m and 11.5m from the boundary with Tweedy Road. This is considered acceptable separation to neighbouring buildings and public footpaths and means that the building will not be over-dominant to pedestrians using Tweedy Road and South Street.

The reuse and recycling and plant and meter rooms are all at basement level which means that there is no need for external buildings to accommodate these uses. In addition there is no need for rooftop plant enclosures. The only rooftop addition is the lift overrun and this is set centrally on the top of the fifth floor.

Density

Part of assessing whether the layout is acceptable is the density of the development. This site falls within the definition of central urban setting in London Plan Policy 3.4 and the site has a PTAL of 5 (on a scale of 1-6 where 6 is the most accessible). The indicative density range in London Plan Policy 3.4 is 175-355 units per hectare/650-1100 habitable rooms per hectare. The Bromley UDP policy H7 density matrix supports a density of 240-435 units per hectare/650-1100 habitable rooms per hectare. The density is based on the provision of 142 habitable rooms and this results in a density of 252 units per hectare/676 habitable rooms per hectare. Given the highly accessible town centre location and context of the development in the immediate surroundings, the site is considered suitable for a high density residential proposal, in principle.

Height and Mass

The area surrounding the site includes buildings of varying height and mass. Opposite the site on Tweedy Road there are numerous buildings rising to 3 and 4 storeys. To the south, the Old Town Hall is equivalent to a 3 storey building in height and the Fire Station to the west is equivalent to 4 storeys. To the north west there are 5/6 storey building fronting Tweedy Road with 3 storey buildings at the junction of East Street and Tweedy Road.

The proposed building rises to 12.6m fronting South Street and to 12m fronting the rear of the East Street properties, reflecting the local change in land levels. The fifth floor is set back 8m and 5.6m from these respective elevations and between 2 and 3.5m from the front elevation and adds a further 3m to the overall height.

When viewed in relation to the surrounding buildings, the proposed building would not appear to be out of character with the local context in respect of height and massing. The mass of the building is broken up by the provision of balconies for all the flats, some protruding and some set back, and a substantial 'break' in the overall frontage at the point where the building is closest to Tweedy Road. The 'set back' of the fifth floor reduces the massing of this extra storey at close proximity as it will not be visible. From a distance the impact of this storey will be minimised by the careful choice of cladding materials which will be subject to control by way of a condition.

Appearance

The building will be a traditional construction using bricks. The bricks originally identified in the Design and Access Statement would result in a grey mottled effect to the building and officers and residents expressed concern that these materials were not in-keeping with the local palette of red and stock brick. A revised palette of materials has been submitted which mixes different shades of brown, red and light red bricks to provide an overall finish which will complement other buildings in the area but provide a distinctive appearance to the building. A condition to secure the brick types is recommended.

Other features that contribute to the overall appearance include the following

- Balconies – these are provided to each flat and are mainly inset into the building rather than bolted on the external face. There are some balconies on the front elevation that also protrude and these help to add interest and articulation to this elevation. The balcony railings will be copper finish anodised aluminium finish to tie in with the materials to be used on the Old Town Hall extensions.
- ‘Hit and Miss’ brickwork panels will be used as part of the balconies and relief brickwork is proposed as a vertical feature on the elevation facing Tweedy Road.
- Timber panels are proposed to frame the windows and emphasise their vertical appearance.
- The fifth floor will be primarily glass interspersed with metal cladding panels.

To achieve the best appearance for this building, the use of high quality materials is paramount. As such conditions are recommended to secure the submission of materials and samples for approval for all external finishes. In addition a condition requiring detailed sections to show the window setting is recommended.

It is considered that the appearance of the proposed building includes features and materials that respect the range of materials that are found in the locality and on the listed and locally listed buildings. The building is modern in design and is expected to include modern features such as balconies and finishes such as ‘hit and miss’ brickwork. However it is considered that the baseline appearance and materials would make a positive contribution to this part of the town centre.

Furthermore it is considered that the height and massing of the building and its relationship with the context of the local area is favourable and results in a building which is acceptable.

Housing Issues

Policy H7 of the Bromley UDP sets out the criteria for all new housing development.

Size and tenure of residential accommodation

The policy seeks a mix of housing types and sizes. The development proposes a scheme that is all market housing comprising 18x1 bed units; 34x2 bed units and 2x3 bed unit. The size and mix of the units is considered acceptable in this town centre location.

Six of these units will be wheelchair accessible, all of which will be 2person/4 bed units. The number of units meets the requirements of Policy 3.8 which seeks to maximise housing choice. The wheelchair units need to comply with the standards set out in the Mayor’s Wheelchair Accessible Housing Best Practice Guidance 2007. Revised plans have been received which show that all of the units are capable meeting wheelchair standards.

With regard to the tenure of the units, Policy H2 of the UDP requires sites capable of providing 10 or more units shall make provision for 35% affordable housing (by habitable room). A lower provision of affordable housing can only be accepted where it is demonstrated that the viability of the scheme cannot support policy compliant provision. In this case the development comprises 53 and triggers the need for affordable housing.

The applicant has submitted a detailed viability and affordable housing report that advises that the development cannot viably provide any affordable housing on site. The assessment has been independently reviewed by by an expert consultant appointed by the Council. The review concludes that the proposed development will not be capable of supporting any affordable homes, as suggested by the Applicant’s own

financial viability report. However the scheme can support financial contributions for health and education, the details of which are discussed below.

Standard of Residential Accommodation

Policy H7 of the Bromley UDP and the Residential Standards SPD set out the requirement standards for new residential development. Policy 3.5 of the London Plan and the Mayor's Housing SPG set out policy and guidance for minimum space standards for new development and guidance and best practice advice for achieving good quality standards for new dwellings.

The floor area of each of the proposed units meets the minimum space standards set out in London Plan Policy 3.5. Each unit has space for storage within the flat. All flats will have access to a balcony or terrace and will have dedicated cycle storage facilities.

A proportion of flats in the development are not dual aspect with some having single aspect to Tweedy Road and some with single aspect to the west overlooking the Fire Station. For the flats facing Tweedy Road conditions relating to measures to mitigate against noise within the flats and on the balconies is recommended. This will be in the form of construction techniques including ventilation, thermal glazing and acoustic absorption facings to the balcony roof. It is considered that these measures will secure acceptable living conditions for future occupiers.

A combination of private and communal amenity space is provided for the residents of this building. Each flat has a private balcony or terrace with level access to the living space. The majority of the flats that have balconies facing Tweedy Road will be subject to significant road noise. In order to minimise the noise nuisance and maximise the use of the balcony for residents, a condition is recommended seeking measures to protect the balcony from road noise.

Impact on neighbours

UDP Policy BE1 and BTCAAP Policy BTC17 requires, amongst other things, that new development must protect existing residential amenity including the amenities of future occupiers of the new units and the amenity of existing occupants of nearby buildings in terms of daylight and sunlight. In addition these policies seek to protect the privacy of existing and future occupants by limiting overlooking.

The applicant has submitted a Daylight and Sunlight Report which assesses the impact of the building on neighbouring properties and considers whether there is sufficient daylight and sunlight to the proposed flats.

The report has found that all windows at Nos 38-40 East Street, 46-48 East Street meet the requirements set out in the Building Research Establishment (BRE) Report for daylight with the exception of one second floor window in No 48 which is marginally below the recommended standard. With regard to Bromley Fire Station 4 of the 16 windows tested are marginally below the recommended standard.

With regard to daylight and sunlight levels to the new residential accommodation, the report analyses all habitable rooms and finds that 87% of rooms meet the recommended standard for daylight and 72% of the rooms meet the requirements for sunlight. The report advises that the transgressions above are marginally below the BRE Report standards. The report also advises that the transgressions are primarily limited to flats with living/dining/kitchens where there are recessed balconies. In terms of daylight transgressions, the report goes on to say that the external amenity areas are desirable and would enhance the perceived amenity of the affected rooms. In terms of sunlight transgressions the report reiterates the importance of the amenity value of the balconies and considers that residents will have access to sunlight when they use these balconies. Also that there will be transferred sunlight into the room when the sun hits the balconies.

With regard to the impact on daylight and sunlight to neighbouring properties and the occupants of the proposed residential units it is accepted that the transgression in the BRE standard is minimal and would not have a significantly adverse effect on the amenity of these occupiers.

Comments have been received from the occupant of 44 East Street raising concerns about the loss of light to their offices resulting from the development. The report has tested the rear windows to this property and finds that there is not an infringement to daylight and sunlight.

Overlooking

The Planning Statement advises that the building has been designed to ensure that there is no direct overlooking from the north-western flank elevation to the rear of properties in East Street. The building has angled and hooded windows which will restrict direct views into these properties. In addition there is significant separation of the building from the upper floors of the East Street properties.

Comments were received from a resident in The Clockhouse development opposite the OTH raising concerns about overlooking from hotel rooms. In considering the concerns raised the following factors should be taken into account. There will not be an increase in the number of windows facing Tweedy Road and there is a dual carriageway separating The Clockhouse and the OTH. The minimum separation between these properties is 19.9m and this is considered an acceptable window to window separation distance. For these reasons it is considered that the amount of overlooking generated from the hotel rooms will not have a significantly adverse impact on residents in The Clockhouse.

Impact on heritage assets comprising the existing listed building, locally listed Fire Station and Community House and the Bromley Town Centre Conservation Area

This site lies just outside the conservation area and is in close proximity to the Grade II listed Old Town Hall and the locally listed Community House and the Fire Station. In accordance with UDP Policies BE 8, BE9 and BE13, consideration of the proposed block of flats in terms of the impact on the listed and locally listed buildings themselves, the setting of the listed building and the character and appearance of the adjacent conservation area is necessary. Policies require that there is no harm to the setting of the listed building and that the character and appearance of the adjacent conservation area is preserved or enhanced.

The site forms an enclave of buildings that are protected by statute and policy in terms of their importance to the character and appearance of this part of the town centre.

From an historic point of view, the existing car park is a void in the built form of this enclave which generally has a strong sense of enclosure. In terms of scale and massing the building will be taller than the Old Town Hall but this will be generally mitigated by the setting back of the top storey so that it is largely unseen from the ground floor where the building meets South Street. In addition the 'kink' in its footprint allows a view of the OTH from the northern approach along Tweedy Road.

The design is contemporary but references the surrounding buildings through the use of red brick. The proposal will clearly increase the amount of built development in the area but it may be considered that this will be a positive addition to the immediate vicinity which currently feels underused.

The northern end of the building will also be taller than neighbouring properties in East Street. However it is considered that there is sufficient separation between these properties and the new building and that the small landscaped area demarcated with the BROMLEY NORTH sign will aid the transition between the existing and new buildings.

In conclusion it is considered that the proposed building would not detract from the character and appearance of the adjacent conservation area or obscure any significant views and is in accordance with relevant development plan policies.

Highways and Traffic Matters, including Cycle Parking and Refuse

The applicant has submitted a Transport Assessment (TA) to support the erection of this block of flats. The conclusions are summarised below.

In terms of the impact on the highway network there are currently 68 public car parking spaces on the South Street Car Park site. The loss of these spaces was agreed with the inclusion of the site as an opportunity site in the BTCAAP and it is considered that the principle of the loss of these spaces is acceptable.

Vehicle access to the site will remain from South Street.

The scheme proposes the provision of 26 car parking spaces for residents of the new flats. Based on vehicle movement surveys and forecast vehicle movements using the TRICS database, the report advises that the scheme will result in a net decrease in the number of vehicle movements in all peak periods considered.

With regard to levels of car parking proposed, 26 parking spaces are provided, including 6 disabled parking spaces. This equates to 0.49 spaces per unit and reflects parking provision approved on other town centre sites. This is acceptable given the highly accessible location of this development and the measures to reduce the demand and impact of car parking set out below.

It is proposed to provide 88 bicycle parking spaces in the basement of the development, in 3 separate secure bicycle stores. This equates to 2 spaces per unit and meets the requirements of the London Plan 2015.

Policy 6.13 of the London Plan 2015 requires the provision of 20% of parking spaces to have electric vehicle charging points and the applicant is agreeable to this measure, which will be secured by condition.

With regards to refuse and recycling provision, the applicant proposes to provide refuse and recycling bins within an enclosure in the basement. A dedicated service lift is provided between the basement and the frontage of the site facing South Street. On collection day the bins will be moved to ground level via the lift and will be collected from the roadside. The bins will then be returned to the basement.

A Framework Travel Plan for both the Old Town Hall and South Street Car Park sites has been submitted with this application. It is recommended that an up to date Travel Plan is sought, through the inclusion of a condition, prior to the first occupation of the residential units for the South Street Car Park site and first occupation of the hotel and restaurant use of the Old Town Hall site.

One of the measures suggested in the Travel Plan is the provision of a car club and the applicant has been in discussion with car club providers who have expressed an interest. The applicant has agreed to fund the marking out of a car club parking space and pay the initial sign up fee for residents who wish to use the car club. This facility will be secured by S106 legal agreement.

Trees and Landscaping

The submitted tree survey identifies that there are 19 trees within the site, mainly along the site frontage to Tweedy Road. Of these 16 will need to be felled to accommodate the proposed building. 14 of these trees are Category B trees which are defined as trees of moderate quality and 2 are Category C which are defined as trees of low quality. The trees to be removed are a mixture of sycamore, hornbeam, norway maple and silver maple.

The plans show that 3 trees will be retained, all of which are London Plane trees. Two are on the corner of Tweedy Road and Court Street and one is on the north east boundary. None of the trees on or adjacent to the site are protected by Tree Preservation Order. The trees to the north of the site are protected by their location within the Bromley Town Centre Conservation Area.

The landscaping section of the Design and Access Statement assesses the impact of the removal of trees on the eastern boundary. The report advises that the majority of the existing trees to be removed are along the eastern boundary facing Tweedy Road and are closely planted which limits their development to maturity. They are recommended for removal due to their proximity to the new building, constraints of the construction process and inability of some species to deal with pruning.

The submitted plans show the planting of 18 replacement trees on the site, primarily along the Tweedy Road frontage with an additional 9 trees in the raised planting bed and in the Tweedy Road pavement to help mitigate against the loss of the existing trees. The onsite planting would be secured by condition and the offsite planting would be secured as part of the S106 legal agreement. The D&A statement advises that 17 of the replacement trees would be semi mature. The species to be chosen would be broadly columnar trees rather than spreading trees which would be more suitable for this location. The proposed landscaping plans show the removal of the raised planting bed and planting of new trees within a turfed verge which would replicate the tree avenue alongside Kentish Way and Queens Gardens further south.

The small open space on the corner of East Street and Tweedy Road, which includes 6 trees, will be retained. In addition 6 trees on the north-west boundary in properties on East Street are outside the site and will be retained and will contribute to the setting of the communal garden in this area, as well as the wider visual setting.

The loss of trees on this part of the development is significant and will significantly change the appearance of this part of Tweedy Road. The mitigating factors for this loss are the limited lifespan of the trees due to proximity to each other and the inability to protect some trees during the construction process. Significant replacement tree planting is proposed in this location, including some semi-mature trees, using species that are more suited to this urban, street side environment. In addition the narrow depth of the site and the need to provide clearance to the western boundary limits the development area available and makes it very difficult to develop the site without the loss of the trees. It is also appropriate to consider the benefits derived from bringing the Old Town Hall into a sustainable long term use and regenerating this part of the town centre.

On balance it may be considered that the loss of the existing trees on the site is acceptable subject to conditions and clauses within a S106 legal agreement to secure the full extent of tree planting proposed.

Other landscaping proposals for this site include the provision of a courtyard area on the western side of the block with access for all residents. The Design and Access Statement envisages this space as a community garden and indicates this space will provide for children's play as well as an outdoor seating area.

Other technical matters relating to the Old Town Hall and South Street Car Park sites

Noise Assessment

Policy 7.15 of the London Plan seeks to minimise noise levels for residents. The applicant has submitted an Environmental Noise Assessment which finds that the noise levels at some of the facades of the residential and hotel development will be high. The Council's Environmental Health Officer has assessed the findings of the reports and recommends a condition to seek a scheme for the protection of the proposed development from external noise. Condition to this effect are recommended below for both sites.

For both the Old Town Hall and South Street Car park sites, a condition is recommended seeking details of any fixed generating plant to be submitted and approved.

Also for the Old Town Hall site, high noise levels are predicted for the external restaurant terrace fronting Widmore Road and it is recommended that a condition restricting the use of the terrace to no later than 11pm is recommended.

A standard condition requiring details of the restaurant extraction systems is also recommended.

Sustainability and Energy

The applicant has submitted an Energy Strategy Report which sets out measures to meet London Plan Policies 5.2: Minimising carbon dioxide emissions and Policy 5.7: Renewable energy. The report concludes that there will be a significant reduction in carbon dioxide emissions across the site. For the Town Hall additional roof insulation and use of high efficiency building services is proposed, together with the use of high efficient low carbon air sourced heat pumps. For the residential development the use of CHP will deliver sufficient reduction in carbon dioxide emissions to meet the requirements of the London Plan. A condition requiring the submission of an updated site wide energy strategy prior to the commencement of development is recommended to ensure that the most up to date techniques are used at the time of the delivery of the scheme.

Sustainable Urban Drainage Systems for both sites

The site lies in Flood Zone 1 which is the least likely zone for flooding. However Policy 5.13 of the London Plan requires development to utilise SUDS, unless there are practical reasons for not doing so. The landscaping proposals introduce several features that will contribute to SUDS to encourage the slow conveyance of water from source to sewer through source control. These include:

- Porous paving, grit jointed granite cobbles
- Intercepted drainpipes in the courtyard
- Tree rooting environment integrated with attenuation
- Blue/green roofs on the new extensions for the Old Town Hall and the roof of the residential block on the South Street Car Park
- Large specie tree planting within the pavement on Tweedy Road subject to agreement with TfL.

The Council's Drainage Officer recommends a condition requiring the submission of a surface water drainage strategy scheme including measures to implement a SUDS hierarchy on the two sites.

Archaeology

An archaeological Desk Based Assessment has been submitted by the applicant. The report identifies that there is a modest potential for remains on the South Street Car Park site and recommends further mitigation work prior to commencement of construction works. The report further recommends a watching brief on the Old Town Hall site. The Historic England Archaeology Advisor agrees with the findings of the report and recommends conditions to secure further archaeological investigation.

Contaminated Land

A Phase 1 Geo-Environmental Assessment has been submitted by the applicant that concludes that further investigation and assessment is required before the commencement of development. A recommendation requiring this information is recommended by the Council's Environmental Health Officer.

Air Quality

The site lies within the Air Quality Management Area for nitrogen dioxide, Several conditions are recommended by the Council's Environmental Health Officer to ensure that the centralised Combined Heat and Power system for heating and hot water is acceptable and minimises the impact of poor air quality to within acceptable levels.

Ecology

The applicant has submitted Stage 1 Ecology Report which concludes that the Town hall has low potential for roosting bats and recent surveys have confirmed that no bats have been recorded in the roof of the Old Town Hall. The existing trees on the South Street Car Park have bird roosting potential for common nesting species. No other species are considered likely to be supported on the site. A condition is recommended to safeguard protected species should these be found prior or during construction works.

Environmental Impact Assessment

This site falls within the threshold trigger for Schedule within the Town and Country (Environmental Impact Assessment)(England and Wales) Regulations 2105. Consequently a screening Opinion has been carried out. Taking account of the information submitted with the application and the selection criteria in Schedule 3 of the Regulations and the terms of the Directive, the development would not be likely to have significant effects on the environment by virtue of the factors such as its size, nature and location

Planning contributions

The position relating to the provision of affordable housing on the site has been discussed in the Housing Issues section for the South Street Car Park section above. The viability assessment did support provision of contributions for health and education.

In accordance with the adopted Planning Obligations SPD, the Council would be seeking the following financial contributions based upon the mix of units proposed in the application:

- £116,368.12 for local education infrastructure
- £56,062 for local health infrastructure

The total contributions are £172,430.20.

It should be noted that that this provision is for market units only as the applicant has advised that the scheme cannot support any provision for affordable housing. This is discussed further in the Viability section below.

Summary of all S106 contributions

- Secure the delivery of the conversion and redevelopment of the Old Town Hall prior to the first occupation of any of the residential units in the South Street Car Park block of flats.
- Health and education contributions above
- Highways – Section 278 works (works to highways and traffic orders)
 - Provision of a coach pick up/drop off parking bay in South Street
 - Drop off vehicle layby in Tweedy Road
 - New ramped access to replace the existing ramp on the Tweedy Road frontage of the Old Town Hall
 - New ramped access to the independent restaurant units on Widmore Road
 - Kerb amendments to provide level access to Court Street entrance/exit door
 - Relocation of existing on street disabled parking bays in Court Street from the west to the east side of the road.
- Car Club – contribution towards the traffic order, laying out of a parking space and a one off single payment of first year membership contribution for the first occupant only of each flat.
- Tree planting and landscaping to Tweedy Road, South Street, Court Street and Widmore Road

Mayoral Community Infrastructure Levy

The development will also be liable for payment of the Mayoral CIL.

Summary

The proposed development of this site raises issues associated with the reuse of a listed building that is on the Buildings at Risk Register and the redevelopment of a vacant car park site and the acceptability of the proposed residential and hotel/restaurant use in terms of the impact on the listed building itself and the local environment and surrounding heritage assets and uses. The report has considered these matters in the light of approved and emerging development plans policies and other material considerations, including third party representations and consultee comments.

It is considered that the proposed development for these 2 sites will make a positive contribution to this part of the town centre by providing local housing and bringing the listed Old Town Hall back into an acceptable and sustainable use. Furthermore it is considered that the development will not result in unacceptable harm to the amenity of nearby residents or businesses and on balance accords with development plan policy.

Background papers referred to during the production of this report comprise all correspondence on file ref: 15/00140 and 15/00141/LBC, excluding exempt information.

RECOMMENDATION: PERMISSION BE GRANTED (SUBJECT TO PRIOR COMPLETION OF A SECTION 106 AGREEMENT relating to highway works, car club, tree planting, compliance with wheelchair standards, travel plan, health and education contributions and delivery of the conversion scheme for the Old Town Hall)

OTH and SSCP conditions

1. The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990

Approved documents

2. The development hereby approved shall be carried out strictly in accordance with the application plans, drawings and documents as detailed below

NTR Planning Statement (Dec 2014); Bermanguedesstretton Design and Access Statement (Dec 2014); Royal Haskoning DHV Transport Assessment (December 2014); Royal Haskoning DHV Framework Travel Plan (November 2014); Royal Haskoning DHV Delivery and Servicing Plan

(December 2014); Heritage Statement (December 2014); GL Hearn Daylight and Sunlight Report (December 2014); Statement of Community Involvement (December 2014); CgMs Archaeological Desk Based Assessment (November 2014); idom Merebrook Phase 1 Geo-Environmental Assessment (December 2014); idom Merebrook Air Quality Assessment (November 2014); idom Merebrook Environmental Noise Assessment (November 2014); Ecology Consultancy – Preliminary Ecological Assessment and Preliminary Bat Roost assessment (July 2014) and Update (24.07.2015); The Design Collective Energy Strategy Report (August 2014); Forbes-Laird Arboricultural Consultancy Tree Report (December 2014); Area Schedule (Rev B) by Guy Holloway 13.105

Materials palette for South Street Car Park by Guy Holloway received on 26.08.2015;

Main Extension Materials Board by beremanguedesstretton on 26.08.2015

Additional Roof plant details received 07.07.2015

Details of United Anodiers product Anolok received 07.07.2015

Sesame Lift details LSUB.EB.MainAssembly received 07.07.2015

Letters from NTR dated May 12th 2015; July 3rd 2015

Old Town Hall drawings - 2863

Site plans - A-001 Rev. I2; A-002 Rev. P3; A-003 Rev. P4; A-1001 Rev. P3; A-1002 Rev. P2; A-1003 Rev. P3;

Existing plans - A-010 Rev. P2; A-011 Rev. P2; A-012 Rev. P2; A-013 Rev. P2;

Demolition plans - A-015 Rev. P2; A-016 Rev. P3; A-017 Rev. P2; A-018 Rev. P2;

Proposed floor plans - A-100 P4; A-101 I5; A-102 Rev. I5; A-103 Rev. P2; A-104 Rev. P3; A-105 Rev. P1; A-106 Rev P1

Fire Strategy Plans - A-180 Rev. P2; A-181 Rev. P2; A-182 Rev. P2; A-183 Rev. P2;

Existing and Proposed Elevations - A-200 Rev. P3; A-201 Rev. P3; A-202 Rev. P3; A-203 Rev.

P4;A-204 Rev. P2; A-205 Rev. P3; A-206 Rev. P3; A-207 Rev. P3; A-208 Rev. P2; A-209 Rev. P3; A-210 Rev. P2; A-211 Rev. P3;

Proposed detailed elevations and bay studies - A-250 Rev. P2; A-251 Rev. P2; A-252 Rev. P2; A-253 Rev. P2; A-254 Rev. P2; A-255 Rev. P2; A-256 Rev. P2; A-257 Rev. P2;

Existing and Proposed sections - A-300 Rev. P2; A-301 Rev. P2; A-302 Rev. P2; A-303 Rev. P2;

Proposed 3D views - A-800 Rev. P1; A-801 Rev. P1; A-802 Rev. P1; A-803 Rev. P1; A-804 Rev. P2; A-805 Rev. P2; A-806 Rev. P1; A-807 Rev. P1; A-808 Rev. P1; A-809 Rev. P1;

Room Data Sheets - A-900 Rev. P2; A-901 Rev. P2; A-902 Rev. P2; A-903 Rev. P2; A-904 Rev. P2; A-905 Rev. P2; A-906 Rev. P2; A-907 Rev. P2; A-908 Rev. P2; A-909 Rev. P2; A-910 Rev. P2; A-920 Rev. P2; A-921 Rev. P2; A-922 Rev. P2; A-923 Rev. P2; A-924 Rev. P2; A-925 Rev. P2; A-926 Rev. P2; A-927 Rev. P2; A-928 Rev. P2; A-929 Rev. P2; A-930 Rev. P2; A-931 Rev. P2; A-932 Rev. P2; A-933 Rev. P2; A-934 Rev. P2; A-935 Rev. P2; A-936 Rev. P2; A-937 Rev. P2; A-938 Rev. P2; A-939 Rev. P2;

A-150 Rev P1; 567_SK_10; 567_SK_12B; 567_SK_18; 567_SK_20; 567_SK_21A; 567_SK_22

Survey Drawings - 002-001 Rev. F; 002-002 Rev. E; 002.003 Rev. B; 002-004; 002-005; 002-006; 002-007; 002-009 Rev. C;

South Street Car Park drawings

Site plans - 13.105.01 Rev A; 13.105.02 Rev. A; 13.105.03; 13.105.17 Rev. D;

Proposed Floor plans - 13.105.04; 13.105.05; 13.105.06 Rev. D; 13.105.07 Rev. D; 13.105.08 Rev. D; 13.105.09 Rev. D; 13.105.10 Rev. D; 13.105.11 Rev. D; 13.105.18 Rev. B;

Proposed Elevations - 13.105.12 Rev. F; 13.105.13 Rev. D; 13.105.14 Rev. D; 13.105.15 Rev. D; 13.105.28 Rev. D; 13.105.29 Rev. B; 13.105.30 Rev. B; 13.105.31 Rev. B; 13.105.34 Rev. A;

Proposed Sections - 13.105.16 Rev. E; 13.105.32 Rev. C; 13.105.33 Rev. A;

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 the policies in the London Plan 2015 and the Bromley UDP 2006

3. Prior to the commencement of development and the submission of the details of any of the conditions below, a plan showing the indicative area of each phase of the development shall be submitted to and approved by the Local Planning Authority

Reason: To enable the submission of phased and/or site wide conditions

4. No demolition of any part of the Old Town Hall shall take place until a contract has been let for the implementation of the development hereby approved.

Reason: To comply with Policy BE8 of the Unitary Development Plan and to ensure that approved demolition takes place within the context of a scheme for improvement to the Old Town Hall and not on a random basis.

Prior to commencement and pre-occupation conditions

Materials

5 (i) Details and samples of the materials for the external surfaces of each phase of the development, including roof cladding, wall facing materials and cladding, window glass, doors and window frames and decorative features shall be submitted in accordance with the parameters set out in the Design and Access Statement, the approved plans and the Main Extension Materials Board by bermanguedesstretton received on 18.08.2015 and the materials palette by Guy Holloway received on 26.08.2015. The development shall be carried out in strict accordance with the approved details and no alternative materials shall be used:

(ii) Sample panels of facing brickwork for the South Street Car Park phase showing the proposed colour, texture, facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority before any work is commenced and the sample panels shall be retained on site until the work is completed. The facing brickwork of the development hereby permitted shall be carried out in accordance with the details of the approved sample panels.

(iii) Details of any covering of the external staircase between the old courtroom and the proposed extension to the corner of the Court Street and South Street shall be submitted and approved prior to the commencement of development and shall be carried out in accordance with the approved drawings before the first occupation of the hotel/restaurant use

Reason: In the interest of the appearance of this listed building and to comply with Unitary Development Plan policies BE1 and BE8.

Design details

6. A section and elevation at 1:10 scale showing details of the windows for the South Street Car Park part of the scheme shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

7. (i) Details of the design and materials to be used for the construction of the terrace, ramps and railings on the southern elevation of the Old Town Hall fronting Widmore Road shall be submitted to and approved by the Local Planning Authority before any works on site commence. The works shall be carried out in accordance with the details approved prior to first occupation of the hotel or restaurants.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

(ii) Details of the access ramps to the Old Town Hall at the Court Street, Tweedy Road and Widmore Road elevations shall be submitted to and approved by the Local Planning Authority before any works on site commence. The works shall be carried out in accordance with the details approved prior to first occupation of the hotel or restaurants.

Reason: In order to comply with Policy BE1 and BE8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

8. Detailed sectional and elevation drawings for the treatment of the junction between the proposed extension to the corner of the Court Street and South Street and the retained barrel parapet at this junction shall be submitted and approved by the Local Planning Authority prior to the commencement of development of the Old Town Hall part of the site and shall be carried out in accordance with the approved plans.

Reason: In the interest of the appearance of this listed building and to comply with Unitary Development Plan policies BE1 and BE8.

9. Details of slab levels of the building and the existing site levels shall be submitted and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved details.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

10. Details of rooftop plant enclosures and lift housing structure for each phase shall be submitted and approved to the Local Planning Authority prior to the commencement of the development. The structures shall be erected in accordance with the approved drawings and retained permanently thereafter.

Reason: To comply with Policy BE1 and BE8 of the Unitary Development Plan and to minimise the visual appearance of these structures

11. Details of arrangements for storage of refuse and recyclable materials for the South Street Car Park part of the site shall be submitted to and approved in writing before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby approved is first occupied and permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in an acceptable location.

Construction Management Plan including Traffic Construction Logistics and Site Waste Management

12. No development shall commence on site on any phase until such time as a Construction Environmental Management Plan incorporating Traffic Construction Logistics and Site Waste Management has been submitted to and approved in writing by the local planning authority. The plan shall be shall cover:-

- Full details of arrangements for the management and disposal of construction material and waste
- Dust mitigation/management measures
- The location and operation of plant and wheel washing facilities
- Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - Rationalise travel and traffic routes to and from the site.
 - Provide full details of the number and time of construction vehicle trips to the site including the route for heavy goods vehicles, with the intention and aim of reducing the impact of construction relates activity.
 - Measures to deal with safe pedestrian movement.
- Use of oil interceptors in trafficked areas so that there would be no discharge to ground via infiltration.
- Security Management (to minimise risks to unauthorised personnel).

- Details of the training of site operatives to follow the Construction Environmental Management Plan requirements and including Construction Logistics and Site Waste Management.
- Details of methods to liaise with the public and neighbouring sites, including procedures for receiving and responding to complaints
- Protocols for reviewing and monitoring the CEMP including timeframes for meetings and environmental audits.

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to ensure satisfactory vehicle management in accordance with Policies BE1 T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan.

Drainage

13. The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, 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 to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan. The approved scheme shall be implemented in full accordance with the details before any part of the development hereby permitted is first occupied and shall be permanently retained thereafter.

Reason: To meet the requirements of London Plan policies 5.12 and 5.13 and to reduce the impact of flooding both to and from the proposed development and third parties.

14. Development shall not commence until a drainage strategy detailing on and/or off site drainage works, have been submitted to and approved by the Local Planning Authority in consultation with the sewerage provider. No discharge of foul or surface water from the site shall be accepted into the public system until drainage works referred to in the strategy have been completed.

Reason: To comply with London Plan policy 5.14 of the London Plan and to ensure that the development does not lead to sewerage flooding and to avoid adverse environmental impact upon the community.

Archaeology

No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to the local planning authority.

B) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological investigation in accordance with a Written Scheme of Investigation.

C) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before development, other than demolition to existing ground level, commences the applicant (or their heirs and successors in title) shall secure the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF.

Arboricultural Method Statement

16. No demolition, site clearance or building works shall be undertaken, and no equipment, plant, machinery or materials for the purposes of development shall be taken onto the either the Old Town Hall and South Street Car Park sites respectively until a Tree Protection Plan and Method Statement in accordance with British Standard BS: 5837 2012 is submitted to and approved in writing by the Local Planning Authority.

The statement shall include details of:

- Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;
- Details of the appointment of an arboricultural consultant for the supervision of tree protection measures as detailed within the tree protection plan and method statement.

- Type and siting of scaffolding (if required);
- Details of the method and timing of demolition, site clearance and building works
- Depth, extent and means of excavation of foundations and details of method of construction of new foundations
- Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;
- Location of bonfire site (if required);
- Submission of pre-construction tree pruning schedule to be undertaken in accordance with British Standard BS 3998 2010, prior to the implementation of tree protection measures as detailed in the Tree Protection Plan and method Statement
- Details of the location of underground services avoiding locating them within the protected zone
- Details of the method to be used for the removal of existing hard surfacing within the protected zone
- Details of the nature and installation of any new surfacing within the Root Protection Areas. (RPA)
- Methods proposed for the watering of the trees during the course of the project

The method statement shall be implemented according to the details contained therein until completion of building works, and all plant, machinery or materials for the purposes of development have been removed from the site.

REASON: To ensure that all existing trees to be retained are adequately protected and to comply with Policy NE7 of the Unitary Development Plan.

Contamination

17. No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.

- a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in writing. The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.
- b) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.
- c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

- d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.
- e) Upon completion of the works, a closure report shall be submitted to and approved in writing by the Authority. The closure report shall include details of the remediation works carried out, (including of waste materials removed from the site), the quality assurance certificates and details of post-remediation sampling.
- f) The contaminated land assessment, site investigation (including report), remediation works and closure report shall all be carried out by contractor(s) approved in writing by the Local Planning Authority.

The scheme shall be implemented in accordance with the approved components.

REASON: In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the environment.

17. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it is demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details

Reason: To comply with National Planning Policy Framework (NPPF) paragraph 109 and to protect the local and natural environment from unacceptable levels of water pollution.

Noise

18. (i) A scheme for protecting each phase of the proposed development from external noise (including glazing\facade and ventilation specifications) including balconies (which shall include imperforate screens and Class A absorption on the balcony soffits) shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences and the scheme shall be fully implemented before any of the dwellings are occupied and permanently maintained as such thereafter.

Reason: To comply with London Plan Policy 7.15 and Unitary Development Plan Policy BE1 in the interests of the amenity of future occupants of the development

(ii) Prior to installation of any fixed noise generating plant for each phase an acoustic assessment shall be submitted to and approved by the Local Planning Authority to prevent adverse effects from plant noise on local amenity. Once approved the plant shall be installed as approved and permanently maintained thereafter other than by the prior written approval of the Local Planning Authority.

Reason: To comply with London Plan Policy 7.15 and Unitary Development Plan Policy BE1 in the interests of the amenity of future occupants of the development

Site wide energy condition

19. Before any work on site is commenced, a site-wide energy strategy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The results of this strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve an agreed reduction in carbon dioxide emissions of at least 35% above the TER level required by the Building Regulations 2013. The development should aim to achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final designs, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

Reason: In order to seek the most up to date scheme at the time of implementation and to achieve compliance with the Mayor of London's Energy Strategy and Policy 5.2 and 5.7 of the London Plan 2011

Details of CHP system

20. Full particulars and details of the CHP system that will serve both phases, including the extract flue and dispersion modelling shall be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

The details of the CHP system shall be specified to include ultra low NOx CHP equipment. The details shall include:

- The make and model of the system and details of the additional abatement technology that has been investigated for fitment to reduce air pollution emissions.
- A life cycle analysis showing a net benefit to carbon emissions from the plant.
- The type, height and location of the flue/chimney (including calculations details regarding the height of the flue/chimney).
- Certification for use of the flue/chimney in a smoke control area.
- Information on the fuel, fuel feed system, the fuel supply chain and the arrangements that have been investigated to secure fuel. Fuel usage shall be monitored for 3 years from the first operation of the plant. Details of fuel usage shall be forwarded to the Local Planning Authority annually, the first report to be forwarded 1 year after the commencement of operation of the plant.
- A breakdown of emissions factors of nitrogen oxides (NOx), particulates and any other harmful emissions from the gas fired CHP and details of any mitigation measures to reduce emissions to an acceptable level.
- An assessment of the impact of the emissions to ground level concentrations and any additional impact to surrounding buildings/ structure.

The CHP system shall be installed strictly in accordance with the details so approved, shall be implemented and fully operational prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: The site is within an Air Quality Management Area where development is required to be designed to mitigate the impact of poor air quality to within acceptable limits.

Secure by Design

21. For each phase, the development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.

Reason: In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan.

Landscaping

22. A scheme for landscaping and tree planting (including semi-mature trees) for each phase, which shall include details of all proposed hard surfacing, means of enclosure, lighting equipment and building illumination (including measures to minimise light spillage), bollards, green wall, green roofs and any other street furniture, and of planting (to include a schedule of the sizes and species of plants) shall be submitted to and approved in writing by the Local Planning Authority and completed in accordance with the approved details before the first occupation of the phase. The development shall be carried out in accordance with the approved details. The approved scheme the respective

sites hereby permitted shall be implemented in the first planting season following the first occupation of the buildings, or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced within the next planting season with others of similar size and species to those originally planted.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

Highways related conditions

23. (i) The development for the Old Town Hall site hereby approved shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the expected number and time of delivery and servicing trips to the site for all commercial uses, with the aim of reducing the impact of servicing activity.

(iii) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details before the first occupation of the development and shall be adhered to in perpetuity.

Reason: In order to ensure satisfactory vehicle management and to comply with Policy T15 of the UDP.

24. Prior to the commencement of the use hereby permitted, a Travel Plan for each phase shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include measures to promote and encourage the use of alternative modes of transport to the car. It shall also include a timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating. The Travel Plan shall be implemented in accordance with the agreed timescale and details.

REASON: In order to ensure appropriate management of transport implications of the development and to accord with Policy T2 of the Unitary Development Plan.

25. Before the South Street Car Park part of the site hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

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

Refuse

26 (i) The arrangements for storage of refuse and recyclable materials including the collection arrangements shown on the approved drawings for the Old Town Hall part of the site shall be implemented in accordance with the approved details before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

(ii) Details of arrangements for storage of refuse and recycling materials for the South Street part of the site shall be submitted to and approved in writing before any part of the development hereby permitted commences and the approved arrangements shall be completed before any part of the development hereby approved is first occupied and permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in an acceptable location.

(iii) A Refuse and Recycling Management Plan for the South Street Car Park part of the site shall be submitted and approved by the Local Planning Authority before the first occupation of each phase and shall be implemented in accordance with the approved plans and maintained permanently thereafter

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

Restaurant extraction and ventilation

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

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

Compliance conditions

Highways

28. Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space for each phase shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development)(England) Order 2105 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

29. Parking bays shall measure 2.4m x 5m and there shall be a clear space of 6m in front of each space (or 7.5m if garages are provided) to allow for manoeuvring and these spaces shall be permanently retained as such thereafter.

REASON: In order to comply with Appendix II of the Unitary Development Plan and to the interest of pedestrian and vehicular safety.

30. Before any part of each phase hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided in accordance with details submitted and approved and the bicycle parking/storage facilities shall be permanently retained thereafter.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

31. Before commencement of the use of the development hereby permitted the service yard and turning space for the Old Town Hall part of the site shall be completed in accordance with the approved details and thereafter shall be kept available for such use at all times and no development whether permitted by the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out in the service yard or in such a position as to preclude vehicular access to or manoeuvring in the said yard.

REASON: Development without adequate servicing facilities is likely to lead to vehicle manoeuvres inconvenient to other road users and be detrimental to the free flow of traffic and conditions of safety in the highway and would not comply with Policy T17 of the Unitary Development Plan.

32. Prior to first occupation of any residential unit the basement parking spaces hereby approved shall be completed in accordance with the approved details and thereafter shall be kept available at all times for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development)England)Order 2015 (or any Order amending, revoking

and re-enacting this Order) or not shall be carried out on the land indicated or in such a position as to preclude vehicular access to the said land.

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

EVCP

33. One Electric Vehicle Charging Points shall be provided for the Old Town Hall Site and no less than 20% of the car parking spaces for the South Street Car Park site shall be provided with Electric Vehicle Charging Points prior to the first use of the Old Town Hall Site and the first occupation of the South Street Car Park site.

Reason: To comply with the requirements of Policy 6.13 of the London Plan 2015 and in the interests of climate change mitigation.

Wheelchair adaptable units

34. (i) A minimum of 10 hotel rooms in the Old Town Hall part of the site shall be units capable of occupation by wheelchair users. The units to be wheelchair adaptable are Nos 012, 013, 016, 018, 112, 117, 134, 170, 171 and 172 and shall be constructed in accordance with the standards set out in the Mayor of London's Town Centres Supplementary Planning Guidance 2014.

Reason: To comply with Policy 4.5 of the London Plan 2015 and to provide accommodation choice for all visitors.

(ii) A minimum of 6 units in the South Street Car Park part of the site shall be constructed to be capable of occupation by wheelchair users. The units to be wheelchair adaptable are units 00.11; 01.12; 02.12; 03.12; 04.01; 04.03 as shown on plan 13.105.18 Rev B and shall be constructed in accordance with the standards set out in the Mayor of London's Housing Supplementary Planning Guidance 2012.

Reason: To comply with Policy 3.8 of the London Plan 2015 and to provide housing choice

Lifetime Homes

35. Each of the dwellings in the South Street Car Park part of the site 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.

Air Quality

36. All non-CHP space and hot water fossil fuel (or equivalent hydrocarbon based fuel) boilers must achieve dry NOx emission levels equivalent to or less than 40 mg/kWh. Any existing boilers that do not meet this emission level must be replaced. Evidence to demonstrate that every installed boiler meets this standard will be provided to the satisfaction of and approved in writing by the Planning Authority before occupation. Subject to written approval by the Planning Authority this condition may be discharged in agreed phases.

Reason: To protect air quality and people's health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the course of building works and during the lifetime of the development. To contribute towards the maintenance or to prevent further exceedences of National Air Quality Objectives.

Hours of operation and restricted use

37. The use of the restaurants hereby permitted shall not operate before 7am or after 12.30am, on any day, with the last customer entry no later than 11pm.

Reason: To comply with Policy BE1 of the Unitary Development Plan and in the interests of the amenities of the area..

38. The external terrace area for the Old Town Hall fronting Widmore Road hereby permitted shall no operate before 7.30am or after 11pm on any day.

Reason: To comply with Policy BE1 of the Unitary Development Plan and in the interests of the amenities of the area.

39. The 2 independent restaurants shown on the Basement plans proposed No 2863-A100_P3 and Ground Floor plans proposed No 2863-A-101 Rev I5 within the Old Town Hall part of the site shall be used for Class A3 restaurant/café use and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To comply with the submitted plans and Policy BE1 of the Unitary Development Plan and in order to enable the Council to reconsider any change of use with regard to the listed building and in the interests of the amenities of the area and the vitality and viability of the town centre.

40. The hotel and ancillary hotel restaurant within the Old Town Hall part of the site shall be used for Class C1: hotels and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To comply with the submitted plans and Policy BE1 of the Unitary Development Plan and in order to enable the Council to reconsider any change of use with regard to the listed building and in the interests of the amenities of the area and the vitality and viability of the town centre.

41. No deliveries in connection with construction works for each phase shall be taken at or despatched from the site and no construction work (excluding fitting out) shall take place other than between the hours of 8 am and 6 pm on Mondays to Saturdays, 10 am and 4 pm on Sundays and not at all on Public Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Policy BE1 of the Unitary Development Plan

Rainwater goods only

42. Notwithstanding the Town and Country Planning (General Permitted Development)(England)Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external elevations of the buildings of each phases hereby approved.

Reason: It is considered that such plumbing or pipes would seriously detract from the appearance of the building(s) and to comply with Policy BE1 in the Unitary Development Plan.

Satellite dishes

43. Notwithstanding the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the street facing elevations or the roof of any of the buildings.

Reason: In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy BE1 in the Unitary Development Plan.

Children's play equipment

44. Details of children's play equipment in the communal garden of the South Street part of the site shall be submitted to and approved by the Local Planning Authority and shall be installed prior to the

first occupation of any of the residential units in accordance with the approved details and permanently retained thereafter.

Reason: To comply with Policy 3.6 of the London Plan and in the interests of the amenities of future occupants of the residential units

Public Art

45. Notwithstanding details submitted with the application details of a public art installation above the new entrance to the Old Town Hall at the junction of Tweedy Road and Widmore Road shall be submitted to and approved by the Local Planning Authority and installed in accordance with the approved plans prior to the first occupation of the hotel/ restaurant use.

Reason: To comply with Policies BE8 and BE 11 of the Unitary Development Plan in order to ensure that the installation contributes to the setting and appearance of the listed building and the Bromley Town Centre Conservation Area.

Informatives

1. D125 - Standard CIL informative

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. 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.

4. D10 Street naming and numbering

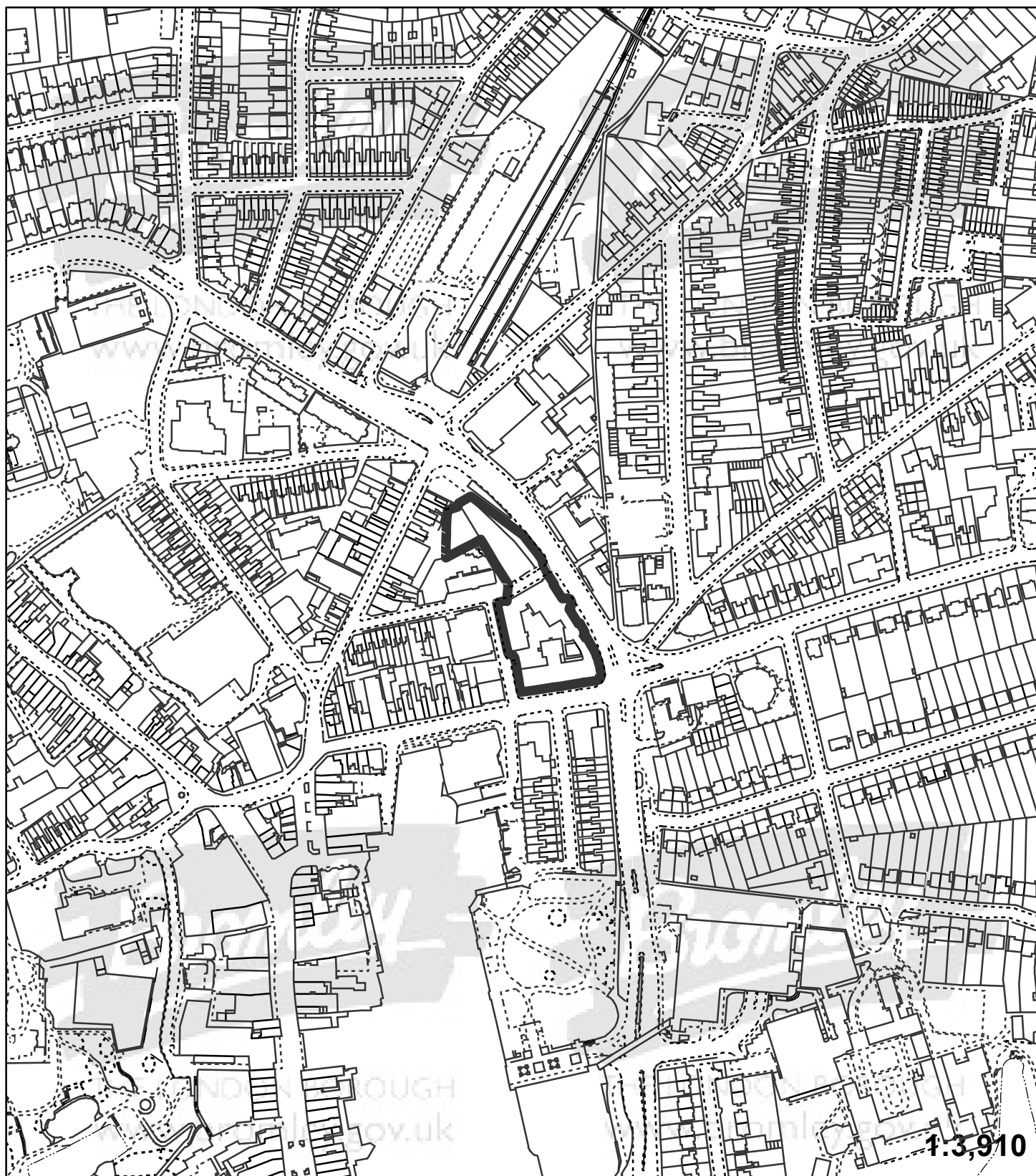
5. It is anticipated that archaeological trial trench evaluation will be limited to the northern plot of land. The results will inform any necessary mitigation within that area while the southern plot of land can be mitigated by a suitable programme of Observation and Recording. Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.

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Application:15/00140/FULL3

Address: Old Town Hall 30 Tweedy Road Bromley BR1 3FE

Proposal: Application for planning permission and listed building consent to enable partial demolition of the Bromley Town Hall building and replacement with extensions no greater than 3 storeys high to facilitate a change of use from Office (Class B1) to 94 bedroom hotel use (Class C1)



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

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Application number: DC/15/00141/LBC

Ward: Bromley Town

Address: Old Town Hall, 30 Tweedy Road, Bromley BR! 3FE

Grid Reference: E: 540445 N: 169451

Applicant: Mr K Foster

Description of Development

Application for planning permission and listed building consent to enable partial demolition of the Bromley Town Hall building and replacement with extensions no greater than 3 storeys high and internal and external alterations to facilitate a change of use from Office (Class B1) to 94 bedroom hotel use (Class C1) to include hotel restaurant, conference, wedding and multi-functional space in addition to 2 independent restaurants (Class A3) fronting Widmore Road together with re-configuration of the existing access ramp on Widmore Road and provision of pickup/drop off in Tweedy Road and South Street and Planning Permission for the erection of a 5-storey residential apartment building (Class C3) containing 53 units (18 x 1bed, 34 x 2-bed, 1 x 3 bed), with basement parking for 28 cars and 104 cycle parking spaces upon the neighbouring South Street Car Park, together with associated landscaping and public realm improvements.

Key designations:

Conservation Area; Bromley Town

Listed Building Grade II

Adjacent - conservation area

Adjacent-Listed Building

Biggin Hill safeguarding birds

Biggin safeguarding area

Local Cycle Network

London City Airport safeguarding

Proposal sites in Stat routes

Joint report with 15/00140

Listed building consent is sought for partial demolition of the Old Town Hall and replacement with several extensions no greater than 3 storeys in height.

This will facilitate a change of use from office use to a hotel and 2 independent restaurants and associated conference and event functions, the reconfiguration of the ramp to Widmore Road and the provision of drop off/pick up facilities in Tweedy Road.

Planning permission is sought for the above development and also the erection of a 5 storey residential block with basement parking containing 53 units on the site of the South Street Car Park.

The detailed description and analysis of the acceptability of the scheme and the impact on the listed building is set out in the accompanying planning application report ref 15/00140 which appears elsewhere on this agenda.

Based on the conclusions of the above report, it is considered that listed building consent should be granted for the proposed works to the Old Town Hall and relevant conditions are recommended below.

Recommendation

Grant Listed Building Consent

Subject to the following conditions

1. The works hereby granted consent shall be commenced within 5 years of the date of this decision notice.
REASON: Section 18, Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development hereby approved shall be carried out strictly in accordance with the application plans, drawings and documents as detailed below

NTR Planning Statement (Dec 2014); Bermanguedesstretton Design and Access Statement (Dec 2014); Royal Haskoning DHV Transport Assessment (December 2014); Royal Haskoning DHV Framework Travel Plan (November 2014); Royal Haskoning DHV Delivery and Servicing Plan (December 2014); Heritage Statement (December 2014); GL Hearn Daylight and Sunlight Report (December 2014); Statement of Community Involvement (December 2014); CgMs Archaeological Desk Based Assessment (November 2014); idom Merebrook Phase 1 Geo-Environmental Assessment (December 2014); idom Merebrook Air Quality Assessment (November 2014); idom Merebrook Environmental Noise Assessment (November 2014); Ecology Consultancy - Preliminary Ecological Assessment and Preliminary Bat Roost assessment (July 2014) and Update (24.07.2015); The Design Collective Energy Strategy Report (August 2014); Forbes-Laird Arboricultural Consultancy Tree Report (December 2014); Area Schedule (Rev B) by Guy Holloway 13.105 Materials palette for South Street Car Park by Guy Holloway received on 26.08.2015; Main Extension Materials Board by bermanguedesstretton on 19.08.2015
Additional Roof plant details received 07.07.2015

Details of United Anodiers product Anolok received 07.07.2015

Sesame Lift details LSUB.EB.MainAssembly received 07.07.2015

Letters from NTR dated May 12th 2015; July 3rd 2015

Old Town Hall drawings - 2863

Site plans - A-001 Rev. I2; A-002 Rev. P3; A-003 Rev. P4; A-1001 Rev. P3; A-1002 Rev. P2; A-1003 Rev. P3;

Existing plans - A-010 Rev. P2; A-011 Rev. P2; A-012 Rev. P2; A-013 Rev. P2;

Demolition plans - A-015 Rev. P2; A-016 Rev. P3; A-017 Rev. P2; A-018 Rev. P2;

Proposed floor plans - A-100 P4; A-101 I5; A-102 Rev. I5; A-103 Rev. P2; A-104 Rev. P3; A-105 Rev. P1; A-106 Rev. P1

Fire Strategy Plans - A-180 Rev. P2; A-181 Rev. P2; A-182 Rev. P2; A-183 Rev. P2;

Existing and Proposed Elevations - A-200 Rev. P3; A-201 Rev. P3; A-202 Rev. P3; A-203 Rev. P4; A-204 Rev. P2; A-205 Rev. P3; A-206 Rev. P3; A-207 Rev. P3; A-208 Rev. P2; A-209 Rev. P3; A-210 Rev. P2; A-211 Rev. P3;

Proposed detailed elevations and bay studies - A-250 Rev. P2; A-251 Rev. P2; A-252 Rev. P2; A-253 Rev. P2; A-254 Rev. P2; A-255 Rev. P2; A-256 Rev. P2; A-257 Rev. P2;

Existing and Proposed sections - A-300 Rev. P2; A-301 Rev. P2; A-302 Rev. P2; A-303 Rev. P2;

Proposed 3D views - A-800 Rev. P1; A-801 Rev. P1; A-802 Rev. P1; A-803 Rev. P1; A-804 Rev. P2; A-805 Rev. P2; A-806 Rev. P1; A-807 Rev. P1; A-808 Rev. P1; A-809 Rev. P1;

Room Data Sheets - A-900 Rev. P2; A-901 Rev. P2; A-902 Rev. P2; A-903 Rev. P2; A-904 Rev. P2; A-905 Rev. P2; A-906 Rev. P2; A-907 Rev. P2; A-908 Rev. P2; A-909 Rev. P2; A-910 Rev. P2; A-920 Rev. P2; A-921 Rev. P2; A-922 Rev. P2; A-923 Rev. P2; A-924 Rev. P2; A-925 Rev. P2; A-926 Rev. P2; A-927 Rev. P2; A-928 Rev. P2; A-929 Rev. P2; A-930 Rev. P2; A-931 Rev. P2; A-932 Rev. P2; A-933 Rev. P2; A-934 Rev. P2; A-935 Rev. P2; A-936 Rev. P2; A-937 Rev. P2; A-938 Rev. P2; A-939 Rev. P2;

A-150 Rev. P1; 567_SK_10; 567_SK_12B; 567_SK_18; 567_SK_20; 567_SK_21A; 567_SK_22

Survey Drawings - 002-001 Rev. F; 002-002 Rev. E; 002-003 Rev. B; 002-004; 002-005; 002-006; 002-007; 002-009 Rev. C;

Reason: 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 the policies in the London Plan 2015 and the Bromley UDP 2006

3. Before any work is undertaken in pursuance of the consent, details shall be submitted to and approved in writing by the Local Planning Authority of such steps to be taken and such works to be carried out as shall, during the progress of works permitted by this consent, secure the safety and stability of that part of the building which is to be retained. The approved steps to secure the safety and stability of the retained building shall be in place for the full duration of the building works hereby granted consent.

REASON: In order to comply with Policy BE8 of the Unitary Development Plan and to protect the fabric of the Listed Building.

4. Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

5. Details of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.

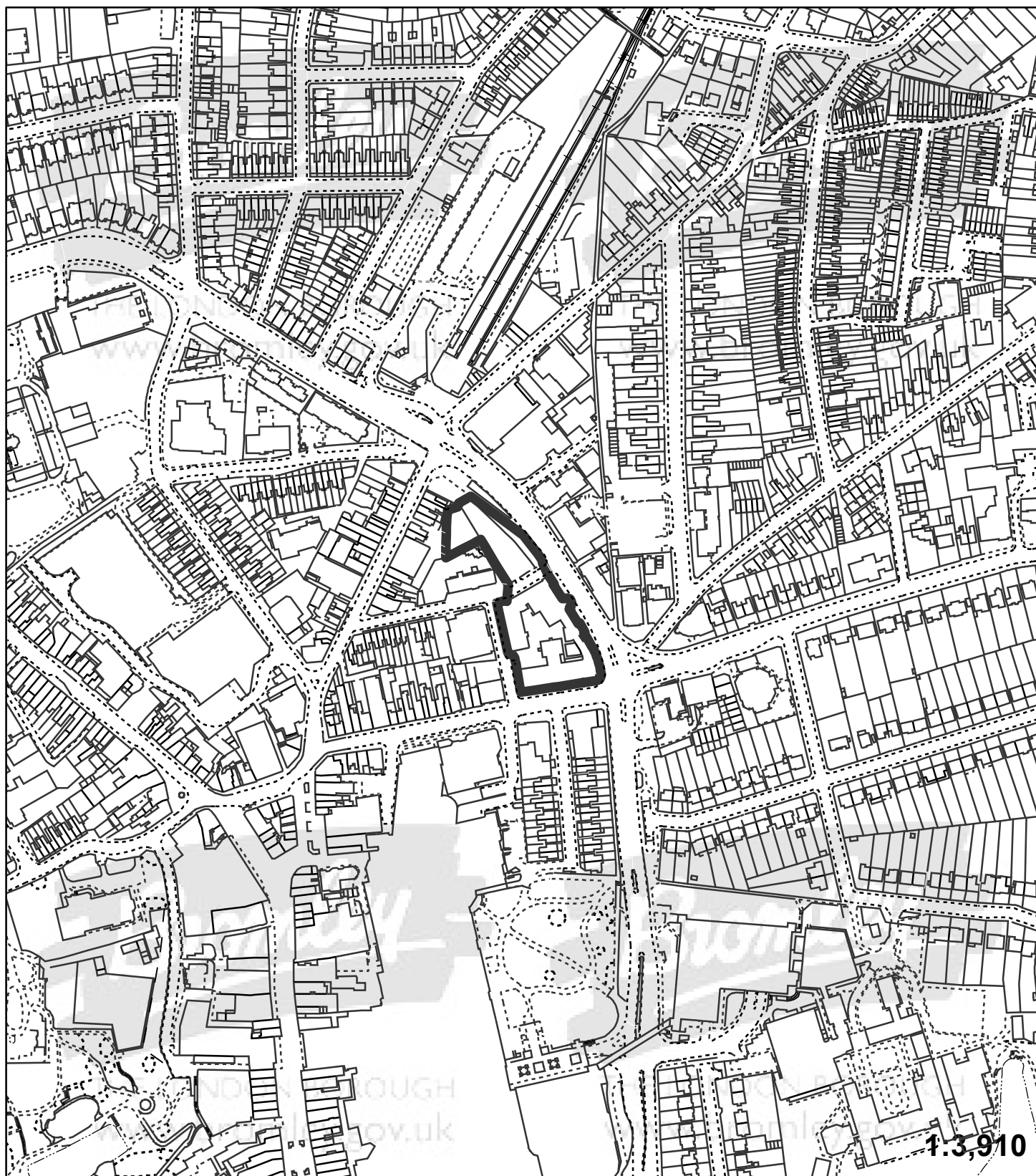
REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

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Application:15/00140/FULL3

Address: Old Town Hall 30 Tweedy Road Bromley BR1 3FE

Proposal: Application for planning permission and listed building consent to enable partial demolition of the Bromley Town Hall building and replacement with extensions no greater than 3 storeys high to facilitate a change of use from Office (Class B1) to 94 bedroom hotel use (Class C1)



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Report No. DRR15/081

Application: DC/15/00701/FULL1

Ward: Copers Cope

Address: Footzie Social Club, Station Approach, Lower Sydenham, SE26 5BQ

OS Grid Ref: E: 536826 **N:** 171157

Applicant: Relta Ltd c/o West and Partners

Objections: YES

Description of Development:

Demolition of the existing buildings and redevelopment of the site comprising the erection of a basement plus part 8/9/10/11/12 storey building to accommodate 296 residential units (148 x one bed; 135 x two bed and 13 x three bed units) together with the construction of an estate road, 222 car parking spaces, 488 cycle parking spaces and landscaping of the east part of the site to form an open space accessible to the public.

Key Designations

Adjacent to a Site of Interest for Nature Conservation
Biggin Hill Safeguarding Area
London City Airport Safeguarding Area
Flood Zone 2/3
Green Chain
Metropolitan Open Land (MOL)
River Centre Line
Smoke Control

Proposal

The redevelopment comprises the erection of a substantial building to accommodate 296 residential units together with the provision of 222 car parking spaces and 488 cycle parking spaces.

The development would be created in a linear fashion along the western edge of the site. At its lowest point the height of the building follows the highest point of the Dylon scheme at 8 storeys. This varies along the length of the building reaching 12 storeys in the centre of the scheme before falling back down to 8 storeys at the southern tip of the building. The ground floor comprises a blank façade on the north and east elevations as a result of the podium design with undercroft parking and plant room, which appears to have been designed in response to the flood risk designation of the site. The south and west facades are punctuated with main entrances, fenestration and balconies serving the ground floor units and openings to the refuse and car park areas.

The building would be constructed primarily of London stock bricks, with translucent cast channel-glass detailing on the top floor, aluminium windows and galvanised steel balconies.

An access road would run down the western edge of the site with a number of street level parking spaces (87 surface level parking spaces and 125 in the undercroft). To

the east the remainder of the MOL would be re-landscaped to include new public paths and a children's play area.

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

Architectural Design Statement (prepared by Ian Richie Architects)

This statement sets out the context of the site, its constraints and opportunities (from the applicant's perspective) and an assessment of the proposal against relevant development plan policies and national guidance. The applicant considers this site to be an extension of the urban site at Dylon. This statement confirms that the site comprises an area of 18,649 sqm; the footprint of the new building would be 2933 sqm leaving 14,874 sqm for external landscape and access routes. The density equates to 159 u/ha or 404hr/ha.

The statement sets out the landscape strategy for the site which seeks to respond to the flood risk designation and ecological benefits of the existing landscape.

The statement includes aerial views of the site, a view from Addington Hill and a number of CGIs from surrounding viewpoints as well as photographs of a model.

The accommodation schedule sets out unit types, tenure and location as well as details of refuse facilities and car parking. The building is effectively split into two blocks (divided by a core but physically attached) so that affordable and private tenure are split. Unit layouts have been included to demonstrate that the development can meet Lifetime Home criteria.

Shadow diagrams have been provided that show the proposed landscaped space would be largely overshadowed during the evening all year round but would receive a minimum of 2 hours sunlight all year round during the day thus meeting BRE guidelines.

Planning Design and Access Statement (prepared by West and Partners)

This document describes the site, surrounding context, details of the proposal, consultation undertaken and the applicant's assessment of the proposal in relation to relevant development plan policies. The applicant believes that this proposal represents a sustainable form of development when assessed against relevant policies.

The document sets out the history of Dylon as it is considered that the assessment of that scheme is relevant to the consideration of the current application. However, Officers accept that Dylon has some relevance in that it is an adjacent development and has a similar architectural language to the proposal but it is important to recognise that Dylon was not designated as MOL and therefore the circumstances and context of that development are significantly different to the current proposal. Officers are not disputing that Dylon is an urban site but for reasons that will be demonstrated throughout this report do not accept that the application site is an acceptable extension of the Dylon development.

This document also seeks to place some weight on the fact that an extension to the Bakerloo line including a stop at Lower Sydenham Station has been identified in the Mayors Infrastructure Plan and therefore the PTAL rating of the site will increase significantly. However, it is important to note that whilst this extension has been identified it is not yet committed or under construction so the limited weight can be given to this particular point at this stage.

Supplementary Affordable Housing Statement (prepared by West and Partners)

This statement confirms the breakdown of private and affordable units and confirms that the units will meet all necessary quality standards. The proposal would provide a UDP policy compliant level of affordable housing. Consequently it was not necessary for the applicant to submit a Financial Viability Assessment.

Supplementary Daylight and Sunlight Assessment (prepared by West and Partners)

This technical report assesses the impact of the proposal upon the future occupiers of the development as well as adjoining occupiers. The report has been prepared having regard to BRE Report 209 'Site layout Planning for Daylight and Sunlight – a guide to good practice'. In terms of neighbouring developments it is only necessary to assess the impact on the approved scheme at Dylon Phase 1 as other residential properties are far enough away from the site not to be affected and the adjacent commercial properties fall outside of the scope of assessment. Commercial buildings are not afforded the same level of protection in this respect. The report concludes that the proposed development would not have a significant adverse impact on the adjacent Dylon Phase 1 scheme and that the new units would meet the recommended BRE levels for daylight and sunlight.

Phase 1 Habitat Survey (prepared by Betts Ecology)

This report was prepared on the basis of a site walkover. The report concludes that the site provides breeding habitat for a range of common birds and some of the poplar trees may offer potential for roosting bats. The report suggests a further bat survey should be undertaken prior to any works to trees or demolition of buildings and that the landscaped area to the east of the site is retained and consideration given to its enhancement and expansion. Additional planting should make use of native species and new buildings should include bird and bat boxes. Any works to trees should be undertaken outside of bird nesting season.

Flood Risk Assessment (prepared by RPS)

This report has been submitted because the site is designated as Flood Zone 2 (medium probability) and Zone 3 (high probability). The report covers relevant planning policy, existing and proposed drainage, flood risk mitigation, surface water management and sequential test. It is noted that the report refers to flood risk policies in the UDP which have not been saved.

The applicants FRA has been prepared in liaison with the Environment Agency whose advice has informed the buildings slab levels extent of landscaping and surface water drainage solutions. Detailed site specific flood monitoring has been undertaken in addition to site specific flood storage calculations. The FRA concludes that this site is suitable for residential development subject to conditions to control flood risk mitigation and drainage.

Foul Sewerage Drainage Assessment (prepared by GDM)

This report sets out the approach to foul drainage which will be a modified single stack system connecting to the public foul water sewer in Worsley Bridge Road.

Air Quality Assessment (prepared by Air Quality Consultants)

This site lies within an Air Quality Management Area. This report sets out the site description and baseline conditions for air quality, addressing construction and operational phase's impacts and appropriate mitigation. The report concludes that during construction a package of mitigation measures to minimise dust emissions would be necessary but with mitigation measures in place the overall impacts will not

be significant. During operation, traffic generated by the proposal will affect air quality at existing properties along the local road network. However, the assessment concludes that the emissions will result in imperceptible increases. Concentrations will remain well below the objectives and the impacts would be negligible.

The proposed development includes an energy centre with gas fired CHP and boiler plant. It is not anticipated that this would give rise to any adverse air quality impacts.

Overall the assessment concludes that with mitigation measures in place the construction and operational air quality impacts of the development are judged to be insignificant.

Energy Statement and Sustainability Appraisal (prepared by Isambard Environmental)

This statement has been prepared in line with the principles of the London Plan Energy Hierarchy. The building fabric will seek to reduce CO₂ emissions by 7.59% over the Building Regulation compliant figures, using CHP to reduce CO₂ by a further 72.32% and if necessary utilising PV panels. It is also stated that the residential units will meet Code for Sustainable Homes Level 4.

Geotechnical and Geoenvironmental Ground Investigation Report (prepared by Geosphere Environmental Ltd)

The purpose of this report is to assess the ground conditions of the site and the potential risk to human health and the environment. An intrusive investigation was undertaken and a number of potential contaminant sources and pathways to receptors were identified. The investigation confirmed that some contaminants are present at elevated concentrations in excess of guideline values. Consequently mitigation measures are proposed in terms of further surveys, use of top soils, appropriate piling methods and drainage solutions.

Planning Noise and Vibration Report and Addendum (prepared by Cole Jarman)

Noise and vibration surveys were undertaken to assess the impact of adjacent uses. The site is exposed to noise and vibration from the adjacent railway, factories and commercial uses. The report concludes that double glazing would be sufficient to ensure appropriate levels of amenity could be achieved for future occupiers. Alternative means of ventilation are recommended for some residential properties to maintain suitable levels of amenity and remove any sole reliance upon openable windows for ventilation. Noise levels for balconies are expected to be below recommended levels when the effects of some light screening from balustrades are taken into account. It has been concluded that there is no requirement for any vibration isolation treatment.

Tree Survey Report (prepared by Ian Richie Architects)

This report confirms that there are number of trees on the site including Poplar trees along the western edge adjacent to the railway line, Willows, Oaks and Sycamores growing along the banks of the River Pool. The trees are estimated to be between 40-50 years old. The report categorises the majority of the trees as Grade C (poor condition) with some of the Willows and Sycamore being Grade B (fair condition). The report assumes that the trees have received no maintenance and the Poplars have suffered from a poor level of care affecting their health. The Poplars are incompatible with the environment and contribute to leaf problems on the adjacent railway. The Willows are a valuable ecological species and are effective for stabilizing the bank of the River Pool. The Sycamore and two of the Oak trees require some maintenance. A pair of Oak trees has significant damage and should be removed.

The report includes details of measures to protect trees during construction and a proposed new tree schedule which includes a number of new trees in the landscaped section of the site.

Transport Assessment and Residential Travel Plan (prepared by Royal Haskoning DHV)

This statement sets out an analysis of existing transport links, local highway operation, transport demand arising from the proposal, junction capacity assessment and relevant policy considerations. The assessment suggests that a range of local facilities and services are located within a 10 min cycle ride of the site, Officers would not dispute that per se but it is important to consider that 10 mins cycle ride is considerably longer when walking so would question the conclusion that this site is well located in relation to essential services and facilities.

The proposal includes provision for 222 car parking spaces and the TA states a commitment to provide a car club with 2 spaces dedicated on site. Although it is noted that this commitment for a car club is not suggested in the Planning Statement which deals with proposed planning obligations.

As a result of parking surveys undertaken, the assessment concludes that the surrounding area is subject to commuter parking during the day but there is sufficient parking capacity in the area at night. In any event the proposed provision of onsite car parking meets London Plan and UDP standards. The junction capacity modelling for Worsley Bridge Road/Station Approach/Montana Gardens indicates that the proposal will not have a significant impact.

The applicant considers that the development would not result in a 'severe' transport impact and as such the scheme accord with national transport policy.

Throughout the lifetime of this application the following revised and additional plans and documents were submitted:-

Revised landscape plans to show access into the site from the adjacent Dylon Phase 1 scheme – however, it is understood that the adjacent site is no longer in the applicant's control/ownership. Dylon Phase 1 has been purchased by Crest Nicholson and is currently subject to design review with a possibility of amended proposals coming forward in the near future.

Revised floor plans, elevations and sections to accommodate the following amendments:

- Revisions to access routes from Station Approach via the Phase 1 site and modifications to the junction of the access road
- Provision of step free links between the building and the public open space at ground and lower ground levels
- Modified turning head at the south end of the access road to accommodate refuse collection
- Tweaks to internal layouts for some of the units to make them more compliant with the size guidance set out in the London Housing Design Guide
- Alterations to the path network in the open space

Additional Flood Modelling Information (prepared by RPS)

The additional information was prepared in response to a meeting between the applicant and the Environment Agency to discuss their initial consultation response. The information confirms that the lower deck car park is the only area of the building

that may flood. The plans submitted show that a permeable grill will be located the full length of the car park to allow flood water to enter the car park deck in an unrestricted manner. The grill is the full height of the anticipated flood events and the lower deck has been set within the landscape to ensure that it will gravity drain. A revised flood modelling addendum was also prepared.

Surface Water Drainage Details (prepared by RPS)

Proposed surface water drainage concept plans and drainage calculations have been provided. The plans show details of infiltration tanks, detention tanks and final outflow to the Pool River. A copy of a letter from Thames Water to the applicant (dated 17th July) is also included. The letter confirms that Thames Water do not object to the principle of the development and have no concerns with the proposed levels of growth and discharge.

Landscape Management Plan (prepared by Ian Ritchie Architects)

This document sets out the detailed proposals for the landscaped areas of the site including the part of MOL that is intended to be opened up for public access. The maintenance plan would cover a period of one year post completion. Details of maintenance and monitoring are confirmed. It is proposed to plant a range of different tree species within the site with large areas of soft landscape and gym and play equipment.

Economic and Regeneration Benefits Assessment (prepared by NLP)

This report provides an assessment of the economic benefits of the proposal. The report sets out an analysis of the socio-economic baseline position of the surrounding area and identifies the following economic benefits that could arise from the proposal:-

- 210 temporary construction jobs
- 320 indirect jobs
- £47.4m construction value
- £3.2m New Homes Bonus
- £445,550 additional Council Tax Revenue
- £1.63m Mayoral CIL and other Planning Obligations

MOL Assessment (prepared by NLP)

This assessment has been prepared to examine the effect of the proposal on MOL and to establish whether very special circumstances exist to justify development on the MOL. The report sets out relevant national and development plan policies. It acknowledges that residential development would, by definition, be inappropriate but enhancement of the retained open space and provision of open access together with remediation of the pool river would be appropriate in MOL terms.

The report describes the visual role of the site and its townscape character with focus upon where the site can be viewed from within the surrounding area and wider borough. In this respect the report concludes that the site is a low quality urban site which differs in character from the remainder of the MOL. The site is not publically accessible, is not well maintained and plays a limited role in views from publically accessible places.

The report considers the landscape and visual impact of the proposal. The proposed building would be sited in an area that is already occupied by buildings. Whilst part of the site is designated as Green Chain it is not open to the public, the proposal would improve this by opening up the site for public use. The report suggests that the effect on openness of this part of the MOL would be limited due to the limited views of the site and lack of access to it.

The report suggests that due to its use, urban character and immediate context the site is distinct and separate from the remainder of the MOL. It is noted that the wider MOL has a number of buildings on it, many of which were approved after designation of the MOL and it is therefore argued that there is precedent for residential and other buildings being approved on MOL and Green Chain Land in this locality.

The report suggests that the site does not meet any of the London Plan MOL criteria for designation. It further suggests that the site does not serve a Green Belt or MOL purpose.

The report concludes that, the 'in principle harm' to the MOL would be limited to the large replacement building covering less than 50% of the site. The existing openness of the site is very limited so the proposed building would have limited effect on openness. Overall 'in principle harm to the MOL' would be limited and no harm would arise from other planning considerations.

The reports sets out potential benefits of the proposal being, improved public access, enhanced outdoor recreation facilities, landscape, visual amenity and biodiversity enhancements and improving damaged land. As well as these benefits the report suggests that housing need and delivery and socio-economic benefits arising from the proposal are material considerations.

The report sets out policy relevant to Bromley's 5 year housing land supply and provides a critique of the approach taken by the Council in assessing need and producing the 5 year supply. The report concludes that the scheme is capable of making a significant contribution to local housing needs (including affordable housing). The report seeks to set out very special circumstances for the proposal, identified as:-

- The site is erroneously designated as MOL
- The proposal would have limited actual harm to MOL openness
- The in principle harm arises solely from the new residential building
- The proposal would satisfy all MOL land use objectives
- Cumulatively with the adjacent Dylon development the proposal would make a significant contribution to housing need and delivering socio-economic benefits
- The proposal would transform the vitality and quality of Lower Sydenham

The report concludes that the MOL, housing, socio-economic, regeneration, design and place making benefits are significant and more than sufficient to outweigh the harm caused by the proposal and therefore very special circumstances exist.

Desk Top Archaeological Assessment (prepared by Isambard Archaeology)

The report concludes that the site has low heritage significance.

Response to GLA Stage 1 Report

The response includes a letter from Isambard Environmental Consultants in respect of the proposed energy strategy; the letter seeks to address points raised in the GLA report and concludes that the development would meet London Plan requirements. In addition a letter from West and Partners confirms that additional reports (MOL Assessment and Economic Regeneration Benefits Assessment) seek to address points raised by the GLA. The following information is clarified:-

- The development would provide 36% affordable housing
- The scheme has been designed as tenure blind
- The development will provide a reasonable and well balanced mix of accommodation

- The assessment of the site as 'suburban' is not accepted by the applicant
- The provision of children's play space can be incorporated into the scheme and controlled by condition
- Justification of urban design approach
- The final design of the roof could be addressed by way of a condition

Response to Network Rail Consultation Comments (prepared by Royal Haskoning DHV)

This letter sets out 2011 Travel to Work Census data for the Copers Cope Ward and concludes that Lower Sydenham Station has sufficient capacity to accommodate passenger numbers from the proposed development. The letter states that the applicant does not consider funding of lifts at the station to be necessary to make the proposed development acceptable in planning terms.

Response to Sport England Issues

The letter prepared by West and Partners seeks to address the points raised by Sport England in their consultation response to the application. The applicant is of the opinion that the site has no special significance for sport as the site has not been used for sport since 2007. Furthermore Bromley Borough has sufficient provision of sports and outdoor recreation facilities. The letter includes a review of facilities in the borough. In addition a letter is provided from the site owner which confirms that the site has been used for car boot sales between 2003 and 2009.

Draft Bromley Five Year Housing Land Supply Assessment (prepared by NLP)

This report was submitted in draft form and is incomplete. However, the applicant has confirmed that they wish it to be considered as part of the assessment of the application.

The report has been prepared as a review of the 5 year housing land supply position in the Borough. The report suggests that there are a number of discrepancies in the Councils calculations and that 562 units should be removed. This reduces the Council to 4.31 years of supply. The report makes the following main points:-

- The report is written in the context that historically the Council has not been able to demonstrate a five year supply of housing land including when tested at appeal.
- Reference is made to an historic reliance of windfall sites and the allocation of sites.
- Reference is made to Appeal Decisions from 2007-2009 including Blue Circle Bromley Common, 154-160 Croydon Road and Anerley School for Boys.
- The report sets out background information on the Borough's housing supply targets and delivery since 2007/08 and sets out the various components of housing supply over the next five years.
- The London-wide context is set out in paragraphs 4.3 – 4.9 and makes reference to the fact that the targets set out in the London Plan will not provide sufficient housing to meet objectively assessed need.
- The NLP report specifies that the Council's evidence only looks at past rates of delivery since 2007/08 but that they have looked at a much longer period of time. Past delivery rates versus past targets are set out in the report since

1996/97. Reference is made in paragraph 4.22 that average completions since 2004 only amount to 597 dwellings per annum and emphasises the need to identify more housing sites.

- A 5% buffer is considered to be robustly justified.
- In respect of Housing Supply, NLP considers that there is no evidence to suggest that the 15 sites listed as known sites with planning permission not commenced is not deliverable in the five year period (with reference to paragraph 47, footnote 11 of the NPPF). A significant piece of evidence not considered by the Council is the rate at which planning permissions lapse without being implemented.
- It is suggested that some 'commenced sites' should be removed from the Council's calculations, some 'allocated sites' should be reduced and a more realistic calculation of 'small sites' allowance should be made
- Office to residential allowance considered acceptable although various assumptions are made in relation to the Council's data on this category.
- Long term vacant units allowance considered acceptable.

The report concludes that the Council cannot demonstrate a 5 year supply consequently planning permission should be granted for the development unless adverse impacts would significantly and demonstrably outweigh benefits (Paragraph 14 of the NPPF).

Location

The 1.8 ha site is located on the outskirts of Beckenham close to Sydenham and the borough boundary with Lewisham. The site is the second phase of the redevelopment of the former Dylon factory site. This is a triangular site, bound to the west by railway tracks, the north by the proposed first phase of the Dylon development and to the southeast by the Poole River and a strong tree belt. There are some small pavilion buildings along the western edges of the site and an access track. The open space was last used as a playing field.

The site has been allowed to fall into a poor state of repair being used for storage of vans and a dumping ground for un-roadworthy vehicles and ad hoc items. The site has historically been subject to enforcement investigation.

The surrounding area is dominated by large areas of open space that are designated as Metropolitan Open Land (MOL) and are part of the South East London Green Chain – a series of connected public open spaces. Most of these surrounding open spaces are used as playing fields. The site is also situated within one of the views of local importance from the Addington Hills. This makes the site particularly sensitive to new development. Furthermore, 80% of the site is located within Flood Zone 3.

The built context is less sensitive. There is no particular built character around the site. The areas to the west of the railway are predominantly industrial with poor quality one and two storey sheds set within small trading estates. Many of these are vacant and there is very little consistency in terms of the building forms and materials. The railway cutting itself is surrounded on both sides by tall slender trees that create a natural border along the western edge of the site. The access point to the

development will be via Station Approach and past the western edge of the Dylon development. Station Approach is lined with 2 storey business units.

There are no residential areas with a direct relationship with the Phase 2 site. However, there is a small estate of modern 2 and 3 storey houses to the northeast. Further to the south, houses on Copers Cope Road back on to open views towards the new development. Although, there is no direct relationship with these dwellings the site, the views they currently enjoy will be affected by the scheme. These dwellings are predominantly 2- 3 storey Victorian villas. Copers Copse Road itself is a very pleasant street with trees lining each site and attractive outlooks across open space.

The topography of the site falls gently from the north to the southern corner and from west to east towards the Pool River.

The site is located next to Lower Sydenham Train Station with direct links to central London.

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.

At the time of writing this report 2 letters of objection had been received. The full comments can be read on file but are summarised as follows:

- The development is out of keeping with the character of the area
- Worsley Bridge Road is already congested
- The building will be overbearing
- The artists impressions do not fill people with confidence
- This application should not be approved
- The local roads and train network will not be able to cope with the additional demand

Orpington Field Club: Orpington Field Club members request that a bat survey is carried out prior to demolition or tree works as recommended in the Phase 1 Habitat Survey (2008, updated 2014) under 'Actions Required for Compliance with Statutory Regulations', where it states, '*A full survey for the presence of bats within existing buildings or mature trees is recommended prior to any demolition work or tree work. The survey should comprise a daylight inspection of the buildings supported by the appropriate number of evening emergence surveys and dawn re-entry surveys undertaken between May and August.*'

Orpington Field Club members were pleased to see the retention of open space south-east of the proposed development but request that if planning permission is given this should be conditional on the following recommendations:

The rough grassland, scrub and trees bordering the Pool River, must be retained because it is part of a green corridor through Bromley and Lewisham along the River Pool. Although it may appear 'untidy' this habitat is important for wildlife and currently provides a natural habitat for nesting birds and reptiles and supports invertebrates which are food for birds, and for bats which forage along the river. 'Visualisation' documents accompanying the planning application show no vegetation adjacent to the river, while the Landscape Plan shows planting of many non-native trees along the river bank with no apparent scrub beneath (the only presumed native included is

willow, possibly sycamore). If all the scrub and rough grassland is removed from the river bank area much of its biodiversity will be lost. This is contrary to NPPF Section 11 which states *'The planning system should contribute to 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.'*

LBB UDP Policy G7 endorses this, stating:

'Development proposals will be required to respect and not harm the character and function of the Green Chain and the Green Chain Walk, as defined on the Proposals Map. Measures to protect this designated area are to include the use of suitable screening, landscaping or in appropriate areas the planting of native vegetation and enhancing of wildlife habitat.' Enhancement of the habitat along the river bank, the most sensitive area of the site for wildlife, should consist of mixed, native, locally provenanced tree species and include some shrubs such as hawthorn, hazel, field maple, goat willow etc. In addition the area of 'rough grassland' should be kept and could be expanded. This area would require cutting just once a year in August/September, with removal of arisings to allow the development of wildflower meadow.

Artificial lighting should be avoided near the river and associated vegetation because it upsets the diurnal rhythm of many species including birds and bats. All bats are fully protected under the Wildlife & Countryside Act. Daubenton's and pipistrelle bats are known to forage along the river. Where lighting is essential, this should avoid unnecessary light spill onto the river or associated vegetation through careful positioning and choice of lighting product and use of directional or shielded lighting as appropriate, in line with Bat Conservation Trust (BCT) guidance.

In regard to the above concerns, UDP Policy NE2 *'aims to protect those sites and features which are of ecological interest and value.'* paragraph 7.8 states that, *'Local authorities are required by The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) to have regard to the desirability of conserving the natural beauty and amenity of the countryside. **This duty embraces the conservation of flora, fauna, geological and physiological features and extends to urban as well as rural areas.**'* Paragraph 7.9 states that *'London's wildlife resources are an important amenity that should be considered whenever development is proposed.'*

Orpington Field Club members also ask that Policy NE3 of the UDP is taken into account, paragraph 7.13 of which states, *'In determining planning applications,the Council will ensure that the effects on biodiversity, wildlife habitats, geological features and nature conservation are fully taken into account...'*

Any tree work or scrub removal between March and August must be preceded by a check must be for nesting birds and if these are present the work will need to be postponed till after fledging has taken place because all birds, their nests and eggs are protected under the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000).

Prior to demolition of buildings soft stripping of sensitive areas should be carried out supervised by a licensed ecologist in case bats are present.

Details of bat sightings were also submitted.

Other Representations

At the time of writing no letters of support had been received for the application.

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

Comments from Consultees

GLA initial comments (summary – full comments attached as Appendix 1): Bromley Council is advised that the application does not fully comply with the London Plan, issues raised should be addressed before the application is referred back to the Mayor.

London Plan policies on land use principles (metropolitan open land, playing fields), housing, urban design, inclusive access, flooding, sustainable development and transport are relevant to this application. The application does not comply with these policies and cannot be supported in principle at this stage. Further information is needed in order to fully comply with the London Plan. The potential remedies to issues of non-compliance are set out below:

Land use principles: The proposal is inappropriate development within Metropolitan Open Land and ‘very special circumstances’ have not been demonstrated to outweigh the harm to the MOL. Further justification is also required on the loss of the site as a former playing field.

Housing: While the indicative affordable housing offer of 35% accords with Bromley Council’s UDP policy, the applicant is required to conduct a financial viability assessment to demonstrate that the maximum reasonable amount of affordable housing is being delivered on this greenfield, windfall site (based on existing use value for open space). This should be scrutinised by the Council and/or their independent consult and both reports supplied to the GLA. Further information is also required on the unit mix across tenures, types of affordable products and location of the affordable units. The quantum of family sized units is fairly low and should be increased. The residential quality is broadly supported although the ground floor requires more work to reduce the number of units per core and improve ground level access. The density is slightly too high for the setting and supports the concern that the design is harmful to MOL openness.

Urban design: While the footprint spread has been contained to the western edge, the mass, scale and continuous wall of development would be harmful to the open MOL setting. The ground floor layout also requires further work in order to create street based activity and improve the public realm.

Inclusive access: Further detail is required on inclusive design of the public realm, and how those with mobility issues access the development conveniently and safely from nearby streets. Clarification is also required on how wheelchair users access the podium from the amenity space, and the location of accessible parking bays needs to be confirmed.

Flooding: The site is within flood risk zone 3a however, the Flood Risk Assessment has appropriately assessed the flood risk and set out a range of mitigation measures and detailed planning conditions to manage the risk. The

FRA also sets out an acceptable approach to the management of surface water which will also require a detailed planning condition.

Climate change: A reduction of 253 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 72%. While the carbon dioxide savings exceeds the target in London Plan Policy 5.2, further information is required as outlined above to ensure compliance with London Plan energy policies.

Transport: In principle, the proposal is broadly acceptable in strategic transport terms, although a number of revisions/further information is required in order to ensure full compliance with London Plan transport policies. The Council and the applicant should provide a written response to TfL clarifying these points

GLA Further Comments: I am e-mailing following a meeting held with the applicant and the issues outlined in the stage one report which was discussed at the meeting.

At the meeting, we agreed to consider in more detail the contents of the additional information and reports submitted to both Bromley Council and the GLA, in particular the Economic and Regeneration Benefits Assessment, the Metropolitan Open Land Assessment and the review of Bromley's 5YHLS.

We agreed at the meeting that the other minor issues outlined in our consultation report, relating to transport, energy and inclusive access had broadly been addressed (or could be addressed with some further information). The main topics of discussion therefore came down to the land use principle of developing on MOL, whether there is a VSC case and Bromley's 5YHLS, design and impact on openness.

We have now had the time to read through and consider the detail in the reports. The contents of these reports do not fundamentally change our position on these matters as set out in our original report, and we will not therefore be issuing an updated stage one report. In line with our normal practice, we will reflect on the contents of the additional information within our stage two report once the Council has referred it back to us.

TfL Initial Comments (summary – full comments provided as Appendix 2): In principle TfL considers the proposal to be acceptable from a strategic transport perspective. However to ensure the application complies fully with London Plan transport policies, the following matters should be addressed by the S106 agreement and/or condition:

- Detailed design of the site access should be conditioned for discharge in consultation with TfL. TfL is not satisfied the access would be safe and welcoming for all road users.
- Blue Badge parking spaces and Electric Vehicle Charging Points
- TfL may request developer funding for step free access at the nearest bus stop depending on its current condition
- A Delivery and Servicing Plan (DSP)
- A Construction Logistics Plan (CLP)
- A Pedestrian Environment Review Survey audit
- The applicant should consult Network Rail
- TfL may seek a S106 contribution for Legible London signage

- Mayoral CIL at a rate of £35 per sqm

TfL Further Comments (following a site meeting with the applicant):

- Phase 1 is no longer in the applicant's control
- The internal carriageway width is 4.1m which should mean there is adequate place for cyclists
- The S106 for Phase 1 includes funding for establishment of a CPZ. Having seen the approach to the main vehicular access, where visibility is impaired by numerous parked cars during the day, TfL would support a CPZ adjacent to the site. This would particularly benefit more vulnerable road users such as cyclists.
- The two nearest bus stops do not have step free access and bus stop LC has no shelter. **TfL seeks S106 funding for step free access and a new shelter from the applicant.**
- Signage indicating Lower Sydenham station and the boundary with LB Lewisham adjacent to the site is currently very poor. TfL recommends this is upgraded as part of the S278 agreement. However following internal consultation Legible London signage is not recommended at this location.
- As Phases 1 and 2 are being developed separately, it is essential that the pedestrian route into and through the site is straight continuous with consistent materials along its entire length to ensure legibility.

TfL Final Comments on additional/revised information: Thank you for consulting TfL:

- The revised drawings show zebra markings which will help pedestrians and it is clear that the pedestrian route through the site will feel continuous, which is welcomed.
- As Worsley Bridge Road is not a TfL road, only LB Bromley and LB Lewisham can define the full cost of implementing bus stop improvements TfL has requested:
- Extension of double yellow lines to top of the bus cage by Traffic Order on northbound side of Worsley Bridge Rd (circa £2,400 plus painting)
- Kerb raised on northbound side to enable step free access – c3m wide section at gap in grass verge
- Move northbound stop c5m north and to kerbside (6 week lead-in required and will cost approximately £1000)
- Re-paint bus cages on both sides and loading bay on northbound side
- New traffic sign on southbound side stating 'Bus stop only'
- New shelter on southbound side and some concreting of grass verge (6 week lead-in required and bus shelter will cost approximately £12 – 13k)
- The applicant's Planning Consultant has offered £25,000 for bus stop improvements in the Section 106 (S106) agreement.
- TfL estimates that the bus stop improvements will cost £20,000 excluding the kerb raising to introduce step free access on the Lewisham side.
- In the absence of confirmation that £25,000 will be sufficient to cover all requested works, TfL now leaves this matter at LB Bromley's discretion.
- TfL welcomes the offer of £25,000 for bus stop improvements, as improving the nearest bus stops will encourage sustainable travel to and from the site.
- TfL could be a counter-signatory to the S106 and receive the sum directly if LB Bromley is happy with this approach.

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

Environment Agency (summary): 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

Sport England: It is understood that the site forms part of, or constitutes a playing field as defined in the Development Management Procedure Order. The consultation is therefore statutory and Sport England has considered the application in light of the National Planning Policy Framework (in particular paragraph 74) and its policy to protect playing fields. Essentially Sport England will oppose the grant of planning permission for any development which would lead to the loss of a playing field, unless one of the 5 exceptions applies:

- An assessment has demonstrated that there is an excess of playing fields in the catchment and the site has no specific significance for sport
- The development is ancillary to the use of the playing field and does not affect the quantity/quality of the pitches
- The development only affects land incapable of forming part of a playing pitch and would lead to no loss of ability to use/size of the playing pitch
- Playing field lost would be replaced with equivalent of better in terms of quantity, quality or accessibility
- The proposed development is for indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of the playing field.

The proposed development would appear to be sited on an existing area of playing field. Locating the proposed development on the existing playing field would prejudice the use of the playing field. Should the Council be minded to grant planning permission then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 the application should be referred to the Department for Communities and Local Government.

Network Rail (summary – full comments available to view on file): After reviewing the information provided in relation to the above planning application, Network Rail has no objection to the proposed development but would like to raise a number of concerns and observations. Network Rail is concerned about the potential increase in footfall on Lower Sydenham Station due to the development and its ability to deal with an increase in users. One point worth noting is that at present there are currently no lifts at this station so any persons with a disability living at the new development would be required to travel to Southend Lane and back in order to commute to London. Network Rail are of the opinion that this does not fit with the applicants site accessibility assessment and Network Rail would wish to engage in consultation with the developer to see if they are willing to provide lifts for the station. Furthermore, Network Rail note that car parking facilities are up against the Network Rail boundary and we have the following comments as regards that and fencing on large developments adjacent to Network Rail infrastructure.

Detailed comments have been provided in respect of vehicle incursion, fencing, future maintenance, drainage, plant and materials, scaffolding, piling, lighting, noise and vibration.

Network Rail (further comments following revised/additional information):

Please note that the previous comments made by Network Rail in relation to this planning application still apply to the proposed development.

Historic England (initial response): Although the proposed development is not located within an Archaeological Priority Area it is 1.4 ha over the size threshold for the archaeological consultation. It appears that Historic England was not consulted. Our preliminary appraisal of the site indicates that this application for planning permission warrants further consideration. The site is located within a river valley with peat deposits occurring across at least part of the application area. The documents currently available appear to show no consideration has been made regarding the impact of the development on the archaeological record. It is recommended that a suitable archaeological desk based assessment is submitted to enable a judgement to be made as to whether there is an ongoing archaeological interest and whether this can be secured by condition.

Historic England (further response): I am grateful to Mr Francis of Isambard Archaeology for a copy of the archaeological desk-based assessment report dated 17 June 2015 in respect of the above proposed development. Having considered the submitted document I am happy to recommend its approval.

The above report concluded from the documentary and archaeological information recorded for the area that the potential for historic period archaeology was likely to be limited. The report did identify that the proximity of the River Pool was a significant feature in the landscape and a dominant feature in the interpretation of both the topography and geology of the site.

Having taken into account the information presented in the report, I have also considered the geotechnical report dated 4 August 2014. The report demonstrates that west of a diagonal line across the site and parallel to the river, is a zone that includes a peat sequence below modern ground level. Unfortunately borehole logs for borehole 1 to 4 appear not to have been included which means that the record for borehole 2 is not known given that its location on site would suggest it is on the boundary between these two zones. It is concluded that this boundary area is of archaeological interest in respect of its potential for *in situ* prehistory archaeology.

Although the NPPF envisages evaluation being undertaken prior to determination, in this case, consideration of the nature of the development, the archaeological interest and / or practical constraints are such that I consider a condition could provide an acceptable safeguard. The condition would be to require a process of archaeological investigation.

London Borough of Lewisham: Highways Officers have raised concern with the application, as follows:

The application site is located in close proximity to the Lewisham Bromley borough boundary. The north side of Station Approach lies within the London Borough of Lewisham and the south side lies within the London Borough of Bromley. Consequently, the proposal will result in an increase in demand for on-street parking in London Borough of Lewisham. It will also result in additional trips (vehicle, cycle and pedestrian) on the boundary roads adjacent to the site, but no measures are proposed to mitigate or minimise the impact of the development. Contributions should be secured towards the consultation /implementation of a CPZ adjacent to Lower Sydenham Station and in the

vicinity of the application site, (in both boroughs). Particularly, as the TA acknowledges that there are currently high levels of parking stress adjacent to the site during the day.

Station Approach provides access to Lower Sydenham Station, it is a location with a lot of activity associated with vehicles, pedestrians and cyclists accessing the station and locating the vehicle access to new development next to the entrance to the station site entrance will increase the potential for conflict. However, the application isn't proposing any highway works or public realm improvements to enhance Station Approach. Improvements should be secured to rationalise on-street parking, manage traffic flows and create an improved public realm which would benefit pedestrians, cyclists and road users accessing Lower Sydenham Station.

The proposed access road via Station Approach and the egress via Worsley Bridge Road isn't designed to give priority to pedestrians and cyclists over the movement of vehicles. The access/egress route through site is one-way which isn't conducive to cyclists and isn't pedestrian friendly because cycle contra flows aren't provided on the routes and one-way streets generally result in higher vehicle speeds. The design of the on-street surface parking also has an impact on pedestrian movement and on the permeability of site layout.

In terms of increases in traffic volume as a result of the development, the impact will be most significant at the Worsley Bridge Road/Station Approach/ Montana Gardens junction. But, no improvements are proposed at the junction to minimise the impacts associated with increases in traffic. Improved crossing facilities for pedestrians and measures for wheelchair-users and people with prams should be secured to mitigate the impact of the proposed development.

A framework Construction and Logistics Plan (CLP) should have been submitted with the application, specifying how the impacts of construction activities and associated traffic will be managed. The Plan should include details of access arrangement and safe routes for users of Lower Sydenham Station.

I trust that the above issues will be taken into consideration in the determination of the application and would be grateful if you could notify us of the decision.

Highways Initial Comments (summary – full comments discussed in Highways section below): The development will result in a minor impact on the operation of the Southend Lane/Worsley Bridge Road traffic signal control junction. However this reason is not sufficient to warrant a refusal on highways grounds.

If this application were to be approved further information would be required to address the following:

- The swept path analysis shows a standard refuse vehicle, LBB's refuse vehicle is 10.28m long by 2.550m wide. The applicant is required to show the above vehicle would be able to manoeuvre in and out of the site in a forward gear.
- The development will result in a minor impact on the operation of the Southend Lane/Worsley Bridge Road traffic signal control junction. Therefore the applicant is required to investigate further the phasing of Southend Lane / Worsley Bridge Road junction in order to minimise the impact and reduce queuing.

Highways Final Comments (following revised/additional information): The revised drawings show zebra markings which will help pedestrians and it is clear that the pedestrian route through the site will feel continuous. This is satisfactory.

- The TfL request for extension of double yellow lines to top of the bus cage by Traffic Order on northbound side of Worsley Bridge Rd (circa £2,400 plus painting) - This section of Worsley Bridge Road is part of LB Lewisham; therefore their consent is required.
- TfL request for kerb raised on northbound side to enable step free access – c3m wide section at gap in grass verge. As above
- TfL request for moving northbound stop c5m north and to kerbside (6 week lead-in required and will cost approximately £1000) As above- LB Lewisham
- TfL request for re-painting bus cages on both sides and loading bay on northbound side. Acceptable
- Suggested new traffic sign on southbound side stating 'Bus stop only'- Acceptable
- Suggested new shelter on southbound side and some concreting of grass verge (6 week lead-in required and bus shelter will cost approximately £12 – 13k) - Traffic Section should be consulted. Acceptable in principle.
- In the absence of confirmation that £25,000 will be sufficient to cover all requested works, TfL now leaves this matter at LB Bromley's discretion. - I would suggest a minimum figure of £30000 to cover all the eventualities.

The introduction of Controlled Parking Zone (CPZ) in this location may be little onerous. Currently there is a high demand for the flank fence parking which isn't a cause for concern. If charges were introduced there is a possibility that this could be displaced creating a problem in other areas where demand for parking is already quite high. Without knowing the precise location of the entrances and exits and observing the pattern of parking once the site is fully occupied it would be very difficult to make a decision about parking. Therefore we would not recommend implementing any parking controls at this time. We would however suggest that if there is scope, a sum of money (£5000) should be secured through the s106 for a period of 5 years to make any changes (provision of waiting restrictions and possibility of introducing pay and display bays around the site) should parking become a problem after the development is complete.

As for the increase in traffic volume as a result of the development, "*the impact will be most significant at the Worsley Bridge Road/Station Approach/ Montana Gardens junction.*" The assessment has identified that the junction will operate well within capacity for the design year 2018. The highest ratio of flow to capacity (RFC) figure identified is 0.77, in the AM peak on Worsley Bridge Road (North), well within the design capacity for a junction of this type. The assessment has considered peak times of operation and vehicle queues and delays are shown to be acceptable.

Environmental Health Pollution (summary): Contamination: The contamination assessment finds remediation works are required and as such a K09 condition should be attached.

Noise: The acoustic report finds environmental noise levels assessed are not a bar to the development. The report recommends standard thermal double glazing of a specified Rw, with requirement for separate acoustic passive vents as a precaution on the western side. To ensure this is complied with I would recommend a condition. It is important to note that the report states the following in respect of noise levels at the industrial sites to the North West: '*There was no noise of any note from the adjacent factory to the North West...*'. It is unclear as to whether the London Engineering site or

other nearby sites are currently occupied. Either way, the assessment does not account for potential noise from unused or unoccupied industrial units or units with B2 permission but not currently used to their full potential.

The development is very close to these industrial uses and there is a risk that developing this site for residential use will create new sensitive receptors that could impact on the ability of occupiers to utilise the existing industrial sites as fully as would be presently possible. As a precautionary approach it is prudent to ask for a further noise assessment of potential noise from the nearby B2\B8 uses and require the glazing\ventilation treatments to be sufficient to account for this rather than simply the measured noise levels taken at a time when there was an absence of any industrial noise. This could be secured by way of a pre commencement condition.

The acoustic report recommends imperforate balcony treatments to mitigate external noise as far as possible. A condition should be attached to ensure compliance. No external plant is mentioned in the acoustic report. If any external mechanical services plant is proposed a condition should be attached.

Air Quality: The site is within an Air Quality Management Area where development is required to be designed to mitigate the impact of poor air quality to within acceptable limits. I therefore recommend conditions.

Lighting: external illumination should be controlled by condition.

Environmental Health Housing: The applicant is advised to have regard to the Housing Act 1985's statutory space standards contained within Part X of the Act and the Housing Act 2004's housing standards contained within the Housing Health and Safety Rating System under Part 1 of the Act. The applicant is also advised to have regard to the Minimum Space Standards for New Development within The Mayor of London's Spatial Development Strategy for Greater London – The London Plan July 2015.

The Housing Act 2004's HHSRS recommends separate bedrooms, kitchens and living/dining rooms to avoid hazards associated with combined functional space.

Proposed 2 and 3 Bedroom Properties - Combined Kitchen/Dining/Living Space

In the majority of these proposed properties the only communal living space is combined with the kitchen area which is not desirable due to the risk of accidents associated with areas used for both food preparation and recreation. Hazard: 11 Crowding and Space (b) Lack of separate kitchen area of adequate size

Proposed West Facing 2 and 3 Bedroom Properties - External Recreational Space

It is reasonable to assume a dwelling with two or more bedrooms will be occupied by a family with children.

The proposed flats without east facing windows will have no view of the shared recreational space to the east of the proposed block of flats.

Hazard: 11 Crowding and Space (j) Lack of safely fenced or guarded recreational space, readily visible from within the property.

Lighting and Ventilation

There must be an area of unobstructed window/door glazing (natural lighting) to a habitable room (i.e. bedroom or dining room) equivalent to at least 1/10th of the room's

floor area to achieve the requirement for natural light. There must also be an area of openable window equivalent to 1/20th of the floor area to the room to achieve the natural ventilation requirement.

Windows to all living areas, including bedrooms, should be located and designed to provide for a reasonable view of the immediate surroundings. The view should not be of solely the sky or a single structure such as a flank elevation of a building or a brick wall. The view should allow one to see at least some of the surrounding roads, yards, gardens etc.

Sills in living areas should be low enough to allow a seated person a reasonable view. Window heads should be above eye level of someone standing. Ideally the views should be of open space through windows of all rooms, other than the bathroom or WC, and, for security purposes, the means of access to the building.

Ideally the windows to two or more bedroom properties should not only provide a reasonable outlook and views of open space but they should also allow for the supervision of outside recreation space (to be used by children).

Natural Light

Proposed West Facing 2 and 3 Bedroom Properties - Recreational View

There is no view of the recreational space from the living areas in the proposed properties without east facing windows.

Hazard: 13 Lighting (g) Outlook: lack of reasonable view through the living room (bedroom and or dining room) window.

Fire

All Proposed Flats without a Separate Kitchen with an internal door.

The means of escape in the event of fire from the bedroom or bedrooms to these flats will be through the combined kitchen/living/dining room, which is a high risk room and, therefore, not desirable.

Hazard: 24 Fire (k) Lack of internal door in appropriate materials

Hazard: 24 Fire outcome (b) Inadequate means of escape.

Flames, Hot Surfaces etc.

Proposed 2 and 3 Bedroom Properties - Combined Kitchen/Dining/Living Space

In the majority of these proposed properties the only communal living space is combined with the kitchen area which is not desirable due to the risk of accidents associated with areas used for both food preparation and recreation.

Hazard: 25 Flames, Hot Surfaces etc. (g) Inadequate separation – of kitchen from living or sleeping space.

Strategic Housing (summary): The provision of 1 bed units is considered to be high. The breakdown for the current high priority bands on the housing register is as follows:
Studio/1 beds need 27%: (this includes those waiting for general needs and sheltered accommodation)
2 Bed need: 56%
3+ bed need: 17%

In terms of supply last year the breakdown was:

44% studio and 1 bed

35% 2 bed

20% 3+ bed

Clearly 2 bed is the highest level of need, with the supply last year barely meeting 20% of the existing need.

We currently have 1031 homeless households in temporary accommodation. The need for 2 bed accommodation is the highest level of need at over 60% of the placements. Because of the limited supply and high level of need, the waiting time for rehousing for 2 bed households is longer and increasing more rapidly than for any other household size. Currently this frequently exceeds 4 years.

In terms of the concentration of one bed accommodation: We are committed to promoting sustainable communities. By virtue of our statutory rehousing duties, 1 bed households are predominantly those who fall into a priority need category as a result of vulnerability. This means that quite often more intensive levels of housing management and support are required to enable them to successfully sustain their accommodation. High densities of one bed accommodation can therefore present a number of difficulties around sustainability, successful housing management and helping those vulnerable households to settle and maintain accommodation. It is for this reason that we promote mixed developments in terms of size and household type to maximise the success of new developments enabling households to be accommodated as near to existing support and family networks and avoiding high concentrations to promote an integrated balance across the development.

Drainage Advisor (initial comments): The site is in FZ3/2, therefore the EA will comment on fluvial flood risk, as for the submitted surface water strategy, we accept the use of swales, porous paving and tank as means to reduce surface water run-off, we ask the applicant at the detailed stage to aim for greenfield rate, because the proposed 50% reduction is the least we would accept. A condition has been recommended. In order to discharge the condition the following information will be required:

- A clearly labelled drainage layout plan showing pipe networks and the proposed attenuation source control (Porous Paving, swales, tank). This plan should show any pipe "node numbers" that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- A manhole schedule
- Confirmation of the critical storm duration.
- Confirmation of the Greenfield discharge rate, with any flow control devices indicated on the plan with the rate of discharge stated.
- Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus climate change critical duration storm event.
- Soakage test results and test locations are to be submitted in accordance with BRE digest 365.

Drainage Advisor (further written comments): The EA have highlighted the risk of flooding and mentioned what the developer is proposing as mitigations in his flood risk assessment report. The fact that the undercroft car park can be inundated to a depth up to 0.9m is up to our emergency planning to assess if it is acceptable or not. If the Council's Emergency Planning accepts the risk then a condition should be attached to ensure the adequate design of the undercroft car parks and openings.

I agree with the EA, when they say that raising the open space may compromise draining flood water from the undercroft car park. A condition must be included asking the applicant to demonstrate that the land raising won't impact flow routes.

I am happy for a condition to be put on requiring the use of SUDS to reduce surface water run-off to Greenfield rate and I am happy with EA conditions to be included in any approved application.

Drainage Advisor (verbal comments): The proposed undercoft car park is an appropriate solution subject to the recommend conditions from the EA.

Drainage Advisor (comments on revised surface water material): THIS SITE IS WITHIN 8m OF THE RIVER RAVENSBOURNE OR ONE OF ITS TRIBUTARIES, THEREFORE THIS APPLICATION MUST BE REFERRED TO THE ENVIRONMENT AGENCY - THAMES REGION. The site is in FZ3/2, therefore the EA will comment on fluvial flood risk, as for the submitted surface water strategy, we accept the use of swales, porous paving and tank as means to reduce surface water run-off, we ask the applicant at the detailed stage to aim for greenfield run-off rate, because the proposed 50% reduction is only acceptable if it can be demonstrated that greenfield rate is not achievable.

Cleansing: No response received

Tree Officer: Principal trees on site comprise mature Lombardy poplar located adjacent to western perimeter boundary with the main line rail track. These trees number 19 in total each of which are shown to be removed to facilitate proposed new vehicular access and car parking. The applicant's arboricultural survey indicates that their condition is such that they now no longer have satisfactory safe useful life expectancy and should therefore be removed. I was unable to view the trees close enough to undertake a full inspection however it is clear that when reviewing photos attached within application tree survey, trees numbered 11-16 shows severe decline, and would be unsuitable for retention and may have to removed regardless of the outcome of future planning proposals.

The remaining Lombardy trees located along the same boundary appear to be in possibly better condition, however although I am largely relying upon the application survey, due to their close proximity to the track, even moderately impaired specimens are likely to be subject to statutory powers to maintain the line, and we would be unable to practically serve a Tree Preservation Order.

Several of these trees are visible from public view points within Station Approach as well as Bridge Road, however due to their close proximity to the track, and their poor to mediocre conditions, I would be unable to recommend their retention. The proposed public open space is an opportunity to fully redesign the surrounding spaces and this is where I would recommend that a more detailed landscape design proposal is submitted for our approval.

Rights of Way Officer: There are no registered public rights of way affected by this proposal and so there no objections from this perspective.

Planning Considerations

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

Relevant UDP policies include:

- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- T1 Transport Demand

T2 Assessment of Transport Effects
 T3 Parking
 T5 Access for People with Restricted Mobility
 T6 Pedestrians
 T7 Cyclists
 T9 and T10 Public Transport
 T15 Traffic Management
 T18 Road Safety
 BE1 Design of New Development
 BE4 Public Realm
 BE17 High Buildings
 BE18 The Skyline
 NE2 and NE3 Development and Nature Conservation Sites
 NE7 Development and Trees
 NE12 Landscape Quality and Character
 G2 Metropolitan Open Land
 G7 South East London Green Chain
 L6 Playing Fields
 ER7 Contaminated Land
 IMP1 Planning Obligations

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

- Affordable Housing SPD
- Planning Obligations SPD
- SPG1 Good Design Principles
- SPG2 Residential Design Guidance

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
 6.3 Social infrastructure in new developments
 6.4 Health and wellbeing
 7.1 Parking
 7.3 Access to services for all
 8.1 General design of development
 8.11 Landscape quality and character
 8.15 Metropolitan Open Land
 8.19 South East London Green Chain Walk
 8.42 Tall and large buildings
 8.43 Skyline
 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:

Policy 1.1 Delivering the strategic vision and objectives for London
 Policy 2.6 Outer London: vision and strategy

Policy 2.7 Outer London: economy
 Policy 2.8 Outer London: transport
 Policy 3.1 Ensuring equal life chances for all
 Policy 3.3 Increasing housing supply
 Policy 3.4 Optimising housing potential
 Policy 3.5 Quality and design of housing developments
 Policy 3.6 Children and young people's play and informal recreation facilities
 Policy 3.8 Housing choice
 Policy 3.9 Mixed and balanced communities
 Policy 3.10 Definition of affordable housing
 Policy 3.11 Affordable housing targets
 Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
 Policy 3.13 Affordable housing thresholds
 Policy 5.1 Climate change mitigation
 Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 5.5 Decentralised energy networks
 Policy 5.6 Decentralised energy in development proposals
 Policy 5.7 Renewable energy
 Policy 5.8 Innovative energy technologies
 Policy 5.9 Overheating and cooling
 Policy 5.10 Urban greening
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.14 Water quality and wastewater Infrastructure
 Policy 5.15 Water use and supplies
 Policy 5.16 Waste self-sufficiency
 Policy 5.17 Waste capacity
 Policy 5.18 Construction, excavation and demolition waste
 Policy 5.21 Contaminated land
 Policy 6.3 Assessing effects of development on transport capacity
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.11 Smoothing traffic flow and tackling congestion
 Policy 6.13 Parking
 Policy 7.1 Building London's neighbourhoods and communities
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.5 Public realm
 Policy 7.6 Architecture
 Policy 7.14 Improving air quality
 Policy 7.15 Reducing noise and enhancing soundscapes
 Policy 7.17 Metropolitan Open Land
 Policy 7.19 Biodiversity and access to nature
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy

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

Accessible London: Achieving an Inclusive Environment (2014)
 Housing (2012)
 The London Housing Design Guide
 Sustainable Design and Construction (2014)
 Shaping Neighbourhoods: Play and Informal Recreation (2012)

National Planning Policy Framework 2012 (NPPF)

The NPPF contains a wide range of guidance relevant to the 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.

Paragraph 7 states that, 'There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure

A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being

An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.'

Paragraph 14 makes it clear that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as the golden thread running through both plan-making and decision taking. In terms of decision taking it states that, 'where a development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted (specific policies in the NPPF cover issues such as land designated a Green Belt).

Paragraph 49 states that, 'Housing applications should be considered in the context of the presumption in favour of sustainable development.'

Paragraph 56 that, 'Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

Paragraph 60 states that, 'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'

Paragraph 61 states that, 'Although, visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.'

Paragraph 63 states that, 'In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.'

Paragraph 64 states that, 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Paragraph 65 states that. 'Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).

Paragraphs 79-92 of the NPPF sets out the Government's intention for Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The Green Belt is intended to serve five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 96 states that, 'In determining planning applications, local planning authorities should expect new development to: 'take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.'

Paragraph 100 states that, 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.'

Paragraph 101 states that, 'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.'

Planning History

History for this site includes:

88/01449: Single storey stable block and formation of car park. Permitted.

89/01826: Use of sports ground for car boot sales. Refused.

95/00294: Single storey detached building for use as a mini cab office. Permitted.

14/02176: Temporary static caravan for security purposes (retrospective). Refused.

Relevant history for Dylan includes:

09/01664: Mixed use redevelopment comprising basement car parking and 2 part five/ six/ seven/ eight storey blocks for use as Class B1 office accommodation (6884 sqm)/ Class A1 retail (449 sqm)/ Class A3 cafe/ restaurant (135 sqm)/ Class D1 crèche (437

sqm) and 149 flats (32 one bedroom/ 78 two bedroom/ 39 three bedroom). Refused but Appeal Allowed.

13/01973: Erection of five storey building comprising 74 residential units; A1 retail; A3 cafe/ restaurant and a D1 crèche in place of Block A03 forming part of the approved planning permission 09/01664 for the redevelopment of the Dylon site. Appeal Allowed.

13/03467: Erection of five storey building comprising 74 residential units; A1 retail; A3 cafe/ restaurant and a D1 crèche in place of Block A03 forming part of the approved planning permission 09/01664 for the redevelopment of the Dylon site. Appeal Allowed.

14/01752: Erection of a five storey building comprising 55 residential units; B1 office; A1 retail; A3 cafe/restaurant; and a D1 crèche in place of Block A03 of the approved permission ref. 09/01664/FULL1 for the redevelopment of the Dylon site. Refused.

Total approved development on the Dylon Phase 1 site is 223 residential units and 1,021 sqm of commercial floorspace (A1/A3/D1).

Consideration

The main issues to be considered are:

- Principle of Development, MOL and Presumption in Favour of Sustainable Development (NPPF Paragraph 14)
- Density
- Design
- Landscaping and Public Realm
- Trees and Ecology
- Housing Issues
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy
- Planning Obligations

Principle

The application site is designated Metropolitan Open Land and is part of the South London Green Chain. Consequently the principle of developing the site for residential purposes must be considered in this context.

The current extent of Metropolitan Open Land is strongly supported by London Plan Policy 7.17 which also seeks to protect it from development having an adverse impact on its openness. Policy 7.17 of the London Plan states that in planning decisions regarding MOL, “inappropriate development should be refused except in very special circumstances, giving the same level of protection as in the greenbelt. Supporting Paragraph 7.56 to the MOL policy makes it clear that the policy guidance of paragraphs 79-92 of the NPPF on Green Belts applies equally to MOL. It further states that “the Mayor is keen to see improvements in [MOL]’s overall quality and accessibility”.

Policy 7.17 acknowledges the importance of the Green Chain to London in terms of open space network, recreation and biodiversity. The Green Chain should be designated as MOL due to its London wide importance.

As stated above paragraphs 79-92 of the NPPF sets out the Government’s intention for Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to

prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 83 states that local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.

Paragraphs 87 - 89 make it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Furthermore, a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The proposed development includes substantial new buildings which do not fall within the exceptions set out in paragraph 89 of the NPPF. The new residential buildings are inappropriate development. The harm this inappropriate development; by definition, causes should be given substantial weight.

Policy G2 of the UDP is consistent with the rest of National and London Plan policy. It confirms permission for "inappropriate development" will not be permitted on MOL unless "very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or other harm". The policy also identifies that "the construction of buildings", which the proposed residential development falls into, constitutes inappropriate development on MOL and thus causes harm to it.

Policy G7 of the UDP seeks to protect the Green Chain. The policy states that, 'Development proposals will be required to respect and not harm the character or function of the Green Chain and the Green Chain Walk, as defined on the Proposals Map. Measures to protect this designated area are to include the use of suitable screening, landscaping or in appropriate areas the planting of native vegetation and enhancing of wildlife habitats.

The Council will protect land within the Green Chain, as defined on the Proposals Map, and promote it as a recreational resource whilst conserving and, where appropriate,

enhancing the landscape. The South East London Green Chain comprises a number of open spaces in a variety of ownerships and largely in recreational use, which extend in a virtually continuous arc from the Thames, through the London Boroughs of Bexley, Greenwich, Lewisham and Bromley. The boroughs jointly administer the Green Chain in accordance with the objectives in the Green Policy Document, agreed by the South East London Green Chain Joint Committee in 1977. The well-established partnership between boroughs maintains the Green Chain as a valuable recreational amenity, landscape and nature conservation reserve for the wider south-east London area.'

At the present time the site is not open to public use; it has been allowed to fall into a poor condition and is currently being used for a low level amount of ad hoc storage. However, the site is clearly separate from the built up development to the north, it forms part of the wider MOL to the south and east and is an important buffer between built form and open landscape. Deliberate neglect or lack of public access is not in itself a reason to allow development on important protected sites such as this.

As part of the application, the developer proposes to landscape and make the eastern part of the existing MOL space publicly accessible. Whilst this is welcome this cannot be at the expense of inappropriate development on the remainder of the site. In order to be granted planning permission for the residential element of the proposal, the applicants must demonstrate that the development would constitute "very special circumstances".

The applicant has sought to make a case for very special circumstances through the submission of their document titled 'MOL Assessment' (the details of which have been set out above). Very special circumstances are stated by the applicant to apply because:

- The development would assist in meeting housing need and meet and exceed the London Plan minimum housing target for Bromley on a deliverable site in the absence of an up to date housing trajectory and lack of available sites.
- The applicant contends that Bromley is unable to meet its 5 years housing land supply as it fails to proactively designate a sufficient number of sites, relying on appeal approvals to meet housing targets.
- The land does not meet the London Plan criteria as defined in 7.17 for designating MOL
- The 'in principle harm' that may arise from the development would be limited and there would be limited impact on openness
- The proposal would meet MOL criteria
- The benefits of the proposed development are considered by the applicant to outweigh the loss to MOL because of the carefully considered, exemplary and quality design of the proposed development and the improvements to the existing MOL land by making it publicly accessible

As set out above, in accordance with paragraph 87, the proposal is by definition inappropriate development which is harmful to the Green Belt and should not be approved except in very special circumstances. The local planning authority should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of

inappropriateness or any other harm is clearly outweighed by other considerations. For the reasons set out below it is not considered that the applicants suggested very special circumstances exist.

Housing Need and Supply

It is recognised that at national level, the NPPF (paragraph 49) states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites

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. However, the presumption in favour of additional housing is intended to focus development within built up areas and on brownfield land, the need for additional housing provision does not outweigh national and development plan policies that seek to protect Green Belt/MOL.

Although policy 3.3 of the London Plan does state that “boroughs should seek to achieve and exceed [their] relevant housing targets as defined in table 3.1 (641 units per annum for Bromley), and that those targets should be “augmented where possible with extra housing capacity to close the gap between identified housing need and supply in line with the requirement of the NPPF” is mainly relevant at the LDF preparation stage. The NPPF (para.47) requires local planning authorities to identify and keep up-to-date a deliverable five year housing land supply against their housing requirement, with an additional buffer of 5%.

The latest five year housing supply paper was agreed by the Council in June 2015 and concludes that the Borough does have a five year housing supply for the period 01/04/2015 – 31/03/2020. Importantly, the annual target of 641 units per annum is based on the latest Strategic Housing Land Availability Assessment (SHLAA 2013) evidence for London boroughs which assessed potential capacity for provision on small (<0.25ha) and large sites (>0.25ha). This evidence, in addition to relevant London Plan policies, supporting text on housing supply and the further explanation provided in the relevant London Plan Inspector’s report, informed the Borough’s update.

Part E. of London plan policy 3.3 identifies the type of sites where development would be brought forward to supplement targets. If it does identify potential in areas of good transport accessibility (points d and e) it directs such development towards “existing residential areas” and “surplus commercial and public land” which the site being considered does not fall in. In addition, the identification of such sites should be done at plan making process stage.

The applicant contends that Bromley is unable to meet its 5 years housing land supply as it fails to proactively designate a sufficient number of sites, relying on appeal approvals to meet housing targets. The applicant has submitted a Draft Review of Bromley Five Year Housing Supply Assessment (July 2015), although the document is in draft form the applicant has confirmed that it should be considered as part of the application.

Within the report comments are made in relation to the lack of data that has been made available to NLP. It is important to note that the Council has partly replied to the request for data in July 2015 and that the remainder is normally unpublished data. The original request asked for data on small sites that specifically fed into the GLA’s 2013

Strategic Housing Land Availability Assessment. In correspondence with the GLA the Council supplied NLP with annual totals (which was part of the request) as opposed to the whole data set. Following this NLP then requested data on all completions from 2004 in late August 2015. The latter query is currently being dealt with.

NLP have reviewed the Council's five year housing land supply position on behalf of Relta Ltd, the content of their report is set out in the earlier sections of this report.

NLP's analysis removes 562 units from the Council's five year housing supply calculation and the supply to 4.31 years with a deficit of 462 dwellings.

In response to the Draft Report prepared by NLP, The Council's June 2015 Five Year Housing Land Supply Assessment has been prepared consistent with Section 6 of the NPPF especially paragraph 47 and related advice of the PPG on what constitutes a 'deliverable site'.

Officers contend that the housing supply position for the Borough has significantly changed since 2007. From April 2011 the Council has published five year housing supply positions annually setting out that previous housing shortfalls for different London plan periods do not accrue based on advice from the GLA. The backlog of housing need is taken into account when GLA London-wide SHLAA's are carried out. The appeal decisions referenced were decided prior to this advice during periods where a housing shortfall had been specified.

The Local Plan is being progressed following a call for sites for housing and other uses (February 2014) and an imminent consultation on draft allocations further policies and designations (September 2015). With regard to the accuracy of data collection it should be noted that the Borough collates data in conjunction with the GLA through regular inputs into the London Development Database (since 2004) and participates in the London wide SHLAA preparations that underpin London Plan housing policies.

A number of the sites listed have had relatively recent decisions and it is considered at this stage that there is not clear evidence in relation to the schemes themselves that they will not be implemented within five years.

With regard to currently allocated sites it is considered that these units are deliverable by March 2020.

In terms of small schemes that have already commenced it is considered that these are deliverable within five years in light of the small size of the schemes (1-8 units).

The Borough's housing target is based on the recently endorsed GLA SHLAA (2013) and the adopted London Plan (2015). The inclusion of the small site allowance within the Council's Five Year Housing Supply Paper is consistent within the GLA's SHLAA 2013 and advice set out in paragraph 3.19A of the London Plan that specifies the small site allowance should form part of the 5 year supply.

The Housing Supply Policy in the London Plan Policy 3.3 March 2015) and the principle evidence on which it is based (SHLAA 2013) are both relatively recent. The recent SHLAA is further evidence that there is an adequate housing land supply in the borough.

It is considered that overall the Council's Five Year Housing Supply position (June 2015) is that the Five Year Housing Supply is demonstrated and will continue to be monitored on a regular basis.

The applicant considers that "very special circumstances" justifying development on MOL have been established by virtue of the ability of the site to meet housing need and housing land supply. However, Officers do not agree that very special circumstances are justified on this specific basis. Officers are of the view that the housing supply targets of London Plan Policy 3.3 can be met without developing this designated MOL site. Consequently the ability of this site to deliver additional homes for the Borough cannot be accepted to override the harm to MOL as required in UDP Policy G2. In any event, the advice of the PPG is that unmet housing need is unlikely to outweigh harm to the Green Belt (MOL) and other harm to constitute very special circumstances justifying inappropriate development on a site within the Green Belt (MOL).

Meeting the MOL designation criteria

The applicant seeks to argue that this site should no longer form part of MOL. In order to be designated as MOL, the London Plan states that the land needs to meet one of the criteria defined by Policy 7.17. The applicant makes the case in section 6 of its application and as part of a separate statement (Dylon 2 MOL considerations) that the site considered should not have been designated in the first place because it would not meet any of the criteria.

The policy however states that "Any alterations to the boundary of MOL should be undertaken by boroughs through the LDF process". Paragraph 83 of the NPPF – which also as established earlier in this report also applies to MOL- states that "greenbelt boundaries" should only be altered in "exceptional circumstances" through the preparation/review of the local plan. As such, it is not considered that it is appropriate to reconsider the designation of the site as MOL using London Plan criteria as part of this planning application.

In addition, it is considered that the site does meet criteria a) and d) of the policy. Indeed the nature of the site is "clearly distinguishable from the built up area" (criteria a.) as most of it has been left open. Built development on the site remains low key and is some distance away from the Dylon and Maybrey industrial/housing sites. In addition, some of the development on the site has been carried out without previously having been approved by the local authority which contributes to the extent of the built footprint of the site (enforcement action has been taken and a current investigation is underway). The railway is a clear barrier separating the site from the industrial area to the west and it cannot be said that there is continuity between the urban form of the area and the site. In addition the site meets criteria d. as it is part of the green chain. Consequently without prejudice to the position set out in the paragraph above Officers are of the opinion that this site deserves its designation as MOL.

Improvements to Metropolitan Open Land and Design Quality

The scheme proposed suggests a trade-off between developing part on the site whilst improving the remaining MOL through landscaping, providing gym and play facilities and by providing a point of access into the site. The applicant considers that "The enhancement and establishment of public access to the retained MOL is also a material consideration in weighing the balance of policy considerations" which would "provide justification to set aside Policy 7.17 of the London Plan and G2 of the Bromley UDP, which aim to protect MOL from development. Policy 7.17 of the London Plan and G2 of the UDP cannot be "set aside". It is agreed that what is proposed in terms of the open space element of the proposal could be an improvement on MOL (however, for reasons

discussed in the design section below the detail of this element is not considered to be acceptable). Nevertheless, even if the open space element were considered to be well designed it should be understood that policy G2 of the UDP requires very special circumstances to be demonstrated first. If those are demonstrated, it will be considered whether those Very Special Circumstances outweigh the harm caused by inappropriate development.

As discussed above, this application does not demonstrate that very special circumstances apply in this case, especially in view of Bromley's updated housing supply figures and therefore whatever benefits would be brought to the remaining MOL cannot be used to justify loss of MOL. Similarly, meeting Bromley's and the GLA's design policy requirements and the guidance of other documents, including as stated exceeding the size and layout of the residential standards of the London Design Guide (as stated in the Design and Access, Scale and appearance and Amenity sections of the Planning, Access and Design Statement) cannot be taken to contribute to establish very special circumstances in itself. It could be used to established that the benefits of the scheme outweigh the harm done by inappropriate development through very special circumstances however because the case for very special circumstances has not convincingly been made in this instance and therefore however positive the features of the proposed development, those are immaterial to this case.

Precedents

The applicant provides examples of residential schemes which have previously been approved on MOL. Applications, the outcome of which were determined as part of the planning application process were assessed on their own merits and how they were determined does not set a precedent for this application. As for the scheme at Anerley School for Boys which was determined on appeal, the inspector's decision considered that the site did not meet any of the London's plan MOL criteria (7.17) however as stated above, it is considered that this particular site does meet some of the MOL criteria. Again, whilst this was considered on appeal, it is generally not appropriate to revisit MOL designations as part of the planning application process.

Principle Summary

In summary, given the MOL designation of the site the proposed residential development is inappropriate development. Such development should not be approved except in very special circumstances. The applicant has sought to demonstrate that very special circumstances apply on the basis that this site does not meet the criteria for designating MOL and in any event that redevelopment of this site for residential purposes is required to meeting housing need and supply in the Borough, particularly in light of recent changes to the London Plan and that there would be limited harm on openness.

The appropriate mechanism for challenging the designation of sites is through the Local Plan process not individual planning applications and for the reasons demonstrated in this report it is not accepted that this site is required to meet housing need and supply in the borough consequently it is not accepted that the applicant has demonstrated very special circumstances. The benefits of the proposal have been carefully assessed and weighed against the harm that could arise from the proposal. On balance officers do not consider that the benefits of the proposal would outweigh the harm caused by loss to the MOL and therefore the principle of the development is considered to be unacceptable in accordance with Policy 7.17 of the London Plan, Policy G2 of the UDP and the NPPF. It is noted that the GLA support this view.

Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in 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).

The applicant considers this site to fall within an urban setting based on the Dylon scheme together with the proximity of Lower Sydenham Station. They have sought to rely on the Inspectors description of the Dylon Site in relevant appeal documents and therefore calculate the PTAL as 2/3 and believe that the appropriate density range is 200-450 hr/ha or 70-170 u/ha as set out in Table 3.2 of the London Plan or 300-450 hr/ha/100-150u/ha according to Table 4.2 of the UDP. At a density of 404 hr/ha or 159 u/ha they consider the application to fall within the appropriate density range.

Officers do not agree with the applicant's assessment of density. The site is not part of the Dylon site; it is not identified as a housing site but is currently designated as MOL. The site is inset within MOL and adjacent to the Dylon site which has been granted permission for a scheme with an urban density. It is considered that this site forms a transition zone between the urban development to the north and suburban development, taking account of the area to the south and east of the site characterised by a predominance of semi-detached houses and Metropolitan Open Land. The appropriate density range would therefore be within the London Plan suburban range of 150-250 hr/ha or 50-95 u/ha. The current proposal significantly exceeds this range and would therefore constitute overdevelopment.

As discussed above the principle of redeveloping this site for residential use is considered to be unacceptable. Even if putting the MOL considerations to one side, the proposal is not considered to be a sustainable form of development. One of the strongest reasons in justifying this development put forward by the applicant is the site's location adjacent to Lower Sydenham train station. The transport implications of this scheme will be discussed in detail below. However, the transport report states that the site achieved a PTAL rating of 2, which is considered 'poor'. The site is actually quite isolated from surrounding facilities. The nearest primary school and local shops are approximately a ten minute walk from the site. GPs surgeries are a 17 min walk away. The only facilities near the site are sports fields and gyms. Whilst the Dylon development includes some commercial units, there is no guarantee when or whether these will be delivered. Furthermore it is noted that National Rail has confirmed that there is no disabled access to Lower Sydenham Station at present. Consequently, the sustainability credentials of this location are therefore questionable and there are concerns about appropriateness of the site to accommodate the density proposed.

The NPPF states that planning permission can be given to buildings that are not compatible with the existing townscape if they promote high levels of sustainability and concerns have been mitigated by good design. The isolated location of this building and the poor quality of the design explored in later paragraphs clearly show that that sustainability alone and provision of a high density scheme cannot be justified.

Playing Fields/Sport England Comments

This site was historically used as a sports facility for the Dylon Factory. Given its historical use Sport England were consulted. Their response has been set out in full above. In response to the comments raised by Sport England the applicant has submitted additional information. This comprises a letter from the site owner which

states 'since acquiring the site in 2007 there have been no sports activities carried out on the playing fields at Footzie Social Club. Car boot sales were held on the playing fields between 2003 and 2009, there are records for the licenses obtained for this activity'.

The applicant has also submitted an assessment to demonstrate that there is an excess of playing fields in the catchment area.

In light of the fact that the site has not been used as a playing pitch or sporting facility for a considerable period of time (in excess of 8 years) officers are not seeking to raise an objection to the application in this respect. In the event that this application were to be considered acceptable in all other respects the application would be referred to the Secretary of State in accordance with the Consultation Direction 2009.

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 elements of design are assessed below.

Appropriateness of a Tall Building

Policy BE17 defines a tall building as one which significantly exceeds the general height of the buildings in the area. Proposals for tall buildings will be expected to provide:

- (i) a design of outstanding architectural quality that will enhance the skyline
- (ii) a completed and well-designed setting, including hard and soft landscaping
- (iii) mixed use at effective densities and
- (iv) good access to public transport nodes and routes.

The proposed building is considered to be a tall building in the context of its surroundings. The proposal does not satisfy the criteria set out in Policy BE17.

Delivering a tall building in this location is completely contrary to planning policies within the UDP and London Plan. Policy 7.7 of the London Plan states that tall and large buildings should generally be limited to sites in the Central Activity Zone, opportunity areas and areas of intensification or town centres that have good access to public transport. The site is not located in any of these locations and although the site is located next to Lower Sydenham station, the PTAL rating is 2, this is considered poor. When setting out suitable locations for tall buildings the London Plan clearly states that tall buildings should be part of a plan led approach to change or develop the area and not have an unacceptably harmful impact on their surroundings. Policy 7.7 of the London Plan clearly states that tall buildings should relate to the proportion, composition, scale and character of surrounding buildings, urban grain and public realm and areas where the character would not be adversely affected. This is repeated in Policy BE1 of the Bromley UDP that states that development should complement the scale form and layout of the area.

The built character in the local area is varied, and there is little consistency. It varies from 2 storey suburban dwellings to industrial sheds. The consented scheme adjacent to the application site will introduce a new urban form between 5 and 8 storeys. The landscape of the site and wider area does, however, give the area a strong character. Proposals on the application site should therefore respond to the landscape and open space, as the primary influence on the site. This does not mean that the development of the application site should be of a suburban scale, but it should respond sensitively and positively to the landscape and open space. The proposed 8-12 storey building forming a continuous 'wall' to the open space would be completely out of character with the landscape and open space

Policy 7.7 of the London Plan states that tall buildings should improve the legibility of an area by emphasising a point of civic or visual significance. The storey heights proposed range from 8 storeys at the northern and southern ends of the building up to 12 storeys in the middle. This is an isolated site. There are no public facilities or destinations apart from the train station.

The increased height suggests a focal point at the centre of the scheme; this draws the public towards a dead space rather than an important node or landmark. Furthermore, instead of emphasising a point of visual significance, in this case the open views across the South East London Chain, the building blocks it out. The building would also block existing views of the MOL from the railway line.

Policy 7.7 of the London Plan states that tall buildings should have ground floor uses that relate to surrounding streets. This development has a very poor relationship with the surrounding streets. There are no uses at ground floor along the northern and eastern edges of the building and those on the west and southern areas relate only to the parking areas and have no relationship to the surrounding street network.

In conclusion a tall building is considered to be entirely inappropriate for this location contrary to Policy 7.7 of the London Plan and Policies BE17 and BE1 of the UDP.

Impact on the Landscape and Skyline

Policy BE18 states that, 'Development that adversely affects important local views, or views of landmarks or major skyline ridges, as identified in Appendix VII, will not be permitted. This development sits within the view of local importance described in Appendix VII as the view 'From Addington Hill of panorama across Crystal Palace, Penge, Beckenham and Greenwich towards Shooters Hill, Isle of Dogs and Blackwall Reach.' This proposal also needs to be considered in its context of an important MOL

landscape and relationship to the South East London Chain– a series of connected open spaces.

Policy G2 of the UDP states that within Metropolitan Open Land, *‘Permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm’*. Policy G7 of the Bromley UDP states that new development should respect the character of the South East London Chain.

All of the views provided as part of the planning application show that the mass and scale of proposed buildings will severely impact on the open character of the site adversely affecting the setting and character of the MOL and Green Chain. Despite planted screening around the western and south-eastern borders of the site, the building is highly visible and blocks existing open views.

Paragraph 7 of the NPPF states that the planning system must protect and enhance the natural environment. This is repeated in policy NE12 of the UDP that states that the Council will seek to safeguard the quality and character of the local landscape. The impact a tall building in this location will have on the skyline cannot be ignored. The site is situated within a view of local importance from the Addington Hills. Policy BE18 of the Bromley UDP clearly states that development that adversely affects important local views will not be permitted. Furthermore the open nature of the surrounding landscape will be severely impacted by the development.

Whilst the applicant has provided a number of views, including one long-range view from the Addington Hills, only limited visual impact assessment has been undertaken. The MOL Assessment submitted by the applicant provides photographs of views that do not have the proposed building superimposed on them. It is therefore difficult to properly assess the visual impact of the building, and the value of the exercise is questionable. Furthermore, the photos shown to illustrate the views have been taken in high summer when the vegetation surrounding the site is at its fullest. The building and site are likely to be far more visible in winter months.

The views and elevations provided, especially those of the western and eastern sides of the building, illustrate the detrimental impact a building of this scale would have on the surrounding area. The London Plan clearly states that tall buildings should not have an unacceptable harmful impact on their surroundings. At present, the applicant has provided no real proof that long-range views will be protected. Furthermore, creating a ‘wall’ of development will cast shadows onto the new public open space the extent of which is not clear from the application material. Furthermore, the improvements to the open space have been stated as one of the key justifications for developing on MOL. The space created therefore has to be of the highest quality. The proposed building will have an overbearing appearance for users of the open space, and will potentially overshadow it for parts of the day. Together with the blank frontage of the ground floor level, the building will be a hostile presence on the open space. (See Podium Design and Impact in Public Realm). This is not overcome by the inclusion of decorative grills as part of the design.

The London Plan clearly states that tall buildings should not have an unacceptable harmful impact on their surroundings. It is clear from looking at the views provided that this scheme would have a harmful impact. Despite the tree belt that surrounds the scheme along two edges, it remains highly visible due to its height and mass. This is unacceptable.

The site previously provided sporting facilities for the Dylon factory and is no longer in use and not accessible to the public. The applicant proposes to create a public open space on the undeveloped area of land. While this could bring benefits to the area for the reasons set out earlier in this report very special circumstances have not been demonstrated. Whilst the Applicant's Metropolitan Open Land Assessment does set out a case for the potential of development to improve access and the setting and functionality of the MOL the proposals are insufficient to overcome the MOL policy because the scale, siting and design of the proposals will harm the openness and visual amenity of the MOL. This is contrary to Policy G2 of the Bromley UDP and Policy 7.17 of the London Plan. The visual impact assessment has not clearly demonstrated the effect of such a large building and is not enough to justify the approach set out by the applicant

In conclusion the proposal is considered to be entirely inappropriate for this location due to the significant adverse impact on the landscape and skyline contrary to Policies BE18, NE12, G2 and G7 of the UDP and Paragraph 7 of the NPPF.

Street Network and Connections

London Plan Policy 7.4 states that, 'A Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future. Buildings, streets and open spaces should provide a high quality design response that:

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

Policy 7.5 states that, 'Development should make the public realm comprehensible at a human scale, using gateways, focal points and landmarks as appropriate to help people find their way. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space. Opportunities for the integration of high quality public art should be considered, and opportunities for greening (such as through planting of trees and other soft landscaping wherever possible) should be maximised. Treatment of the public realm should be informed by the heritage values of the place, where appropriate.'

The supporting text to Policy 7.5 states in paragraph 7.16, 'The quality of the public realm has a significant influence on quality of life because it affects people's sense of place, security and belonging, as well as having an influence on a range of health and social factors. For this reason, public and private open spaces, and the buildings that frame those spaces, should contribute to the highest standards of comfort, security and ease of movement possible. This is particularly important in high density development (Policy 3.4).

There is a strong emphasis in planning policy to deliver new buildings that contribute to and are integrated into the existing network of streets. Paragraph 7.4 of the London Plan states that development should have regard to the form function and structure of an area. Section 4.1 of the Bromley Residential Guidance SPG states that Layout should be integrated into the existing street network and that cul de sacs should be avoided. The London Housing Design guide specifically states in 1.1.1 and 1.1.2 that developments should demonstrate how the scheme responds to its physical context and integrates into the surrounding network of streets. This has not been achieved by the material submitted by the applicant. The development is essentially a single structure located within a cul de sac. It is in a peripheral location that is constrained by the railway and the river. This limits its ability to relate to the surrounding context. This is a predominantly business/industrial area. There is not a connected network of streets, rather buildings set in inward looking trading estates or housing developments. New development should attempt to address this issue not compound it.

There is emphasis in planning policy to create permeable, accessible areas. This is stated in Policy 7.1 and 7.5 of the London Plan. The access road to the site is not visible from Station Approach. It is hidden behind Dylon development. There is no connection with the existing townscape. Whilst it is noted that the Applicant has strengthened the pedestrian connection from Station Approach to the proposed open space and proposes access through the Dylon scheme, there remains no clear connection between the surrounding context and the primary access to the building (parallel to the railway).

Respecting the character of the existing streetscape is a strong theme of the planning policies identified. Paragraph 60 of the NPPF states that local distinctiveness should be reinforced by new development. This is repeated in Policy 7.1 of the London Plan which states that new buildings should reinforce or enhance the character and Policy BE1 of the Bromley UDP that states that the development should be imaginative and compliment the scale, form, layout and materials of the adjacent areas. Whilst there is no significant local built character in the area, there clearly is a distinctive natural environment created by large areas of open space. In the absence of any real built character, the landscape should inform the design of the building. The scale and mass of this large slab block does not relate to the green open character of the site and blocks views from the east and west.

In summary the proposal fails to positively integrate into its surrounding context contrary to Policies 7.1, 7.4 and 7.5 of the London Plan, Policy BE1 of the UDP and Bromley Residential supplementary design guidance.

Poor Design Quality

There is a strong emphasis in development plan policies, national and local planning guidance to deliver good design. Paragraph 56 of the NPPF states that good design is indivisible from good planning. Policy BE17 of the UDP states that buildings that exceed the general height of buildings in the area should be of outstanding architectural quality. The Residential Design SPG is very clear in stating that the appearance of the proposed development and its relationship with its surroundings are both material considerations in determining planning applications.

Policy 7.6 states that, 'Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape.'" It goes on to state that buildings and structures should

- Be of the highest architectural quality
- Be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- Comprise details and materials that complement, not necessarily replicate, the local architectural character
- Not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy,
- Incorporate best practice in resource management and climate change mitigation and adaptation
- Provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- Be adaptable to different activities and land uses, particularly at ground-level
- Meet the principles of inclusive design
- Optimise the potential of sites'

Despite the architect's attempts to articulate the façade of this building by using a concertinaed shape and varying the building heights, all of the views presented read as a singular monolithic structure. The blanket use of London stock brick and repetitive elevation treatments further emphasise the mega structure character of this building. This is far from the imaginative and attractive buildings required by Policy BE1 of the UDP.

Access to and circulation around the building has not been well addressed. There are only 2 entrances to the development at street level. These are located on the western side of the building alongside the access road. There are a further set of entrances along the eastern edge of the site accessed from the open space. These are raised above the podium parking level. This is contrary to Paragraph 3.1.1 of the London Housing Design Guide that states that, 'All main entrances to houses, ground floor flats and communal entrance lobbies should be visible from the public realm and clearly identified,' and to Paragraph 3.1.3 that states that, 'The approach to all entrances should preferably be level or gently sloping [Lifetime Homes Criterion 3].'

At ground floor level, circulation in the building is structured around internal central corridors. The London Housing Design Guide states that, 'Where dwellings are accessed via an internal corridor, the corridor should receive natural light and adequate ventilation.' There does not appear to be any natural light in these spaces. The long corridors also impose on the amenity of ground floor residents. Many people will be using these access corridors and this could have a noise and security impact on people living on the ground floor level. Their amenity is protected by Policy BE1 of the UDP. The London Housing Design Guide also states that, 'The layout of adjacent dwellings and the location of lifts and circulation spaces should seek to limit the transmission of noise to sound sensitive rooms within dwellings.' It is not clear how the applicant will protect the amenity of these residents. Indeed, many of the flats open directly into habitable rooms, which are particularly vulnerable to noise. The noise assessment submitted considers the impact of external noise sources on future occupiers but does not address this specific issue. A clearer approach to this issue is urgently required.

Furthermore, the circulation arrangement leads to many of the flats becoming single aspect. This limits opportunities for effective natural ventilation and passive solar design - contrary to Paragraph 96 of the NPPF and BE1 of the UPD that state that the layout and orientation should consider ways to reduce energy consumption. Furthermore paragraph 5.2.2 of the London Housing Design Guide states that, 'Where single aspect dwellings are proposed, the designer should demonstrate how good levels of ventilation, daylight and privacy will be provided to each habitable room and the

kitchen.’ Apart from the sunlight and daylight reports, the applicant has not fully explained their strategy to address these issues. This would be a particular concern for the single aspect west facing units which according to the Noise Assessment will require alternative means of ventilation as relying solely on openable windows could lead to noise pollution. Policy 7.15 of the London Plan seeks to protect residential occupiers from unacceptable noise pollution. Given the relationship to the railway and commercial buildings to the west it is considered that single aspect facing units on this façade should be avoided as dual aspect units would enable future occupiers to take advantage of the quieter parts of the site to the east. Whilst the single aspect units on the western side of the building could achieve adequate acoustic protection with windows closed, openable windows could give rise to harm.

Furthermore, the explanatory text for 5.2.2 states that, ‘The Mayor believes dual aspect should be the first option that designers explore for all new developments.’ There is no evidence that the applicant has investigated full the potential to provide dual aspect dwellings. No technical or site constraints are presented to justify this choice. This is unacceptable.

Circulation to upper levels is also confusing. When entering from the western side of the building residents on the upper floors must navigate their way to a secondary circulation area with stairs and lifts that will take them to their level. A different system operates on the eastern side of the building. There are four entrances along this edge. They lead directly to secondary circulation areas. This arrangement is ill thought out and does not incorporate the ‘highest standards of architecture,’ as required by Policy 7.6 of the London Plan.

The highways and parking implications of the proposal are discussed in detail in the relevant sections below. However, the design of the parking areas is considered to be poor. At ground level spaces are formed in an almost continuous edge along edge of the railway. This continuous row of hard landscaping does not create a pleasant outlook for those residents facing the western edge of the site, especially those who only have a single aspect to the west. Again, this is contrary to policies such as Policy BE1 of the UDP that states that space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and with the parking chapter of the Residential Design Guidance SPG that states that the council is committed to reducing the dominance of parking on the public realm.

As presented the proposal fails to provide a good enough standard of design quality when assessed against relevant development plan policies and national and local design guidance.

Podium Design and Effects on Public Realm

London Plan Policy 7.1 states that, ‘The design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood.’ Policy 7.3 states that, ‘Development should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. In particular:

- Routes and spaces should be legible and well maintained, providing for convenient movement without compromising security
- There should be a clear indication of whether a space is private, semi-public or public, with natural surveillance of publicly accessible spaces from buildings at their lower floors

- Design should encourage a level of human activity that is appropriate to the location, incorporating a mix of uses where appropriate, to maximize activity throughout the day and night, creating a reduced risk of crime and a sense of safety at all times
- Places should be designed to promote an appropriate sense of ownership over communal spaces
- Places, buildings and structures should incorporate appropriately designed security features
- Schemes should be designed to minimise on-going management and future maintenance costs of the particular safety and security measures proposed

The above measures should be incorporated at the design stage to ensure that overall design quality is not compromised.'

The most critical failure in the design is the positioning of the building above a single storey podium. This houses car parking at lower ground level. The podium is built out at ground floor level to accommodate the access road from Station Approach to the west and raised communal terraces to the east.

The podium design creates single storey blank frontage along the eastern edge of the building. This severely compromises the quality and success of the public space as there is limited passive surveillance at ground level. The recent addition of a door from the podium car park and proposed 'leaf' design for the car park grills do nothing to improve the quality of this podium edge. Indeed, a door between the car park and open space could actually make the development more insecure and open up potential for crime as there is no passive surveillance from the proposed dwellings on this elevation. Paragraph 58 of the NPPF, Policy 7.3 of the London Plan, Policy BE1 of the Bromley UDP and the General Design Guidance SPG (Ease of Movement) state that developments should design out opportunities for such behaviours.

As designed the proposal is contrary to Policy 7.7 of the London Plan and Policy BE17 of the UDP that requires tall and large buildings to have ground floor activities that provide a positive relationship to the surrounding streets.

The Public Realm Quality section of the General Design Principles SPG, the Fences and Boundaries section of the Residential Design SPG and Policy BE7 of the UDP all clearly state that high, blank walls and boundaries should be avoided. Furthermore, the London Housing Design Guide, states that developments should demonstrate how extensive blank elevations onto the public realm at ground floor have been avoided. By creating an extensive area of blank frontage along the park edge, the applicant has directly contradicted all of these policies.

The Quality of Public Realm Section of the General Design Principles SPG states that spaces should be overlooked by buildings and the London Housing design guide states that developments should demonstrate how public spaces and pedestrian routes are designed to be overlooked and safe. The open space is not overlooked at ground level. Neither is the route that people will follow along the edge of the open space to the entrances on the eastern side of the building. These entrances are raised and accessed via long staircases between the park and podium level. The applicant has not indicated how these will be secured. With no passive surveillance the park and entrance spaces will feel dangerous and will be vulnerable locations for anti-social behaviour and crime. Paragraph 58 of the NPPF, Policy 7.3 of the London Plan, Policy BE1 of the Bromley UDP and the General Design Guidance SPG (Ease of Movement) state that developments should design out opportunities for such behaviours.

Good public realm design is promoted throughout planning policy. The general design principles SPG states that the Council is committed to good quality public realm. The London Plan states that Development should make the public realm comprehensible at a human scale and that be of a composition that enhances and appropriately defines the public realm. It also requires the public and private open spaces should contribute the highest standards of comfort security and ease of movement. These principles have not been achieved by the application. Whilst the new uses and routes through the park do open up the space to the public, the space itself is not effectively framed by built development. Subsequently, the opportunity to create a successful open space has been missed.

In summary, the proposal fails to adequately address its surroundings at ground floor level resulting in poor and potentially dangerous public realm contrary to Policies 7.3 and 7.7 of the London Plan, BE1, BE7 and BE17 of the UDP and national and local design guidance.

Trees and Ecology

Policy NE7 requires proposals for new development to take particular account of existing trees on the site and on adjoining land. Policies NE2 and NE3 seek to protect sites and features which are of ecological interest and value. Planning Authorities are required to assess the impact of a development proposal upon ecology, biodiversity and protected species. The presence of protected species is a material planning consideration. English Nature has issued Standing Advice to local planning authorities to assist with the determination of planning applications in this respect as they have scaled back their ability to comment on individual applications. English Nature also act as the Licensing Authority in the event that following the issue of planning permission a license is required to undertake works which will affect protected species.

This application was accompanied by a habitat survey (the details of which were set out in earlier sections of this report). The report is considered to be acceptable in terms of identifying potential impacts on ecology and required mitigation.

Notwithstanding the above concerns with respect to the podium treatment and consequential adverse impact on public realm the Council's Tree Officer has confirmed that there is no objection to the proposed removal of trees as set out in the applicant's submission. In the event that this application were acceptable in all other respects it would be appropriate to request a detailed landscaping strategy by way of condition which would need to include sufficient and robust replacement tree planting, native species to improve ecology and habitats and ecological enhancements such as bird and bat boxes.

It would also be appropriate to attach conditions requiring detailed bat surveys to be undertaken prior to any tree works being carried out and restrictions on work being undertaken to trees during breeding season.

Housing Issues

At regional level, the 2015 London Plan seeks mixed and balanced communities (Policy 3.9). Communities should be mixed and balanced by tenure, supported by effective and attractive design, adequate infrastructure and an enhanced environment. 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 H7 outlines the Council's criteria for all new housing developments. The policy seeks the provision of a mix of housing types and sizes.

a) Size and Tenure of Residential Accommodation

The proposal would provide the following residential development

	1 Bed	2 Bed	3 Bed	Total
Private	94	88	7	189
Affordable	54	47	6	107
Total	148	135	13	296

The size mix of units equates to 50% one beds, 46% 2 beds and 4% three beds. The concerns raised by The Council's Strategic Housing Officer and GLA have been duly considered. The Council's Housing Officer has not raised an objection to the number of 3 bed units proposed as this would meet current housing need for this unit size, whilst a greater number of two bed units particularly in the affordable tenure would be preferable to meet current demand/need, development plan policies do not specify a detailed breakdown of unit sizes and on balance it is not considered that an objection on the grounds of unit size mix could be sustained in this instance. Consequently the proposed mix is considered to be acceptable.

Policy 3.8 of the London Plan requires 10% of all new dwellings to be wheelchair accessible. This is further reinforced by the Mayors Housing SPG (2012). Bromley's Affordable Housing SPD confirms that 10% of all housing including affordable housing should be wheelchair accessible in developments of 20 or more units. The applicants Planning Statement suggests that 10% wheelchair units would be provided which would meet the policy requirement. However, a plan submitted in the Architectural Statement confirms that 11 units would be provided which falls significantly short of the 10% required (29 units) across the development as a whole. The applicant's response to the GLAs Stage 1 Report confirms that 10% of dwellings have been designed to accommodate wheelchair users but only 24 wheelchair car parking spaces are provided which would not allow for a space for each wheelchair dwelling. . It is not clear from the submission whether the 11 units are proposed for the affordable tenure and therefore additional units will be provided in the private tenure of whether 11 units is the total provision.

A typical layout plan for the units has been provided at a scale of 1:125. However, this is not a sufficient scale or of sufficient detail to demonstrate that the 11 units would be capable of meeting wheelchair standards. For private units the relevant standard would be the GLA standard but for affordable units the standard would be SELHP. Additionally it is not entirely clear whether appropriate access or car parking can be provided. It is not clear from the submission that such standards could be achieved. Consequently the applicant has failed to sufficiently address London Plan Policy 3.8, the Mayors Housing SPG or Bromley's Affordable Housing SPD.

Policy H2 of the UDP requires sites capable of providing 10 or more dwellings to make provision for 35% affordable housing (by habitable room). A lower provision of affordable housing can only be accepted where it is demonstrated that the viability of the scheme cannot support policy compliant provision. In such instances the maximum level of affordable provision must be sought. Recent changes to the NPPF and PPG raise the threshold to 11 or more dwellings. In this instance the development comprises 296

residential units and therefore triggers the need to address Policy H2. The application includes a UDP policy compliant provision of affordable housing (296 total unit of which 107 units will be affordable = 36%/ 743 total hab rooms of which 273 affordable hab rooms = 36.7%). Consequently officers did not request the submission of a Financial Viability Assessment.

In the stage 1 response the GLA advised that London Plan Policies 3.11 and 3.12 require the maximum reasonable amount of affordable housing to be delivered in all residential developments above ten units, taking into account; the need to encourage rather than restrain development; the housing needs in particular locations; mixed and balanced communities, and; the specific circumstances of individual sites. They acknowledge that that in the planning statement, the applicant confirms that 35% of the units will be provided as affordable units, with a tenure split of 60% social rent and 40% intermediate, the preferred tenure split in the London Plan. The offer at this stage therefore meets the policy requirement in Bromley's UDP. The site however, is a greenfield, windfall site which could not have been purchased on the basis of its development potential. In addition, the London Plan policy is for the maximum reasonable amount of affordable housing to be delivered and is a far more up-to-date policy than Bromley Council's UDP policy. On that basis therefore, GLA officers require the applicant to conduct a financial viability appraisal to demonstrate the maximum reasonable amount of affordable housing will be delivered, based on the development's viability. This should be based on the existing use value (EUV) of the site (open space) or a suitable benchmark land value (of comparable open space transactions).

The GLA require the Council and/or its independent consultant to scrutinise the toolkit appraisals to determine whether the maximum reasonable amount of affordable housing that the development can deliver is being secured as opposed to 35% required by UDP policy. The GLA has requested that both the applicants and Councils viability reports are submitted prior to the application being referred back at stage two.

The GLAs position on this matter is noted. If this application were considered to be acceptable in principle this particular issue would have been discussed further with the applicant and GLA in order to find an appropriate solution.

The projected tenure split within the application is 70% rent 30% intermediate although a detailed breakdown of tenure in terms of identified units was not provided. Again if this application were considered to be acceptable in principle further details would have been sought from the applicant.

b) *Standard of Residential Accommodation*

Policy H7 of the UDP and the Residential Standards SPD sets out the requirements for new residential development. 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, 2b3p units to be 61 sqm and 2b4p units to be 70 sqm. All of the units meet the minimum unit sizes and make adequate provision for amenity space by virtue of

private balconies and terraces as well as the communal landscaped space to the east of the building. All of the 3 bed units are located at entrance level. The applicant has stated that all units met Lifetime Home Standards and has provided layout plans to demonstrate compliance in this respect. However, as discussed in the design section above there are concerns in respect of the design in terms of the number of one bed single aspect units, the approach to access and circulation and the noise implications for units on the ground floor as well as outlook for the lower single aspect units. It is considered that the detailed design could be improved to offer a better standard of amenity for future occupiers in accordance with the aims and objectives of the Mayors Housing SPG.

Playspace

Based on the Mayor's play space SPG, there is a requirement for 197 sqm of play space on site. An area of play space has been identified in the landscape plans. It is not clear how much provision is proposed but this could be addressed as part of a condition if this application were acceptable in all other respects.

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 and London Plan 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. The submission also included a travel plan.

The development is located on the corner of Worsley Bridge Road and Station Approach. Worsley Bridge Road is a district distributor road which links with the A2218 Southend Lane to the north and with the A2015 Southend Road via Stumps Hill, or Brackley Road to the south. Also the site is located in an area with low PTAL rate of 2.

Parking Survey

The car parking beat surveys were undertaken on Wednesday 17th September 2014 at 03:30 and 12:20, being repeated on Thursday 18th September at 03:30 and 13:00. The survey has indicated that on-street car parking demand during the day is high. For the majority of the zones defined by the survey, car parking stress exceeded 90% in areas where no parking restrictions are in place.

The survey has established that parking demand overnight is significantly lower than during the day. This is particularly evident on Station Approach and Worsley Bridge Road

(south of Station Approach), the sections of highway closest to the proposed development site. In combination, 82 or 83 on-street car parking spaces are available overnight in these roads.

Development Summary

The development will provide 296 residential units; the 296 flats will comprise a mix of one, two and three bedroom units as follows:

Dwelling Type	1 Bedroom (2 Habitable Rooms)	2 Bedroom (3 Habitable Rooms)	3 Bedroom (4 Habitable Rooms)
Apartments	148	135	13

Site Access

The development site will be accessed from the estate road developed in association with the adjacent Dylon International development (application number 09/01664). The proposed estate road provides a one-way entry into the Dylon International site from Station Approach and circulates one-way around the Dylon International building, in an anti-clockwise direction, requiring traffic to exit onto Worsley Bridge Road. The vehicular access into the development site will spur from the Dylon International development estate road. Separate points of access will be provided to basement parking (125 spaces, including 14 spaces for use by disabled drivers) and surface level parking (97 spaces, including 10 spaces for use by disabled drivers).

All surface level parking will be located between the built development and the railway line. At the southern end of the development site, a turning head will be provided at surface level. However the swept path analysis shows a standard refuse vehicle, LBB's refuse vehicle is 10.28m long by 2.550m wide. If this application were to be approved the applicant would be required to show the above vehicle would be able to manoeuvre in and out of the site in a forward gear. It would also be necessary to show how refuse trucks, cars, pedestrians and cyclists could use this access safely. This could be addressed by way of a condition which would be discharged in liaison with the Councils Highways Officer and TfL.

Car Parking

The development will be supported by 222 car parking spaces, provided at a ratio of 0.75 spaces per dwelling of these, 20% will have access to electric charge points to support electric vehicles. A further 20% of spaces will be provided with passive provision for the installation of electric charge points in the future. The parking spaces will be provided at surface level (97 spaces, including 10 provided to a disabled driver standard) and within a basement car park (125 spaces, including 14 for use by disabled drivers). The total of 269 car parking spaces are required according to LBB's UDP. Socially rented 38, 1 bed units (38x 0.5= 19); 33, 2bed units (33x 0.75= 25) and 4, 3bed units (4x1= 4) total 48 spaces, then 189 (market housing) and 32 (intermediate) units at 1 per unit equates to 221 spaces. Therefore there is a shortfall of 47 spaces when judged against Bromley UDP standards, although it is important to note that the development would meet London Plan standards. The Councils Highways Officer does not object to the parking provision.

Cycle parking- Overall, 456 bicycle parking spaces will be provided for residents within the basement, and a further 32 spaces will be provided at ground level. However the new London Plan states that 1 space per studio and 1 bed room unit and 2 spaces per all other dwellings, therefore 444 spaces are required. There is an overprovision of 12 cycle

spaces. The number of spaces is considered to be acceptable. Further details are required in respect of detailed design but this could be secured by condition.

Car Ownership

The electoral Ward of Copers Cope has been interrogated, within which the development site is located the consultant has obtained car ownership Census data by unit type (apartment or house) and by habitable room. This enables a detailed estimate of future ownership rates to be established, based on existing car ownership levels for the local area.

The Table below provides the development's schedule of accommodation, and this includes the number of habitable rooms per dwelling. By applying this schedule to the 2011 Census car ownership data for Copers Cope, the following estimate of car ownership for the development can be made.

Unit Type	No. Habitable Rooms	Total No. H'holds	No cars or van*	1 car or van*	2 cars or van*	3+ cars or van*+	Total cars owned	Average cars per dwelling	Proposed No. Units	Estimated Car Ownership
Apartment - Owned outright or with mortgage	1 - 3 rooms	974	324 (33%)	562	83	5	745	0.78	182	138
Apartment - Owned outright or with mortgage	4 rooms	1,461	361 (25%)	903	178	19	1323	0.91	7	6
Apartment - Shared ownership; rented and living rent free	1-3 rooms	1337	603 (45%)	651	77	6	825	0.62	101	62
Apartment - Shared ownership; rented and living rent free	4 rooms	1146	389 (34%)	616	127	14	917	0.80	6	5
TOTAL Estimated Car Ownership										212

The data indicates that a high proportion of dwellings are car free, with 37% of households predicted to be car free at the proposed development site.

Overall, the assessment estimates car ownership to be 212 cars for the 296 dwelling development (ratio of 0.72 cars per unit).

Car Club Parking Provision

The Car Club operator City Car Club have provided a proposal to introduce a Car Club onsite that will be accessible to both future site residents and residents from adjacent developments. It is proposed that 2 parking spaces on-site are reserved for use by Car

Club vehicles. The spaces would be at surface level and the car club operator will be appointed to operate a minimum of 1 car at the location for at least 2 years. The operator would add a second car as demand requires. If this development were acceptable in all other respect this would need to be secured by way of a section 106 legal agreement.

Transport Demand

The assessment has identified a car driver mode share of 35.5% over the course of a 12-hour day (07:00-19:00). This is broadly consistent with the car driver mode shares determined for the 08:00-09:00 and 17:00-18:00 periods. The predominant mode share for all periods considered above is 'walk / public transport', which achieves 51.6% of mode share from 08:00-09:00.

The roundabout junction of Worsley Bridge Road/Station Approach/Montana Gardens has been modelled using the Junctions (ARCADY) The junction model has been created to replicate base traffic conditions. The future (2018) 'base' and 'with development' traffic conditions derived in have then been applied to the traffic model. All traffic arriving at the development site will turn into Station Approach at this junction, before turning from Station Approach into the site's internal estate road.

The assessment has identified that the junction will operate within capacity for the design year 2018. The highest ratio of flow to capacity (RFC) figure identified is 0.77, in the AM peak on Worsley Bridge Road (North), within the design capacity.

Site Exit Junction onto Worsley Bridge Road

The future performance of the site egress onto Worsley Bridge Road has been assessed. This junction will be developed to support the development site and the adjacent Phase 1 site. The traffic model has been created using the PICADY.

The assessment has identified that the site's egress will operate with a significant reserve capacity at peak times of operation. RFC values are below 1.0, and vehicle queues and delays are minimal.

Southend Lane/Worsley Bridge Road

The traffic signal control junction of Southend Lane/Worsley Bridge Road has been modelled using the software LINSIG for the assessment of traffic signal control junction capacity. Under existing conditions, the survey identified a consistently long queue in the PM peak on Southend Lane, for traffic travelling westbound towards Bell Green. However, the survey has also identified that this junction approach experiences a significant amount of underutilised green time. The survey company have informed that during the PM peak traffic period, the junction experienced a capacity constraint as a result of traffic queuing back from the Southend Lane/Kangley Bridge Road/Sainsbury's junction which prevented westbound traffic from travelling through the junction.

The assessment has identified that the junction is shown to operate over capacity under both base and with development conditions, in both the AM and PM peak traffic periods.

The development will result in an impact on the operation of the Southend Lane/Worsley Bridge Road traffic signal control junction. In terms of the increase in traffic volume, it is predicted that in the year 2018, traffic flow will increase by 2.5% in the AM peak traffic period (63 vehicles), and by 1.3% in the PM peak period (36 vehicles). This increase in traffic demand will have an impact on the operation of the

junction. The Council's Highways Officer has advised that the applicant should investigate the phasing of Southend Lane / Worsley Bridge Road junction in order to minimise the impact and reduce queuing. If this application were acceptable in all other respects this matter would be raised with the applicant. However, the Council's Highways Officer has advised that in his view this application should not be refused on the grounds of adverse impact on the highway network.

The Council's Highways Officer has advised that the development will result in a minor impact on the operation of the Southend Lane/Worsley Bridge Road traffic signal control junction. However this reason is not sufficient to warrant a refusal on highways grounds.

In the event that this application were to be considered acceptable in all other respects the following would be secured by condition/s106 in order to make the development acceptable from a highways perspective:

- The swept path analysis shows a standard refuse vehicle, LBB's refuse vehicle is 10.28m long by 2.550m wide. The applicant is required to show the above vehicle would be able to manoeuvre in and out of the site in a forward gear.
- The development will result in a minor impact on the operation of the Southend Lane/Worsley Bridge Road traffic signal control junction. Therefore the applicant is required to investigate further the phasing of Southend Lane / Worsley Bridge Road junction in order to minimise the impact and reduce queuing.
- Details of cycle parking
- Details of delivery and servicing
- Additional details in respect of the design of the new access to show how all road users could safely use the access/internal route
- Construction logistics plan
- Provision of 40% electric vehicle charging points.
- S106 contributions towards improved bus stops/improved access at Sydenham station/installation of double yellow lines/contribution towards future parking controls

In summary it is not considered that the proposal would have severe adverse impacts in respect of highways issues and therefore no objection is raised in this respect.

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.

Whilst there are significant concerns with this proposal as set out in this report it is not considered that the development would give rise to unacceptable impacts in terms of neighbouring amenity.

The site is largely surrounded by a range of non-residential uses comprising commercial and industrial uses to the north and west and MOL to the east and south. The closest residential properties would be the Dylon Phase 1 scheme when built. Given the significant distance between this site and existing residential properties to the east and south it is not considered that any harm to amenity would occur. There would be a degree of overlooking between the units on this scheme and the approved

Dylon development. However, anyone choosing to move into the new schemes would be aware of the relationship and it is not considered that any mutual overlooking would give rise to an objection that could be sustained as a reason for refusal.

Whilst there may be some potential for overlooking onto adjacent uses to the west it is important to note that the adjacent buildings are not in residential use. Whilst some level of overlooking may occur it is not considered that the level of harm that would arise is significant enough to warrant refusal of this application.

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. If this application were considered to be acceptable in all other respects relevant conditions could be used to limit the adverse impacts of construction.

Concerns regarding traffic impact and parking issues that may arise in nearby streets that benefit from uncontrolled parking have been considered and discussed above.

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 a CHP would be incorporated to help meet London Plan CO2 reductions. 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.

Overall, the submitted information is comprehensive and thorough. The consultants have followed the GLA's SPG methodology and they are aiming to show that the proposed development will exceed the 35% reduction in CO2 required by the London Plan. The strategy is to use a gas-fired CHP system to provide heat and power to the development. This is in line with the GLA's policies and appears to be able to meet the CO2 reduction requirements without additional measures. The consultants have acknowledged that a contribution from renewable energy is desirable and would be feasible - they suggest PV panels be used "if required". Officers believe that some panels should be included in the proposal particularly as the opportunity has not been taken to incorporate living roofs – these might take the reduction over and above 35%, but also act as a safety net should the CHP not meet the stated quantum when the design is finalised.

To meet the GLA comments additional information should be provided in respect of the possibility of linking Dylon and this development to the same CHP and to ensure that appropriate carbon savings can be attributed to the CHP. It would also be

appropriate to require the development to incorporate piping/ducting to enable connection to a district wide CHP system in the future. These matters could be secured by way of condition.

One point to note is that the statement includes a section on Code for Sustainable Homes. Following the Government's recent announcement, the Code has been scrapped and Bromley Council are not requiring it as a standard although it is welcome from a sustainability perspective.

In summary, the strategy for reducing carbon emissions is in line with policy and acceptable subject to the provision of additional information required meeting GLA comments which could be secured by condition.

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.

Within this development surface water is proposed to be discharged to a soakaway or discharged to the adjacent watercourse in order to mimic the existing surface water run-off regime for the site. The potential to provide SUDs has been considered as part of the preliminary design process and will be incorporated into the final landscaping scheme.

This application does not include the provision of living roofs as the applicant has stated that the roof area could be used to accommodate PV panels. This is regrettable as it is possible for PV panels to be positioned on top of living roofs. Indeed the provision of living roofs below photo-voltaic panels optimises the efficiency of the PVs bringing additional sustainability benefits to the development. It is considered that the lack of a living roof is a missed opportunity to make a positive contribution in terms of SUDs, ecological benefits and visual amenity.

Notwithstanding the lack of green roof provision the development is capable of incorporating SUDs. The Council's Drainage Officer has confirmed that there is no objection to the proposal subject to conditions requiring submission of a detailed drainage strategy.

Flood Risk Mitigation

Paragraph 100 of the NPPF states that areas of highest flood risk should be avoided. London Plan Policy 5.12 states that development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and associated Technical Guidance. Developments that are required to pass the exceptions test will need to address flood resilient design and emergency planning.

This site is located in an identified Flood Risk Area, 14% of the site is in Flood Zone 1, 80% of the site is in Flood Zone 3 and 6% is in Zone 2. The flood levels vary across the site between 23.94 AOD and 25.07 AOD. The proposed finish floor levels of the development have been determined through the site specific modelling exercise undertaken in conjunction with the Environment Agency. The ground floor (access) level will be set at 27.0m AOD and the lower deck car park floor level at 24.0m AOD.

In order to mitigate the impact of flooding the residential areas of the development, the surface level parking and access routes area all located in areas free from flooding.

The ground floor of the development has been set at 27m AOD which means the residential areas are located a minimum of 2m above the 1 in 100 year plus climate change flood event. This approach provides an opportunity for dry escape or refuge in the event of a flood. In order to address concerns regarding flooding of the undercroft car parking area the design incorporate grilles along the eastern boundary of the building. The length of the grille will be 92m.

The Environment Agency has advised that they have no objection to the proposal on flood risk grounds should the local planning authority be satisfied in respect of:

- Sequential approach to flood risk
- Principle of using under-croft for floodwater storage
- Design of under-croft openings
- Land raising
- Finished floor levels
- Safe access and egress
- Flood resilience measures
- Sustainable Drainage Systems

The approach to mitigating flood risk and the Environment Agency's response has been discussed with the Council Drainage Officer and Emergency Planning Team. The Emergency Planning Team do not have the capacity or expertise to comment on the appropriateness of the proposal but the Drainage Officer has confirmed that he would not raise an objection subject to the conditions recommended by the Environment Agency.

Whilst it is acknowledged that the Environment Agency and Drainage Officer do not object to the proposal and flood risk issues could technically be overcome by way of an engineered solution, the proposed means of dealing with flood risk is not considered to be acceptable from a design perspective. The primary reason for the design of the podium is to mitigate against flood risk. By raising the building up the residential accommodation sits 2m above the maximum flood level identified by the applicants modelling exercise of 650mm. It is not clear whether it is necessary to have such a large distance between the flood level identified and the residential accommodation or whether the need to raise the building simply presented an opportunity to accommodate car parking at lower ground level. While this approach does mitigate against flood risk, and satisfies the requirements of the Environment Agency and Emergency Planning, the consequences for the success of the scheme in terms of design, especially along the edge of the open space, are disastrous.

There is no evidence to suggest that the project team investigated other approaches to manage flood risk. Arguably, a site such as this one is not appropriate for development. Building on such a site at the expense of good design and place making promoted throughout planning policy is unacceptable. The applicants comments within the FRA regarding the suitability of the site for development based on housing need are noted but for reasons already discussed in this report the site is not considered to be necessary or indeed appropriate for meeting housing need in the Borough, the proposal is contrary to development plan policies and therefore the sequential test should be applied. The Council do not consider this site to be necessary to meet housing need and therefore question the suitability of the site residential development in light of the flood risk designation and proposed measures for dealing with this. As it stands the Council do not accept that the Exception Test has been passed.

Other Considerations

Air quality, archaeology and land contamination has been addressed by way of submission of technical reports which have been scrutinised by relevant consultees. No objections are raised in this respect and if approved, appropriate conditions could be attached to control these specific aspects of the proposal in detail.

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. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

In this instance the application is considered to be unacceptable in principle and matters of detail. Consequently necessary s106 obligations have not been negotiated with the applicant. However, if this application were to be approved it would be necessary for the development to mitigate its impact in terms of:-

- Education (£702,939)
- Health (290,968)
- Affordable Housing
- Wheelchair housing
- Access to and maintenance of the public open space.
- Network Rail has raised a concern with the lack of lift access at Lower Sydenham Station and requested that the applicant address this by way of a financial obligation to provide lift access. If this application had been considered acceptable in principle this matter would also have been discussed with the applicant.
- Provision of car club membership
- Highways contributions to address Bromley and TfL requirements

Environmental Impact Assessment

The Council issued a Screening Opinion on 10 April 2015 pursuant to Regulation 5 confirming that the development would not be likely to have significant effects on the environment generating a need for an Environmental Impact Assessment. It was considered that the application could be fully and properly assessed by way of technical reports without the need for a full EIA.

Summary

The proposed development of the site raises issues associated with the principle of developing the MOL for residential purpose and the acceptability of the development in terms of its nature and scale, impact on the local environment and surrounding area.

The benefits of the proposal should be carefully weighed against the harm arising, considering those matters in light of the NPPF (paragraphs 14, 49 and 87) as well as adopted and emerging development plan policies and other material considerations including third party representations.

As discussed in this report, the principle of developing the site for residential purposes is by definition inappropriate development in MOL. Officers have considered the very special circumstances put forward by the applicant and have weighed up the substantial harm caused by the inappropriate development as well as other harm resulting from overdevelopment, design and flooding against the benefits of the scheme which include the economic and regeneration and housing supply benefits associated with the provision of additional residential units for the Borough and providing public access and landscaping improvements to the MOL.

On balance officers do not consider that the potential harm to the MOL by reason of inappropriateness and other harm due to overdevelopment, design and flood risk are clearly outweighed by the benefits of the development set out above. Therefore very special circumstances do not exist justifying inappropriate development on this site and the principle of redeveloping this site for residential purposes is considered to be wholly unacceptable and contrary to the NPPF as a whole and development plan policies which seek to protect MOL.

In addition, there are some fundamental issues in terms of amount, scale and detailed design of the proposal that would seriously threaten the character, place making and functionality of the area, quality of the proposed building, open space and public realm, as well as giving rise to a poor standard of amenity for future residents including occupiers of wheelchair units. It is also considered that the proposed measures to deal with flood risk are inappropriate and unacceptable as they have a significant adverse effect on the quality of the proposed development. Notwithstanding the MOL designation it is considered that the proposal in its detail results in adverse impacts that significantly and demonstrably outweigh the benefits of the development.

Overall, the adverse impacts of the proposed development together with the restrictions under MOL policy significantly and demonstrably outweigh the benefits, in spite of the general presumption in favour of sustainable development.

Consequently it is recommended that this application be refused for the reasons set out below.

Were the Council minded to approve this application formal referral to the Secretary of State would be necessary before determination given Sport England objections. In any event this application must be referred to the Mayor before determination in accordance with the request of the GLA in its Stage One Response (referable under .Category 1.A – development which comprises or includes the provision of more than 150 dwellings and Category 3D – development on land allocated as MOL which would include construction of a building with a floor space of more than 1000 sqm)

Background papers referred to during the production of this report comprise all correspondence on file ref 15/00701 and other files referenced in this report, excluding exempt information.

RECOMMENDATION: REFUSE for the following reasons:

1. The proposed redevelopment of this site designated as Metropolitan Open Land (MOL) for residential purposes is considered to be inappropriate development in principle. The applicant has failed to demonstrate very special circumstances or that the proposal is a sustainable form of development. Furthermore the substantial level of harm that would arise from the development by way of harm to the MOL, design, and amenity and flood risk is considered to outweigh any housing land supply or other socio-economic benefits that would arise or benefits of opening up public access to the MOL and enhancing its landscape. As such the proposal is contrary to the aims and objectives of the NPPF (2012) and Policies 7.17 of the London Plan (2015) and G2 of the UDP (2006).

2. This site is considered to be an inappropriate location for a tall building as it fails to satisfy the requirements of Policy BE17 of the UDP. Furthermore, the proposal by virtue of its scale, form and monolithic appearance, amount of development, adverse impact on the Landscape and the Skyline, poor response to the existing street network and connections, failure to improve or enhance the legibility and character of the area, adverse podium design, lack of active frontage and poor public realm amounts to overdevelopment of the site and fails to provide a scheme of high quality design contrary to the aims and objectives of the NPPF (2012), Policies H7, BE1 BE4 and BE18 of the UDP, Policies 7.1, 7.2, 7.3 7.4, 7.5 and 7.6 of the London Plan, The Mayors Housing SPG and SPG1 Good Design Principles and SPG2 Residential Design Guidance.

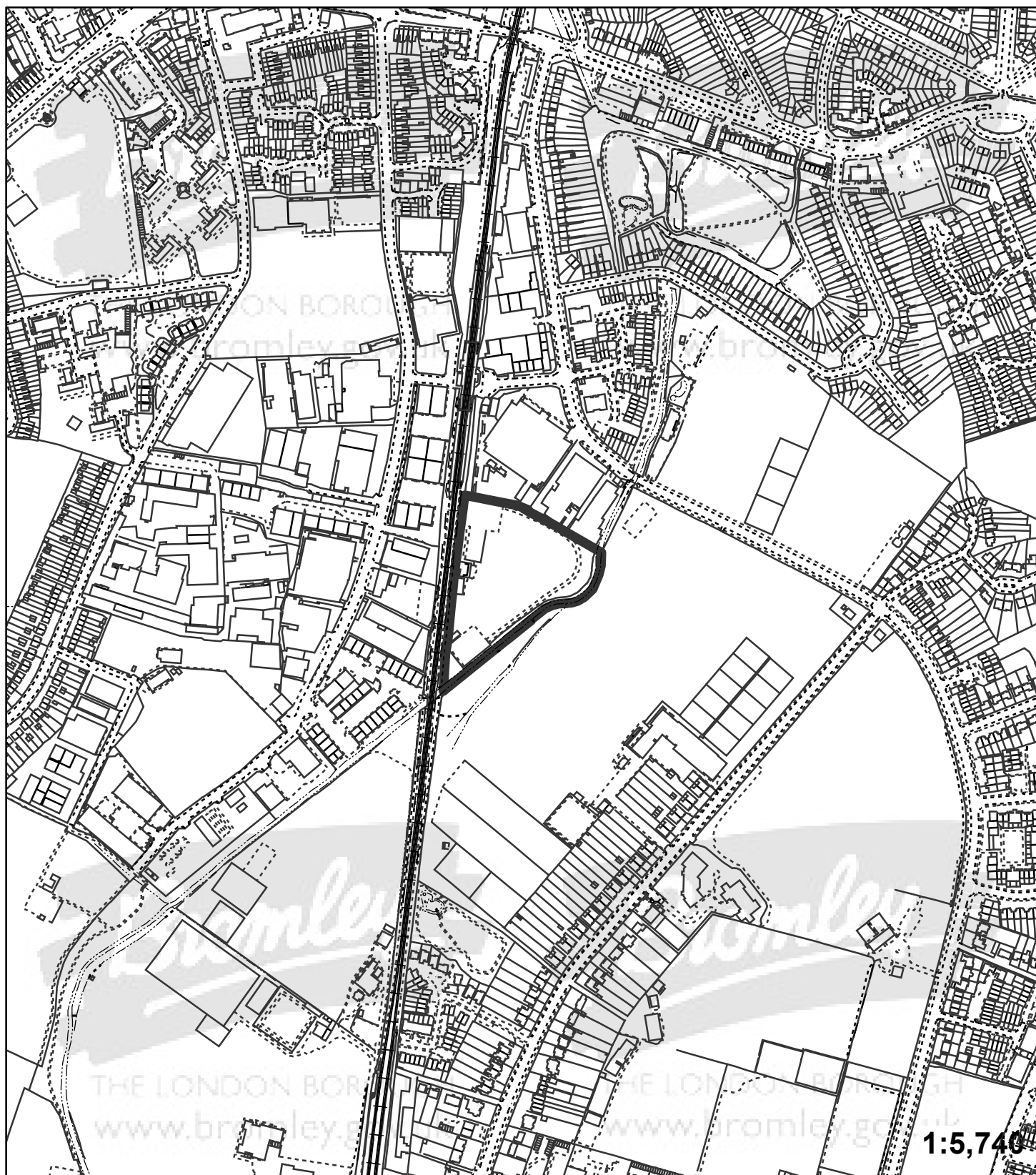
3. The proposal by virtue of its podium design, poorly considered access arrangements, outlook for some of the ground floor units; and questions over the ability of single aspect flats to promote natural ventilation and mitigate solar gain; or provide adequate amenity in terms of noise when windows are open fails to demonstrate that a high quality living environment with satisfactory standards of amenity will be provided for future residents. Furthermore it has not been demonstrated that the development is capable of providing 10% wheelchair provision across all tenures, with suitable access, car parking and internal layout. The proposal is therefore contrary to Policies H7 and BE1 of the UDP, Policies 7.1, 7.2, 7.3 and 7.6 of the London Plan, The Mayors Housing SPG, SPG2 Residential Design Guidance and the Bromley's Affordable Housing SPD (2008).

4. This site lies within Flood Zone 2 and 3 and meets the requirements for Sequential Test in the NPPF. Despite the ability of the design to mitigate flood risk, the approach taken has significant adverse effects on the quality of the development. As such it has not been demonstrated that an appropriate solution to mitigate potential flood risk can be achieved in accordance with the aims and objectives of the NPPF (2012) and Policy 5.12 of the London Plan.

Application:15/00701/FULL1

Address: Footzie Social Club Station Approach Lower Sydenham
London SE26 5BQ

Proposal: Demolition of the existing buildings and redevelopment of the site by the erection of a basement plus part 8/9/10/11/12 storey building comprising 296 residential units (148 x one bed; 135 x two bed and 13 x three bed units) together with the construction of an estate road, 222 car



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

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