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DATE: 13 April 2017

To: Members of the
DEVELOPMENT CONTROL COMMITTEE

Councillor Peter Dean (Chairman)
Councillor Richard Scoates (Vice-Chairman)
Councillors Vanessa Allen, Graham Arthur, Douglas Auld, Eric Bosshard,
Katy Boughey, Kevin Brooks, Lydia Buttinger, Nicky Dykes, Simon Fawthrop,
William Huntington-Thresher, Charles Joel, David Livett, Alexa Michael,
Neil Reddin FCCA, Pauline Tunnicliffe and Michael Turner

A meeting of the Development Control Committee will be held at Bromley Civic Centre on **TUESDAY 25 APRIL 2017 AT 7.30 PM**

MARK BOWEN
Director of Corporate Services

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

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

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

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 25 JANUARY 2017 (Pages 1 - 22)**

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 19 April 2017.

**5 PLANNING APPLICATION (16/04563/OUT) - 18 HOMEFIELD RISE,
ORPINGTON BR6 0RU (ORPINGTON WARD) (Pages 23 - 68)**

**6 PLANNING APPLICATION (16/05782/FULL1) - KLINGERS, EDGINGTON WAY,
SIDCUP DA14 5AF (CRAY VALLEY EAST WARD) (Pages 69 - 104)**

**7 PLANNING APPLICATION (16/05784/LBC) - KLINGER WORKS, EDGINGTON
WAY, SIDCUP DA14 5AF (CRAY VALLEY EAST WARD) (Pages 105 - 108)**

**8 PLANNING APPLICATION (16/05897/FULL1) - MAYBREY BUSINESS PARK,
WORSLEY BRIDGE ROAD, LONDON SE26 5AZ (COPERS COPE WARD)
(Pages 109 - 154)**

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DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 25 January 2017

Present:

Councillor Peter Dean (Chairman)
Councillor Richard Scoates (Vice-Chairman)
Councillors Vanessa Allen, Graham Arthur, Douglas Auld,
Nicholas Bennett J.P., Katy Boughey, Kevin Brooks,
Lydia Buttinger, Nicky Dykes, Simon Fawthrop,
William Huntington-Thresher, Charles Joel, David Livett,
Alexa Michael, Neil Reddin FCCA, Pauline Tunnicliffe and
Michael Turner

Also Present:

Councillors Peter Fookes, Peter Fortune, Ellie Harmer,
Kate Lymer, Tom Philpott, Catherine Rideout, Colin Smith and
Diane Smith

29 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Eric Bosshard;
Councillor Nicholas Bennett JP attended as substitute.

30 DECLARATIONS OF INTEREST

No declarations of interest were received.

31 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2016

RESOLVED that the Minutes of the meeting held on 24 November 2016
be confirmed and signed as a correct record.

32 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No oral questions were received.

Three written questions were submitted by Mr Clive Lees, Chairman,
Ravensbourne Valley Preservation Society. These questions, together with
the Chairman's responses were as follows:-

Question 1

In respect of 14 Highland Road BR1 about which a planning enforcement complaint was made on 26 January 2015 and a question asked of this committee on 9th February 2016, we note that absolutely nothing has changed on the ground. What action is the Council proposing to take to ensure this development is completed according to the approved plan and Conditions?

Chairman's Response

As a result of the enforcement process an application has been submitted to the Council under ref, DC/16/03890/MATAMD. This current application is pending consideration and is with Stephanie Gardiner, Planning Officer. Once a decision has been made either no further action will be required if approved or it will revert back to the enforcement team to pursue any further necessary enforcement action.

Question 2

In respect of 20 Blyth Road (fronting Bracken Hill Lane) where a retrospective application was Dismissed at Appeal, what action is the Council taking to enforce reinstatement of the wall (ie stopping up of the unpermitted access)?

Chairman's Response

The Council has contacted the owners of the property with a view to issuing an enforcement notice against the unauthorised development EN/14/00163/OPDEV. We expect that the enforcement notice will be issued within the next 2 weeks.

Question 3

With regard to driveways being installed, what action is the Council taking to ensure that local companies install them with the proper drainage where required? (RVPS is aware of a number in the Shortlands area which do not comply with regulations and there seems to be an endemic casual disregard for requirements.)

Chairman's Response

In order to investigate this matter it would be helpful if you could provide the addresses of the properties to the Council and this matter can be looked into further. Driveways being installed can fall within permitted development so long as it meets the permitted development criteria, this information is available online and there is clear guidance which companies who install them will need to consider. However if there are properties which install driveways that do not meet this then the Council may consider taking all necessary action to remedy the breach of planning control. The responsibility lies with the owners of the property.

**33 PLANNING APPLICATION (16/03145/OUT) - SOUTH
SUBURBAN CO OP SOCIETY, BALMORAL AVENUE,
BECKENHAM BR3 3RD**

Description of application – Outline application for the erection of 2 buildings of two to three storeys comprising 13,508 square metres (Gross External Area) of Class D1 floorspace to provide an 8 form entry plus 6th form school (up to 1,680 pupils) and sports hall, 17,200 square metres for playing fields, 2,190 square metres Multi Use Games Area with community use and associated development including car parking spaces, cycle parking spaces, floodlighting, new pedestrian and vehicular accesses, servicing and storage. (AMENDED PLANS AND ADDITIONAL INFORMATION).

Oral representations in objection to the application were received from Mr Stuart Argent on behalf of the Balmoral Residents' Group.

Mr Argent reported that for many years, the site had been used for leisure activities and was a refuge for thriving wildlife. The applicant had made no effort to contact residents directly on a one-to-one basis especially those whose properties bordered or faced the site. This showed considerable lack of respect for residents' views and concerns. The site and surrounding infrastructure was not able to cope with a development of this size. Residents' concerns included:-

- unacceptable disruption and noise generated by the development;
- noise, congestion and litter generated as a result of 600 pupils walking past residents' properties;
- additional noise and disruption relating to the evening and weekend community use;
- the main traffic congestion route was 2mtrs from residents' properties resulting in overlooking and loss of privacy;
- properties in neighbouring roads would also be overlooked by the development and be exposed to noise and light pollution particularly with the extended use of the multi-use games areas which should be time restricted, especially at evenings and weekends;
- Balmoral Avenue was a small quiet, narrow residential road on which residents parked their vehicles; this reduced the width of the road to a single carriageway. It was further compounded by the use of large vehicles such as delivery lorries and refuse collections which blocked the road.
- increased noise, vibration and pollution from buses, coaches and delivery lorries servicing the school. This would be particularly evident to property No. 45 where the only access road was situated just metres from its boundary.
- the number of pupils and staff arriving by car would lead to Balmoral Avenue being subject to an additional 300 vehicles twice per day.
- the drop-off point on site would cause further congestion in local roads, especially in Upper Elmers Road and Eden Park Avenue.
- the development would add severe congestion to Balmoral Avenue and would bring the road and both main arteries to Eden Park Avenue and

Upper Elmers End Road to gridlock which would have a knock-on effect to Croydon Road, Elmer's End Green and Goddard Road.

- as a result of a public consultation exercise, the Committee voted to remove the allocation of secondary education at the site and agreed that it be removed from the draft Local Plan as a site for educational use.
- as the site was designated Urban Open Space, the Council's own Policy G8 should prevent this type of development from being built.
- the development would be built on an area classed as a Flood Risk Zone 2 and 3. Although plans to prevent the development from flooding had been incorporated, residents had not received reassurance that their properties would be protected against flooding.
- the proposed conditions at the end of the officer's report did not go far enough to protect residents from potential changes to the operational site. More specific and detailed conditions would be expected should the application be granted.

Oral representations in support of the application were received from Mr Paul Murphy, Head Teacher, Ravensbourne School.

Mr Murphy reported that Eden Park High School was a Free School approved by the Secretary of State for Education. To date 8 public meetings had been held together with many other consultation events. On Friday 20 January permission was granted for the temporary site at the Ravensbourne School. The key part of the reason to establish Eden Park High was education need. 34 extra FE were required by 2020 equating to three additional schools and 17 extra FE were needed by 2018 equating to two extra schools in 18 months. Mr Murphy referred to a paragraph in the planning report which stated that Eden Park High had extensive support from the Bromley community. A Section 10 consultation was undertaken with all schools in a 2½ mile radius together with local businesses, local residents and local community groups. 86% of respondents were in favour of establishing Eden Park High. No schools, local businesses or community group objected to another school being located in the area. The views of local residents who did not want the school to open were taken very seriously. The application represented transformation of a derelict, disused resource to a productive resource for children and adults. There would be over £25 million inward investment to Bromley at no cost to Bromley with new jobs being created. There would be state of the art resources for the local community as well as students. Eden Park would offer a unique new education provision which would massively increase the choices and diversity available to parents.

In response to Member questions, Mr Murphy stated that students would begin classes at 8.30 am and finish at 5.30 pm; 6th form pupils would finish at an earlier time. In the original submission, the development was designated as a 6 FE however the DfE requested it be increased to an 8 FE as they preferred to authorise larger schools because as children move through the school, the educational flexibility to provide a full range of courses and the income generated by the higher numbers would improve the education offered to students. Everything possible would be done within the admissions code to ensure the main beneficiaries would be local Bromley children and not

those living outside of the Borough. Initial talks were underway with local primary schools who may decide to have feeder school status which would give priority to students in those schools on admission to secondary schools. Mr Murphy confirmed the calculation of spaces for 5 cars on site and a 20-30 second stop time, between 150-225 drop-offs could be made in a 15 minute interval was indeed a realistic one. No problem was perceived in terms of collection times as most secondary school children preferred to make their own way home.

In the initial bid, the figures for educational need in the Borough were examined. Since then, the situation had changed and in discussion with the DfE, 8 FE appeared to make more sense as it would improve what could be offered to students in terms of curriculum especially as they move on to Key Stage 4 for 14-16 year olds onto post-16. 8 FE was the optimum size at secondary school level and 3 FE the maximum for primary schools. This year the radius for admission to Eden Park had decreased with slightly less applications being received than the previous year when the school had deferred opening and had a radius of 1.2 miles. Most students arrived at Ravensbourne between 8 and 8.15 am and a similar pattern was expected at Eden Park High.

It was anticipated that the temporary site at Ravensbourne would open in September with 180 pupils (6FE) who would then be on site at Balmoral two years later. The necessary works would be conducted throughout May to July. It was hoped that the Eden Park site would open approximately 2 years later.

Earlier versions of the plan had changed to accommodate the needs of local residents in terms of ingress and egress to the site, boundary lines and landscaping etc. It was anticipated that links would be built with the rugby club by allowing them to use the school car park at weekends when the school was not in use. Mr Murphy confirmed there was no intention to return to Committee at a later date with applications for the installation of floodlights etc.

Ravensbourne was a gold accredited Travel Plan school. The Principal Designate for Eden Park operated the Travel Plan at Ravensbourne and in the interim would do the same for Eden Park. The applicant would ensure that all targets were met and would go to any length to ensure that sustainable travel was facilitated and would seek out-of-hours users' commitments to those principles and values.

It was anticipated that approximately 75-80% of Eden Park High students would come from the Beckenham Constituency. Parents in central Bromley had showed a very strong interest.

The Development Control Manager reported additional representations both in objection and in support of the application had been received, raising the following concerns:-

- the vehicle access being too close to the boundary of No. 45 Balmoral Avenue;
- whether there was a need for additional playing fields and the resulting evening noise that would be harmful to residents' amenities;
- late posting of documents on the websites and new documents received before the Committee meeting. (The additional documents did not contain information to lessen the impact of the development);
- a mobile phone mast constructed about 200m from the school and the health issues this might raise;
- the turning into Balmoral Avenue which could add to the congestion at the junction of Balmoral Avenue and Upper Elmers End Road. The junctions nearby which were already over capacity should have improvements made to them;
- no confidence that the Travel Plan would reduce car-borne journeys;
- travel surveys submitted should include the Langley schools;
- the community use would lead to traffic issues at evenings and weekends when residents had the right to enjoy quiet time in their homes;
- the increase in pollution from car emissions;
- the catchment area was very wide so more children than usual would travel by car.

If Members were minded to grant permission, the Greater London Authority had requested a condition requiring the full submission of an access strategy to ensure the development achieved the highest standards of inclusive access to all potential users.

The Chief Planner reported a supplementary information update had been published on the website and circulated to Members. This dealt with an update on the Draft Local Plan. The recommendation set out in the report however, remained the same.

Oral representations from the Portfolio Holder for Education, Councillor Peter Fortune, in support of the application were received at the meeting. Councillor Fortune considered that previously when schools were under local authority control, the Council as a Local Education Authority, would balance all views and suggest a suitable way forward. The Council would suggest sites and push the planning process through however, a fundamental shift in the educational landscape had altered that option. All too often colleagues asked why the Bromley Education Department placed schools where they did or why, when another solution was so apparently obvious, it had decided not to do something else. It was important for the Committee to realise that the Local Authority was not the applicant in school construction applications. The applicant was the individual Trust with the support of the EFA. This was important because if colleagues were minded to offer up suggestions for alternative sites, it must be realised that the Council did not control where autonomous Trusts may wish to locate. This was a Government policy and one that the London Borough of Bromley had vigorously supported over the last few years. Members of the Committee should appreciate the context of the application.

Councillor Fortune referred to the Council's statutory responsibility as defined by Section 14 of the Education Act 1996. It was the Council's statutory function to ensure there were suitable places available. Whilst it was the Council's intention that these places be filled by Bromley children, it must be recognised that at secondary age, there were significant flows of children across the Borough boundaries who also had a right to a place under schools' own admission policies. Furthermore, the Council had no legal ability (due to the Greenwich and Rotherham decisions), to prevent out-of-borough children applying for places at Bromley schools or to reserve places at Bromley schools for children who live in the Borough or in certain communities. Due to these judgements, account must be taken of the existence of cross-borough movements as part of the place planning function in order to effectively deliver the Council's statutory duty to provide sufficient places. Members should have a deeper and greater understanding of what the need for school places was rather than base it on emotive anecdotal evidence from either side. The Authority was provided with GLA figures however, in order to acquire its own information, a consultant was hired to go further and deeper into the data provided. This resulted in Ward specific data which every Member was provided with. Each Member of the Committee was given the opportunity to meet with Councillor Fortune, with the Executive Assistant Councillor Philpott and the placement planning officer, Rob Bollen to discuss this data which was clearer than anything previously provided. The Department had been more open and provided more information than it had ever been asked to do previously. The resulting Ward data gave a clear picture of primary school need and had been used to counter planning applications from primary academies. The Authority remained committed to providing that open information.

Primary schools operated on a more localised ward level where secondary schools did not. They worked as one whole planning area across the Borough. As part of the Council's statutory role, the Council must provide secondary school places for all pupils across the whole of the London Borough of Bromley and not necessarily in a specific ward or location. Secondary school places required in Year 7 were measured and the Council was legally obliged to ensure that they were met. As was clear in the data provided, the need for secondary school Year 7 places over the next few years at the current rate of expansion from the figures was projected as:-

8 FE down in 2017;
14 FE down in 2018;
10 FE down in 2019;
18 FE down in 2020; and
19 FE down in 2021.

It was the Council's legal responsibility to ensure that the Borough's children received the education that was fundamental to their future. Over the years children had been squashed into bulge classes and temporary accommodation. This sub-standard educational provision damaged the children's education and was extremely costly to the Authority. Whilst the cost of bulge classes varied, at an average cost of £200k per bulge class, this

was clearly not a sensible solution. The 'Doomsday' scenario of doing nothing would result in colleagues explaining to residents why their children were being directed to schools outside of the Borough and this would be dependent on vacancies in schools in Croydon and Lewisham and indeed their capacity to educate Bromley children. There would be spiralling costs of mobile units on fields as with a recent example due to rejection of a recent secondary application of a £½m bill for the implementation and a unique and catastrophic failure in the Authority's fundamental and legal responsibility to the children of Bromley.

The Chairman and Ward Member for Kelsey and Eden Park acknowledged that the London Borough of Bromley was in need of school places to meet its statutory needs. However, as Cllr Fortune pointed out, he had spoken to individual Councillors who had approached him and highlighted the need for school places in their individual wards. It was concluded that Kelsey and Eden Park Ward was adequately covered for local students so there was no need for a further school in that area. The site in Balmoral Avenue had not been designated land for educational use in the draft Local Plan. Whilst there was a responsibility to the parents of children to provide them with school places, there was also a responsibility to local residents, their standards of living and enjoyment of life. Balmoral Avenue was a narrow road which opened out onto Upper Elmers End Road. Other roads impacted by traffic on Balmoral Road would include Shirley Crescent and Goddard Road and ultimately down to the main roundabout at Elmers End. Recent statistics showed that in the last three years 26 motoring accidents occurred on or around the junction with Balmoral Avenue and Upper Elmers End Road. How much worse this would be if there was extra traffic from the parents of 1600 pupils. The Harris Beckenham Academy with just 400 new pupils was not yet full however parking along Manor Way was out of control during main rush hours (between 7.30 and 9.00 am and in the afternoon) and it was difficult to get up and down the road. Manor Way was a long straight wide road whereas Balmoral Avenue was a narrow road and unable to take free-flowing traffic due to parked cars. At school times the Upper Elmers End Road, Shirley Crescent, Goddard Road and Balmoral Avenue itself were all gridlocked. Another 8FE school with 1600 extra pupils would make Elmers End an 'unable to get to' area.

The Chairman wanted consideration to be given in the first instance to existing residents. The Education Department needed to work harder to find necessary sites to open schools in areas where they were actually required.

The Chairman urged Members to vote against the application, and moved that the application be refused on traffic grounds.

Councillor Fawthrop referred to a potential pedestrian impact. Even if all pupils walked to school, those crossing roads, walking down streets, taking trains and buses, would have an impact on traffic and on the locality. It was a shame that organisations who wanted to build schools did not look at the Council's Plans and work with the Authority and community as a whole to put those places where the Council wanted them and where they would have a

positive impact. Councillor Fawthrop seconded the motion for refusal. If however, the application was granted permission, a condition relating to the removal of permitted development rights should be added together with a slab level condition in terms of the school building itself.

Councillor Arthur acknowledged the need for extra school places across the Borough. Most schools capable of expansion had already done so. It was now necessary for new schools to be built within the next 2-3 years. This site was large and available and had ministerial approval. Councillor Arthur was particularly pleased with the involvement of Ravensbourne School which held a good track record. Wherever a school was built within the Borough, there would be traffic implications and it was a question of how these were addressed. It was clear in this case that the applicants had done as much as possible to mitigate the problems that traffic would cause in the area. This was a creative proposal and the applicant recognised the concerns of local people. One of the prime ways of putting residents first was to ensure their children had a decent start in life and had a decent education. In this regard, Councillor Arthur supported the recommendation for approval.

Councillor Reddin commended the report writer for producing a fair and well-written report which set out the issues very clearly. The only site this side of the Borough to be allocated was at Kentwood which Councillor Reddin considered to be too small. A modern secondary school had to be at least 6 or 8 FE to be financially and educationally viable and secure. A school at this location would assist the wider west of the Borough and take pressure away from the remaining schools. A catchment area of 1m radius was not particularly large for a secondary school and there would be a danger in various parts of the Borough, particularly in the west and the north west, where parents could not get children into any of their first or second choice schools and may find themselves travelling to Orpington. As a journey every morning and afternoon for a child's education that was not suitable.

In policy terms, there was an impact on open space. There would never be a zero impact with this sort of development however, Councillor Reddin was impressed with the efforts the applicant had gone to in siting the building over to the eastern and south eastern corner of the site, far away from residential properties and leaving as much of the site open as possible.

A school had never been built or expanded without highways issues however, secondary schools did have less of an impact than primary schools simply because secondary pupils were more likely to make their own way to and from school. The junction at Upper Elmers End and Croydon Road was in need of engineering works regardless of whether or not the school was built. The applicants had gone some way to alleviate problems by proposing the one-way egress onto Balmoral Avenue. TfL had confirmed the bus network could accommodate the extra capacity. In conclusion, Councillor Reddin moved that the application be granted.

Councillor Bennett seconded the motion for approval. He stated the Council had a legal duty to ensure children were educated within the Borough. There

were 15 comprehensive schools across 22 wards however the catchment areas of schools was shrinking. 29% of schoolchildren in West Wickham had to leave the Borough due to them living between the catchment areas for Hayes and Langley Park Schools. Whilst West Wickham were keen to have a secondary school, there was no site available. There was a clear need for additional school places. Councillor Bennett drew Members' attention to a letter circulated to Members dated 4 January from the Education Funding Agency which stated that the omission of the Balmoral Avenue site to meet secondary need within the emerging Plan was not justified. Further EFA comment on this was provided in the letter under the heading 'Site allocations'. The EFA therefore requested that the Balmoral site be reintroduced as a site for the allocation of education use within the London Borough of Bromley Local Plan. The Department of Education was very clear that leaving it out of the Local Plan was an error. The Council had recently failed two OFSTEDs so with two applications before Committee and with a clear need to provide secondary places by 2018, if this application was refused, the Council would be in danger of having a Direction from the Secretary of State that the Council was failing in its duty. The EFA worked with the Council and had identified sites. The next application to come forward would be 1 Westmoreland Road, a 10 storey building catering for 11-18 year pupils. By 2022 another 34 FE would be needed for Year 7 places. So even with 1 Westmoreland Road and some additional classes in secondary schools there would still be a deficit. A meeting was due to take place with the Roman Archbishop of Southwark to discuss a Catholic secondary school for the Borough which would help to relieve the pressure.

Councillor Bennett stated that all school planning applications were opposed on traffic grounds. In reality this was only a problem for 30 minutes in the morning and afternoon. This site would provide a good secondary school run by an organisation that had a proven track record with its existing schools and would provide much needed extra places for Bromley's children. Councillor Bennett supported the motion for approval.

Councillor Brooks agreed there were always traffic and highways issues with school applications and if this was deemed to be the Committee's reason for refusal, schools would not be built and the Council would not be able to meet its statutory duty. It was likely that the majority of children within the 1m admission radius would walk to school. The school would benefit from good transport links in the area.

Councillor Allen reported that allocated school sites were at the mercy of developers who may not come forward with proposals. As this particular site was supported by the EFA and a developer was ready to commence, Councillor Allen supported approval.

The first motion for refusal fell at 4-14.

Following a vote on the second motion to approve the application (14-3), Members **RESOLVED** that **PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 AGREEMENT (relating to**

£20,000 for a future traffic management scheme if required, other highways works as may be required and a Travel Plan) AND REFERRAL TO THE MAYOR OF LONDON as recommended, subject to the conditions and informatives set out in the report of the Chief Planner.

It was clarified that conditions relating to the removal of permitted development rights and slab levels were already included in the report of the Chief Planner. A condition in relation to a full access strategy was also added, as originally suggested by the GLA.

34 PLANNING APPLICATION (16/03315/FULL1) - ST HUGHES PLAYING FIELDS, BICKLEY ROAD, BICKLEY, BROMLEY

Description of application – Proposed erection of a 6FE Secondary Boys School comprising a part 2 storey, part 3 storey school building of 8,443m² including a sports hall (also for wider community use) together with hard and soft landscaping, creation of a new vehicular access on Chislehurst Road, 68 parking spaces, drop off/pick up area and associated works. Erection of a temporary 2 storey classroom block on site for 12 months to accommodate 5 classrooms, a laboratory, offices and toilets.

Oral representations in support of the application were received from Mr Matthew Blythin, DHA Planning and Mrs Anne Gouldthorpe, Head Teacher Designate, Bullers Wood School for Girls.

Mrs Gouldthorpe emphasised that the decision made by Members was vitally important for schoolboys in the Borough. As with Bullers Wood School for Girls, the aim was to create similar opportunities for boys. Educational success and safety was at the heart of this proposal. There was vital need for secondary places across Bromley. An extra 1012 places were required by 2022 and the establishment of a boys school would help meet this demand. More than 900 letters sent to the Council supported the proposal. Efforts were being made to resolve highways issues.

Mr Blythin reported that the proposed site was already in school use. The Council continued to propose and rely upon the site as a new school in its draft Local Plan. A concern had been raised over the pedestrian crossing on Chislehurst Road however, the primary pedestrian entrance was on Bickley Road where a new puffin crossing would be provided. Although the Chislehurst Road arrangement had been safety audited and found to be safe, the school was willing to increase the footway in Chislehurst Road if Members considered it necessary. The Travel Plan was ready to implement from day one to manage traffic in the following ways:- a) staff would oversee school entrances and exits and marshal the areas to avoid on-street drop-off along Chislehurst Road; b) deliveries would only be permitted outside peak hours; c) someone would be on duty to manage parking during community use; and d) the school's early start and finish times would ensure avoidance of traffic during peak hours. In addressing highways issues, the team had sought to balance adequate provision whilst discouraging drop-offs and retaining trees to provide screening. The team had explored different access options in

detail. The proposed route spread vehicles across two roads creating a safe pedestrian access and reflected the Council's own Policy T11 on new access points. Options for Bickley Road were explored but would cause greater disruption to this busy road and a suitable access could not secure the necessary agreement from TfL to move existing bus stops to the locations required. Highway capacity and traffic impact were also raised and here local context was key. If school places were not provided here, pupils would need to travel by car elsewhere adding traffic to local roads. The need for school places would not go away; refusing the school would simply shift traffic and would not prevent congestion from increasing. If approved, through a combination of route design and staff involvement, the school could manage traffic levels efficiently. The sole issue of difference on this proposal was highways. The proposals had been independently assessed and found to be safe and the school had sought out solutions and was willing to do more.

Mrs Gouldthorpe stated the single concern of highways was manageable. At the girls school there was experience in managing student movements on a larger and much more constrained site. The Travel Plan would be a core part of the new school's ethos. It was essential to deliver the best possible school for boys in Bromley. There had been 452 applications for 180 boys to start at the school in September. Over 50% were from the same post code as the school and the immediate surrounding areas of BR2 and BR7. These students would be able to travel on public transport or by foot.

In response to Member questions, Mrs Gouldthorpe stated it was anticipated that for the boys school, pupils would enter at the primary pedestrian entrance which was on Bickley Road.

Mr Blythin reported the Bickley Road crossing would be a puffin crossing agreed as part of a Section 106 Agreement. The Chislehurst Road crossing was not a controlled crossing however, there was a dropped kerb crossing with a pedestrian entrance on the south side of Chislehurst Road which had been safety audited. Mrs Gouldthorpe explained that as part of the operating procedures, all staff had roles and responsibilities to be on duty at the start and end of the school day. Staff would be on site 30 minutes before and after school time to marshal pupils in and out.

Extensive consultation was undertaken in regard to Sport England who had a strict policy to which they adhered to in terms of exceptions permitted. The proposals in this application were far superior to what was currently offered and would allow greater use. Sport England considered it did not meet their strict criteria. To overcome this they wished to see the two MUGA areas combined however, the constraints to the site was such that this was not possible.

In terms of the Travel Plan, the general approach had, on all fronts, been to allow for the maximum use of sustainable modes of travel including cycle provision which was at the heart of the school layout. The provision made would be monitored and had been made to cope with demand as the school expanded. The Travel Plan was modelled on the girls school but there was

an opportunity to develop an ethos where sustainable travel to school was key and would actually become part of the school's culture. Travelling to school either by public transport or by walking was key. The girls' school was very focused on the Youth Travel Ambassadors and had received various gold accreditations through its sustainable travel and the team would be working towards this at the boys school. The ethos was about developing resilience and independence in boys.

As a Trust school there would be some sharing of staff but as a boys school it would have its own team of teachers. For the first year or so there could be more sharing of staff possibly in terms of the shortage of subjects. Additionally, it was hoped that some of the services i.e. admin, could be centralised and shared.

The Council's own Policy T11, clearly sought to move new accesses towards non-primary routes. Bickley Road was a busy road and clearly access and exits there would have a greater impact. The team had extensively explored achievable layouts using Bickley Road and they had been submitted to officers and in discussion with TfL it had been established what would be acceptable to them as a distance of movement of the bus stops needed to facilitate those options. The team had worked robustly with the Council and at officers' suggestion had gone over and above what would normally be required in exploring those options.

Mr Blythin acknowledged that during the pick-up period there was a greater potential for cars to have to wait. The 10 spaces provided had been modelled with the internal road provision as it currently stood. There was capacity on the road itself and the propensity was for less pick-up spread over a longer period of time. With all the assessments undertaken, the applicant considered the proposed provision was more than adequate.

A full analysis had not been carried out with regard to how many pupils would attend outside the admission radius. The vast majority of pupils (50%) would be from the BR1, BR7 and BR2 post codes. The remainder would be BR post codes with very few attending from outer lying boroughs.

The applicant sought wherever possible to engage constructively with officers in relation to access at Bickley Road. Having explored all the options and taken forward all the comments, the decision was made to adhere to what they firmly considered to be the best highways option. In terms of a Bickley Road access, it would be a fundamental change to the scheme and the knock-on implications would not be simply moving the access.

Although there would be community use out of school hours, there was no proposal for external floodlighting and no evening use during the dark hours. The indoor sports facility would mitigate a lot of the activity that was likely to occur and the school would efficiently undertake the management of movements to and from the site.

Oral representations in objection to the application were received from Mr Michael Bird, local resident and Mr Matthew Stimpson, Transport Planner, Odyssey.

Mr Bird reported the following local residents' concerns:-

- unacceptable traffic, road safety and parking issues;
- loss of open space;
- unacceptable loss of residential amenity;
- loss of playing fields and inadequacy of the remaining playing fields space.

Mr Bird stated the Council's own planning officers, following discussions with the applicant and a detailed examination of the proposals over the last 10 months had concluded the application should be refused due to serious traffic and road safety issues. Not only did this reflect residents' long held views but the conclusion was fully supported by the findings of two eminent consultants. Accordingly, there was a consistency in the views of local residents and professionals who supported the officer report in regard to traffic, road safety and parking issues. The applicant was given sufficient time to provide a workable plan for the site but had not been able to do so.

With regard to the other objections, it was considered the planning officers had not given sufficient weight to the negative local impact caused by the development. With regard to loss of amenity, the applicant had proposed to cut down trees and hedgerows to create new pedestrian and vehicle entrances on Chislehurst Road and to build the large modern school building as well as the top playground, sub-station and bin store a little more than 100ft away from houses on the opposite side of the road. The street scene would be significantly changed and the considerable increase in activity and vehicle and pedestrian movements would result in residents suffering a much greater level of disruption, noise and air pollution from early in the morning when the school opened until late into the evening during the week and on Saturday mornings as a result of the wider public use of the facilities. Such a loss of residential amenity was totally unacceptable. Putting proper weight on the negative local impacts and considering their cumulative effect, they clearly override the unproven need for extra secondary school places in the location.

Mr Stimpson stated that Odyssey agreed with the comments and conclusion reached by both the Highways Officer and the Glanville independent review. DHA had provided no new evidence to suggest that the development would have anything other than a severe impact upon the highway network. The development would bring about serious safety concerns for all road users, including pedestrians who would have to negotiate sub-standard footpath provision in order to access the site. Accommodation for vehicle access was equally insufficient with an inadequate single drop-off and pick-up arrangement that would result in severe queuing through the site. This would inevitably lead to parents stopping and waiting on surrounding roads causing further congestion and delay. DHA's own transport assessment concluded that the surrounding highway network was already operating significantly in excess of capacity.

The Development Control Manager reported that just over 120 representations in support of the application had been received since publication of the planning agenda. These reiterated the comments already summarised in the report. An updated e-petition in support of the application was received on 18 January containing 1031 signatures. Approximately 11 additional representations in objection to the application had also been received including comments from the Sundridge Residents' Association making the following additional points:-

- There were 8 schools in the vicinity of the site, all of which operated a staggered day. This would seriously hamper traffic in the area.
- The school would feed pupils into Bullers Wood sixth form which would need to expand to accommodate those places. This would result in an additional impact which had not been assessed;
- Staggering school opening and closing times would make congestion last longer;
- Concerns were raised about the public consultation carried out by the school and the points made about other secondary schools in the Borough that had places available.

Following the Council's Independent Highway Consultants report dated 16 January, the applicant team responded once to this report and again to comments made by the Highway Authority on their response which included new modelling data. Final comments had been received from the Highway Authority which stated that having considered the new information from the applicant, their position was unchanged from that set out in the report.

The applicant had also asked officers to confirm they would be happy for a Section 106 Agreement that included delivery of a puffin crossing and bus stop repositioning, Travel Plan and reimbursement of the Council's legal costs.

It should be noted that contrary to that quoted on pages 117 and 118 of the report, the Highway Authority for Bickley Road was Bromley not TfL.

The supplementary item regarding the Local Plan previously mentioned by the Chief Planner for the last application was also relevant to this application and had been circulated to Members and published on the web site.

Should permission be granted, in view of the Sport England objection, the application would also need to be referred to the Secretary of State as well as the Mayor of London.

Oral representations from the Portfolio Holder for Education, Councillor Peter Fortune in support of the application were received at the meeting. Councillor Fortune stated his comments regarding the previous application on the agenda, could be applied almost verbatim to this application. Councillor Fortune emphasised the importance of the Council's statutory obligation and the independent assessments around education need. The figures produced

dealt with the secondary need across the Borough and the pressures faced showed a desperate shortfall for thousands of pupils to enter school at year 7 by the year 2021. The concerns of residents in objection to the application were as valued as all others which was why an evidence based approach to need was taken. Councillor Fortune stood by the figures presented to Members. The Authority was dependent on academy trusts with an appetite to construct schools. No matter where an application was sited, there would be opposition and traffic would always be an issue. The school had set out how they intended to tackle this issue. As local opposition and infrastructure capacity would always be a factor, at some point a decision would need to be taken that displeased some people. This was inevitable if the Council was to meet its responsibilities. The increase in the number of secondary school aged pupils that needed to be accommodated was not a hypothetical forecast but was real and driven by the massive increase since 2010 in Bromley residents needing primary school places. Since 2010, 2,300 permanent school places and 56 bulge classes had been added to primary schools in order to keep up with over 600 additional places that needed to be accommodated. Members of Planning Committees would be familiar with the long list of permanent expansion schemes approved over the last five years in order for the Council to meet its statutory duty. To date, the only secondary scheme with planning consent was the addition of 2 FE at Bishop Justus School. Data or no data, the problem is evident. If additional FE are not found, there would be a woeful deficit of capacity to meet the short, medium and long-term needs of local families. If need was not met, the Council would be faced with the Doomsday scenario of children being directed outside of the Borough and spiralling costs of temporary and unsatisfactory solutions. The Council must enable parents of the next generation to plan for the future their children so rightly deserved.

Oral representations in objection to the application were received from visiting Ward Member Councillor Colin Smith who advised Members that when this controversial application came to his attention, the three Ward Councillors made an avowed decision neither to be for or against the application and they had dismissed significant pressure from both camps, judged the facts as they appeared before them and formed an opinion when everything became known. This included three or four meetings with the applicant, their agents and architects. The plan was drawn together in the Autumn and unfortunately, he and his Ward colleagues had decided to support refusal of the application not just for the reason of transport and traffic but also concerns with the design of the building which could be overcome. The Ward Councillors had made some suggestions as to how this could be achieved but to no effect. There was clearly a problem around traffic which had not only been drawn out by the applicant's consultant but also by the Council's independent consultant who had verified what was long known in that the junction was completely over-capacitated already. The consultant's report stated that the surrounding highway network was currently already operating significantly in excess of capacity with significant amounts of queuing. Given the existing stress on all junctions in the immediate vicinity, the site was not suitable to accommodate the peak hour quantum of additional traffic associated with the proposed land use. There was no agreement by the

Borough's officers that no more could be done to meet Sport England's request and there was an outstanding objection from Sport England which stood completely unaddressed in its own right meaning if the application were to be approved, it would certainly go to the Mayor of London for further consideration. A further issue was that of need for secondary school places in the Borough which everyone accepted. Officers were not able to provide a breakdown for the individual need of Bickley and Bromley Town and Chislehurst and Plaistow and Sundridge Wards. This raised a concern because whilst Members accepted the assertion there was a need to build schools, it also raised the question of where they should be built. Residents wanted choice for their children but the choice did not necessarily equate to a given need and the loss of urban open space based and predicated on the understanding that the need existed. This was particularly the case with the number of unfilled Year 7 places in schools across the borough, why they exist, what was being done to address getting those schools into a position where they were taking those Year 7 pupils to reduce the demand elsewhere. With an application for 8FE already granted earlier in the evening, a fantastic Shaw 6FE proposal at Bromley South and the great potential for a Catholic 6 FE school in the Borough, Councillor Smith respectfully took a different view around the future of Kentwood and stated the Council should be supporting the development of that site which did not need to be a 6 FE model as a 4 FE could work if the will was there. Once all these potential FEs were added up (over 20) the number of places quoted by Councillor Fortune decreased quite quickly.

Transport was key to the proposal. Members would have read the fairly damning report contained in the papers and had heard from both the applicant and the objectors. Councillor Smith stated the applicant and its consultant had two years to consider, prepare, manage and execute a suitable scheme in which to address the problem around considerable congestion, access and road safety which already exists locally and would only be added to if the school was to be built in this location. Despite last minute communications, this had not been done. The scheme before Members if approved, would increase congestion, diminish road safety, increase air pollution and more generally impinge on the wider quality of life for all residents living close to and passing through, these key distributor roads which would conflict with the key policies set both within the Council and regionally at Mayoral level around transport and air quality in particular. Education was one of the most important things that anyone provided for their children but there must be a better way and a better location to provide a future school for Bromley's young people than this particular site. Councillor Smith was not against the development of schools and would support additional school places within his ward. He would potentially support the application if it were to come back in a suitably amended form however he could not a scheme that fundamentally failed around traffic and transport.

As Ward Member for Bromley Town, Councillor Dykes was fully aware of contentious and inappropriate schemes and as a member of the Local Plan Committee, she was aware of the borough-wide assessment undertaken of all sites. Unpalatable decisions would have to be made due to need within the

Borough. The presumption there were other sites which would magically come forward and not impact on anyone was farcical. It was for Members to decide if it was more important to address education need or ensure there was no impact on the vicinity of transport. If an assessment was carried out of all major junctions in Bromley, the results would show they were already working to over-capacity. Councillor Dykes reported that every school application which was refused at Planning Committee had submitted an appeal. She had spoken with officers and Councillor Fortune and it appeared there were places available but nearly all Year 7 places were in the east of the Borough. Bullers Wood Girls and Ravensbourne school and all others within this particularly area were already completely over-subscribed. In relation to the traffic issue, this was not an ideal site. Councillor Dykes could not understand how the scheme at the junction of Westmoreland Road was considered to be a 'great' scheme and this one was not because the junction at Westmoreland Road was the most heavily congested in the Borough however, anymore that could be done on the traffic issue for this application would be welcomed. In conclusion, Councillor Dykes did not consider the traffic issues outweighed the incredible need for a school. Councillor Dykes therefore put forward a motion to approve the application.

Councillor Scoates stated that when the sites were allocated to the Local Plan there was a lot of engagement with the Education Department. However, just because a particular site was allocated, this did not mean that anything could be put forward; it would still have to go through the planning process with consideration being given to residential amenity and highway safety. On this application, the Council had undertaken an independent highways safety assessment which clearly showed there was a potential concern over safety and recommended refusal of the application until those issues were resolved. This professional opinion should not be ignored. The applicant should address the issues and resubmit the application. Councillor Scoates moved that the application be refused.

Councillor Bennett stated the catchment area was likely to be BR1, BR2 and some pupils from BR7. There was a need for two new secondary schools by 2018 and although the potential for a Roman Catholic school was welcomed, it would not be available for some years. The proposed new school would meet the demands for places in the area and would be of sufficient size to offer a proper curriculum. Councillor Bennett considered the report to be weak in relation to traffic. There were lots of assertions and the arguments made that the proposers of the school had not considered the alternatives when they had, in fact, considered three options in detail. Option 3 would be two entrances onto Bickley Road which was a busy road. The proposed option put forward was more sensible in that the school access would be in Chislehurst Road with the exit on Bickley Road. The majority of teachers drove to school and most secondary school pupils made their own way home. The applicants were prepared to extend the footway in Chislehurst Road. The Secretary of State would consider the issues relating to Sport England. The arguments on traffic were not so great that they overruled the need for a school. Councillor Bennett seconded the motion for approval as

recommended with a further two conditions relating to the widening of the footpath in Chislehurst Road and a puffin crossing at Bickley Road.

Councillor Allen stated the site was in the draft Local Plan and should be approved. Some schools were already operating at over-capacity. The vacant places were spread across all years not just the first year.

As a member of Planning Committees, Councillor Michael stated it was rare for highway engineers to recommend an item for refusal on grounds of traffic generation and highway capacity and in this case, the recommendation for refusal was supported by an independent transport planner. Traffic would always be an issue. As a Committee, Members should pay heed to the fact that highways were already highly congested. No-one disputed the need for school places but the school had to be in the right place and Councillor Michael was not convinced this school was. It would therefore be a mistake for approval to be given as the application currently stood.

Councillor Auld stated there would be up to 900 additional pupils in the area should the application be approved. On one side there were potential parents and he understood the anxiety of trying to get children into a good secondary school however, residents' amenity had to be considered. Councillor Smith and his Ward colleagues were not against having a school in the area but not at this site, certainly not in its current form. The overriding major concern was the highways issue. The footpath on one side of Chislehurst Road was non-existent and on the other side it was of restricted width. Children for one reason or another were often pushed or stumbled into roads. The increased traffic flow in all local roads would increase the danger. There were only 10 drop-off points within the school grounds and they expected some mothers to drop their children off and drive on which would work in the morning however, at collection time there would be delays for many reasons and parking would therefore increase in the surrounding roads while parents waited for their children. The Planning Department had given way on a number of issues – the Urban Open Space issue was overridden by the need for secondary schools. The same applied to local amenity to residents. Members had a duty of care to pupils and parents with regard to safety. Councillor Auld therefore seconded the motion for refusal.

Councillor Turner represented the neighbouring Plaistow and Sundridge Ward which had suffered a lack of secondary school places for years. This application was therefore welcomed as there were no secondary schools for boys within the area (the nearest being Ravenswood School). Councillor Turner said he would support approval of the application on condition a Section 106 Agreement in relation to the crossings at Bickley and Chislehurst Road was included.

Councillor Arthur stated if approved, hundreds of boys would walk to the site and back again in the afternoon. If not approved, those same boys would need to travel a great deal further. This application sought to build on what was already an excellent school. The report stated that alternative sites had been assessed within a five mile radius but concluded no other sites had been

identified as suitable for the construction of a new school. Councillor Arthur supported the application.

Councillor Tunncliffe was surprised to learn that there was any spaces for Year 7 pupils within the Borough. In 2003 there were 57 Bromley children left without a permanent school place, 27 of them were girls. A temporary measure was set up and the 57 children were sent for one year to Ravenswood School for Boys. One year later they were moved to a temporary porta cabin accommodation on the site of Bishop Justus whilst the school was completed where they were eventually given permanent places. As there were only 57 children a full curriculum could not be offered and the social side of their lives was impacted. Some ended up excluded and as NEETS. One could not say for certain this was due to the difficulties they faced at age 11-12 but it would not have helped. This situation could have been prevented with better planning and insight. Lessons should be learned from the mistakes of the past. Currently there were not enough places and the situation would only get worse in years to come. The school needed to be built.

Councillor Fawthrop considered the application could not be approved without all the conditions that were normally attached to planning applications. The traffic issues would have an impact on residents' quality of life. The children's quality of life would not be made better by traffic congestion and fumes etc. This must be taken into account during consideration of the application. Alternatives could be made available if planning reports were to carry a recommendation for Members' views. Councillor Fawthrop supported refusal.

Councillor Boughey was undecided on the application. Whilst the site was able to take the school, traffic issues were a problem and the safety of pupils was paramount. Allocating land to make the footpath in Chislehurst Road wider should have been included in the application. Whilst Members were not in a position to grant permission, Councillor Boughey moved deferral of the application to look at the issues raised in more detail.

Councillor Huntington-Thresher noted the report did not consider the site unsuitable for a school but did point out there were significant traffic concerns. The applicant was defending its existing plan rather than looking to take on board real concerns, particularly those raised in the traffic survey. It was possible to manage traffic however, the current proposal did not achieve this. In principle, the school could be reduced to 4 or 5 FE to overcome traffic issues. This particular application was unsuitable as it currently stood.

Councillor Reddin highlighted what he considered to be the one-sided nature of the highways report and stated that traffic congestion would still exist whether the school was built or not. The footpaths along Chislehurst road were in need of maintenance regardless of this application. A significant factor in the application was that the new school would have a much earlier start time compared to others. Councillor Reddin could see no significant traffic or safety issues which could not be resolved through conditions or

overcome by engineering solutions as long as there was the will to do so on both sides. Councillor Reddin supported approval of the application.

Councillor Livett reiterated the Council's statutory duty to Bromley students. However, there was also an obligation to residents of the Borough. The applicant had determined which access point they would proceed with and there was no flexibility for change. There had been no great effort to resolve issues relating to the design and Sport England's objections were rejected. This would be a very good site for a school but the application should not be approved with such strong objections in relation to traffic.

In conclusion, whilst the Chairman agreed with many of the points made, due to the outstanding safety issue, he could not support the application.

The following votes then took place:-

1st motion – to approve the application (moved by Councillor Dykes and seconded by Councillor Bennett)
In favour: 9; Against: 9. With the Chairman's casting vote against, the motion was lost at 9:10.

2nd motion – to refuse the application (moved by Councillor Scoates, seconded by Councillor Auld)
In favour: 8; Against: 9. Councillor Boughey abstained from voting and the motion was lost.

3rd motion – to defer the application to look at traffic safety issues in Chislehurst Road (moved by Councillor Boughey, seconded by Councillor Dean)
In favour: 4; Against 6. The motion was lost.

4th motion – to refuse the application on the understanding that the Committee would welcome a second application (moved by Councillor Dean, seconded by Councillor Scoates)
In favour: 10; Against 6. The motion was carried.

Therefore, following a vote of 10-6, Members **RESOLVED that PERMISSION BE REFUSED as recommended for the reason set out in the report of the Chief Planner but with the understanding that Members would welcome a second application.**

Each motion was made clear to Members before voting took place and each vote was clearly and carefully counted.

The failure of the first three motions left Members in a difficult position; it was inevitable that the fourth motion would, to some extent, have to repeat one of the first three, albeit with an additional statement.

35 PLANNING APPLICATION (16/04712/FULL1) - THE RAVENSBOURNE SCHOOL, HAYES LANE, HAYES, BROMLEY BR2 9EH

This report was withdrawn by the Chief Planner following the withdrawal of the application by the applicant.

36 ADDENDUM TO BROMLEY'S PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT (2010 AS AMENDED):- ESTABLISH CARBON OFFSET CONTRIBUTIONS - PAYMENTS IN LIEU OF ON-SITE PROVISION

Report DRR17/010

Members considered a proposed Addendum to the Planning Obligations SPD to ensure that payments in lieu of on-site provision for carbon offsetting purposes were made in conformity with the LB Bromley and London Plan and national policies and guidance on carbon reduction for new major developments.

It was proposed that the Council use the Mayor's established carbon offset price of £60 per tonne of carbon dioxide for a period of 30 years.

The Chairman explained that developers were required to limit the amount of carbon dioxide released into the atmosphere when building. As this limit had recently been increased, it was necessary for the guidance to be amended to incorporate the change. If developers were not able to achieve the limit required, a Section 106 Agreement could be initiated (or eventually a CIL) to rectify the situation. The Chairman moved that the recommendation be agreed. Councillor Fawthrop seconded the motion.

Councillor Joel was informed by the Chief Planner that the charge applied to all major developments (9 or more housing units).

The Chief Planner also confirmed the fee was charged on a London-wide basis and a lump sum payment would be required on commencement of development.

RESOLVED that:-

- 1) the Addendum to the Planning Obligations SPD be approved with immediate effect, for the purposes of meeting local and regional policies and guidance on carbon offsetting, in particular payments in lieu.**
- 2) the carbon offset price of £60 per tonne of carbon dioxide for a period of 30 years be approved.**

The meeting ended at 10.40 pm

Chairman

Application No : 16/04563/OUT

Ward:
Orpington

Address : 18 Homefield Rise, Orpington BR6 0RU

OS Grid Ref: E: 546296 N: 166102

Applicant : Affinity Sutton And McCulloch Homes Ltd **Objections :** YES

Description of Development:

Demolition of numbers 18-44 Homefield Rise and the construction of 105 residential apartments in four separate three and four storey blocks to be served by two accesses, together with associated car parking, cycle parking, refuse storage and private communal amenity space.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 29

Proposal

Outline planning permission in respect of access, layout and scale is sought for the demolition of 18-44 Homefield Rise and the erection of 105 residential units comprising 22 x 1 bedroom 2 person apartments (inclusive of 2 x 1 bed, 2 person wheelchair units), 28 x 2 bedroom 3 person apartments (inclusive of 2 x 2 bed, 3 person wheelchair units), 53 x 2 bedroom 4 person apartments and 2 x 3 bedroom 5 person apartments. 76 car parking spaces and internal/external bicycle parking provision is proposed as well as refuse storage and landscaping. The detailed design of the development including appearance and landscaping would be subject to further planning approval at the appropriate stage and are not to be considered at this point.

Details of the proposal are set out below.

- The application proposes four blocks of apartments. Block A is proposed at three storeys with blocks B, C and D proposed with four storeys. Surface car parking for 76 vehicles is located between block A and B and C and D.
- 2 x 1 bed (2 person), 15 x 2 bed (3 person), 3 x 2 bed (4 person) inclusive of 4 wheelchair accessible flats will be made available for affordable rent. 5 x 1 bed (2 person), 1 x 2 bed (3 person) and 9 x 2 bed (4 person) will be made available for intermediate rent. 40 of the remaining flats are to be shared ownership (not secured by legal agreement) with 28 units available at market rate.

- The development will front Homefield Rise with the existing entrances to the properties stopped up and replaced with two main vehicular entrance points to the east and west of the site. Pedestrian accesses are proposed from Mortimer Road to the south-east of the site and Gravel Pit Way to the west. Individual entrances to the ground floor front facing flats are taken from Homefield Rise.
- Four units are designed to be wheelchair accessible and are located within the ground floor of apartment block A. Six further units are designed to be wheelchair adaptable and are located on the ground floor of Block B, Block C and Block D.
- The four blocks are proposed to be constructed with a flat roof profile (with PV panels on top) and are to be set back from the highway by 1.8m at the closest point. The blocks are located between 7.4m-25m from the rear boundary with the dwellings sited along Lancing Road.
- The site is proposed to be bounded by 1.2m high wall and railings with secure pedestrian gates flanking the vehicle access. To the rear of the site a 1.8m high close boarded fence with defensive planting is proposed.

The applicant has submitted the following documents and, in some cases, subsequent addendums to support the application:

Transport statement (October 2016)

The report considers the highway and transportation issues regarding the proposed development, determines how the proposal integrates with the current transport network and establishes the predicted impact associated with the site including measures to influence travel behaviour. Section 2 addresses the site and local highway network including the availability of sustainable transportation alternatives to single occupancy car use. Section 3 looks at the planning policy, section 4 considers vehicle trips and the proposed impact, section 5 refers to traffic impact and section 6 considers travel plan initiatives.

The Transport statement considers that the site is in a very sustainable location with frequent bus services and Orpington Station just over 960m from the site. Car parking has been assessed based on economically active residents plus travel to work census demand. Parking provision will also be assisted by providing membership of a local car club. The statement also notes that the multi-modal increase associated with the scheme will not produce a material impact on the local road network. The report concludes that the proposed development accords with local policies and sustainable values.

Following the receipt of comments from the Council's Highways Officer, a Technical Note was received dated 14th February 2017 which states:
'Clarification was requested in respect of parking provision and the correlation between economically active residents and travel to work by car. It is proposed that parking is provided at a ratio of 0.78 per unit which is higher than the Berkeley Homes development currently under construction (14/03316/FULL1) which has a

ratio of 0.55 spaces per unit. An assessment of those that may drive to work has been calculated and it accords with the number of parking bays on site. The assessment provides an evidence base that offsite parking, within a commuter controlled parking zone is unlikely to occur'.

With regard to cycle parking, covered cycle spaces will be provided in close proximity of each block to provide for up to 80 cycles. An area has been allocated within the site to cater for a further 112 spaces within 2 areas, resulting in capacity for 192 cycles on site. The demand for cycle parking will be monitored via the Travel Plan and controlled via the S106. Should the travel plan highlight the demand for additional cycle parking then the additional 112 spaces will be provided.

An addendum to the highways information was submitted in March 2017 which provided an update on the transport issues associated with the submission of amended plans. The report builds on the details submitted within the original application and further to comments from the highways officer to ensure the scheme does not result in any adverse highway impact. The addendum concludes that in highway terms the scheme accords with local and national policy.

Travel Plan (January 2017)

The travel plan addresses the site's current travel characteristics, reviews the governments and local planning policies, reviews the predicted travel patterns of future residents and is concerned with measures to encourage the use of sustainable travel modes and reducing single occupancy car use.

The report concludes that the development has been located in an area which can support sustainable travel and has ready access to the bus services and cycle links. The scheme has been designed to further encourage sustainable modes of transport i.e.: by the preparation of welcome packs which will include cycling/walking maps, bus routes and timetables, train timetables, car share information etc. Car club cars will be parked in surrounding road close to the development and the site will have increase permeability to allow easy use for walking and cycling. This can be secured by way of planning condition.

Preliminary Ecological Appraisal and Internal and External Building Survey

The assessment found that the site does not lie within or adjacent to any statutory or non-statutory designated ecological sites. The site is comprised mainly of amenity grassland, building and hardstanding.

Two buildings on the site were considered to have 'low' suitability for roosting bats, with no evidence of internal roosting and a lack of suitable holes and crevices. These buildings can be demolished without further consideration of bats.

Four of the residential buildings could not be surveyed and it is recommended they are surveyed in the future when available.

Three mature ivy covered sycamores were found on site which were considered of low suitability for roosting bats however it is recommended that these are retained within the scheme.

No evidence of badgers was found on the site however some areas could not be fully assessed due to dense vegetation cover or lack of access. A badger update survey is recommended before works begin and once dense vegetation is cleared.

Much of the site was unsuitable for reptiles however some long grass and scrub in the garden could potentially be suitable for slow worms. It is recommended a sensitive strimming regime is adopted.

One pond was identified which was considered to contain 'poor' habitat suitability for great crested newts.

Nesting birds may use the trees and scrub on site; it is recommended that clearance work on site be undertaken outside of the breeding bird season or immediately after a nesting bird check by a suitably qualified ecologist.

A fox hole was identified in one garden. Any mammal burrows should be excavated by hand to prevent any harm under the Mammals Protection Act 1006.

Tree Report (Inclusive of a Tree Survey, Constraints Plan, Arboricultural Impact Assessment, Arboricultural Method Statement and a Tree Protection Plan) (September 2016)

It is proposed to remove 6 no. category B sycamore trees from a centralised position within the site, 17 no. category C trees and 6 no. low category C hedges. 3 no. category U trees and 1 no. category U hedge will also be removed. The report includes various mitigation and protection methods in order to protect the remaining trees within the site. The report states that there is scope for extensive replacement planting with relatively large trees that should have more than adequate space to develop into good specimens.

The report concludes that providing that the measures outlined in the report are followed it should be relatively straight forward to protect the remaining trees on the site.

An addendum to the report was submitted in March 2017 which amends the site plan in respect of the revised plans. No other changes are made and the conclusions of the report remain valid.

Energy Statement (September 2016)

The document examines the planning policy context of sustainability and energy target requirements including bringing the development in line with London Plan requirements. Consideration was given to a range of renewables however the installation of photovoltaic was the only feasible option resulting in a 35.49% saving.

An addendum to the energy statement was received in March 2017 which acknowledged the zero carbon requirement of the London Plan however concluded there is little scope within the development to improve upon the 35% carbon reduction as proposed. As such, the developer is in agreement to pay the payment in lieu for carbon offsetting which can be secured via the section 106 agreement.

Flood risk assessment (September 2016)

The site is located within Flood Zone 1 which is defined as having a low risk of flooding and is a development type that is classified as being 'more vulnerable'. The report considers that the site is not exposed to any significant risks of flooding. It has been decided to discharge the surface water run-off via infiltration. This can be created through the combined use of crate soakaways and permeable paving. Rain water harvesting is appropriate on a scheme of this size and can be conditioned. There is the potential opportunity to incorporate SUDS into the scheme

An addendum to the flood risk assessment was received on the 28th February 2017 which provided a response to some of the consultation comments received as part of the application primarily the potential for significant surface water flooding within the rear gardens of the existing dwellings. It was concluded that the additional analysis undertaken demonstrates that the risk of surface water flooding to the development has been accurately quantified and can be mitigated appropriately by installing SUDS. In addition, it is recommended as a precautionary approach that the threshold level of the new buildings are raised to a minimum of 57.8 AODN, which will help to minimise the risk of internal flooding.

Archaeological Desk-Based Assessment (September 2016)

The application site is shown to have low potential for archaeological remains for all periods, bar the modern period. Any archaeological remains from this period are considered to have a nil value. Furthermore, the construction of the present structures on the application site is considered to have had a detrimental effect on any archaeological remains from earlier periods, either significantly truncating them or completely removing them.

Daylight and Sunlight Assessment (October 2016)

The report states that consideration has been given to number 12 Homefield Rise which is in the immediate vicinity of the proposed development. The rear windows to this dwelling have been analysed and the results show that there will be no significant adverse impact to the access to daylight to the habitable rooms. All of the windows tested meet or surpass the BRE numerical recommendations with respect to daylight. The windows within the north facing apartments facing Homefield Rise were also assessed with no impact found to occur as a result of the proximity to the development at the Old Police Station site.

An addendum to the daylight sunlight assessment was submitted in March 2017. Within this it was confirmed that with the amended plans as received, there will be no further impact upon neighbouring residents.

Air Quality Assessment (September 2016)

The report notes that the construction works have the potential to create dust. During construction it will therefore be necessary to apply a package of mitigation methods to minimise dust emissions. With these measures in place, it is expected that any residual effects will not be significant. The local community may experience occasional, short term dust annoyance. The scale of this would not normally be considered sufficient to change the conclusion that the effects will be 'not significant'. The building related emissions are below the benchmarks however the transport related emissions are above the benchmarks. Mitigation of this will need to be agreed with the Council.

Noise Assessment (September 2016)

Conclusions of the report note that standard methods of construction and standard grades of double glazing are likely to be sufficient to achieve the British Standard BS 8233 design targets for internal noise with windows closed. External noise level over all but the last few metres of the site closest to the roads are within the upper guideline value for gardens and amenity area, and the main proposed amenity area is well within the desirable noise level for such uses.

The road traffic noise affecting the site is concluded to be between the lowest observed adverse effect level and the significant observed adverse level. Mitigation has been found necessary but this is to a modest extent.

Statement of Community Involvement (October 2016)

The statement provides details of all public consultation undertaken with regard to the proposed development. The statement gives information concerning a copy of a newspaper advert, a copy of a public consultation invitation, the feedback form used at the consultation, a report of the consultation event and a follow up leaflet distributed.

The application is also accompanied by a Planning Statement (September 2016) which covers all relevant national, regional and local plan policy.

The following summary points are made in support of the application:

- There is no relevant planning history relating specifically to the site. However planning permissions have been granted in the local area for the redevelopment of a range of different sites. All of these new developments are considered to contribute to the regeneration of Orpington Town.
- The Council are unable to demonstrate a five year housing land supply
- The existing houses on the site are not Listed, locally listed or in a Conservation Area
- The site is highly sustainable and accessible
- The location of the site is close to Orpington town centre and not only is the site suitable, in principle, for residential redevelopment, it is also suitable for a more efficient, optimum and higher density form of residential redevelopment.

- The application buildings would provide an appropriate transition from these buildings to the lower and more domestic scale of the housing in Lancing Road
- The scheme has been broken up into separate buildings with gaps between the buildings to ensure the scheme does not appear overbearing or monolithic.
- The scheme responds to the topography of the site with the buildings stepping down the hill to provide a varied and interesting streetscape
- The scheme has been designed to address the dual frontages at the eastern and western ends of the site
- The scheme is not of an excessive density
- The development incorporates a good sized amenity area to the rear of the buildings
- The proposed development would not give rise to any loss of daylight or sunlight into the garden area of Lancing Road nor would there be any loss of outlook or visual over dominance given the distances involved and the intervening screening

Several amendments to the scheme have been submitted throughout the application process which has altered the layout, design and type of units proposed with the main set of amendments received on the 27th February and the 30th March. The main changes and additional information are as follows:

- Elevational alterations to break up the massing of the blocks
- Increased landscaping throughout the parking area facilitated by the reduction in 6 parking spaces
- Introduction of 2x 3 bedroom units within Block D
- Small increase in depth of blocks A and D at ground floor level
- Re-location of cycle and bin storage to an internal location within the blocks and the phased provision of external bicycle parking
- Increased planting along the front boundary
- Staggered front building line to allow for a greater separation distance to the highway
- Removal of the front gates
- Change in tenure mix of one unit and provision of wheelchair adaptable units
- Increased depth of recess along the flank elevations of Blocks B and C and insertion of inward facing window.
- Removal of some of the cycle storage within the upper floors and basement parking

Location

- The site measures 0.75 hectares (gross site area) and is sited on the southern side of Orpington Town Centre and to the east of the High Street (Approx.80m at the closest point).
- The site is located to the southern edge of Homefield Rise and comprises 13 dwellings, Nos.18-44, and is bound by Gravel Pit Way to the west and Mortimer Road to the east. The dwellings offer a mix of semi-detached and detached one and two storey properties of a varied style and size set with plots of a generally similar size and depth and presenting a common front building line within the street scene.

- To the west of the site to the other side of Gravel Pit Way are four two storey semi-detached dwellings, Nos 6-12 Homefield Rise, before the rear of the properties that front the eastern edge of High Street Orpington. The areas to the southern boundary, the east to the other side of Mortimer Road and the north-east to Lychgate Road are uniformly residential in character with a mixture of dwelling types representing the commencement of the residential development to the east of the town centre.
- The northern edge of Homefield Rise comprises the southern boundary of the largely commercial block featuring five storey Sainsbury's supermarket and the multi-storey car park above, Orpington College, the former police station building and The Walnuts shopping centre further to the north together with the associated leisure centre. Much of the land immediately abutting the northern edge of Homefield Rise comprises a single storey building to the south of the police station and a ground level car park which provides a separation of some 65m from the back edge of the footpath to the 11 storey Orpington College building.
- The site is located opposite the southern access to The Walnuts Centre, the multi-storey car park, Orpington College of Further Education and the site of the former Orpington Police Station that is currently being redeveloped under application ref: 14/03316/FULL1. The site also bounds residential properties to the west and along Lancing Road, Homefield Rise and Mortimer Road.
- The site is not subject to any TPO's and is predominantly characterised by areas of laid lawn and residential paraphernalia. One pond is identified within the 13 houses but this poses no ecological constraints.
- The site has no specific development plan designation in the 2006 UDP and is located within a transitional area between the Town Centre and residential properties. The site is allocated for residential development within the Draft Local Plan.
- The site is within a moderate Public Transport Accessibility Level (PTAL) area of 4
- The site is located within Flood Zone 1.

Consultations

Comments from Local Residents:

As notified on the 21st November 2016:

- Potential noise issues
- Overdevelopment of the site
- Privacy issues to the owner/occupiers of the properties along Lancing Road

- Security issues - the development should be gated and there should be a substantial height brick wall between the development and the rear gardens of Lancing Road
- Smells arising from the proposed communal bins will cause amenity issues
- Light and noise pollution will occur
- There are current issues with the development at Orpington policy Station including working unsociable hours which may occur at this site
- The site has two pedestrian accesses which are not gated, this negates the security benefits from the installation of gates at the front of the site
- No additional screening from plants is planned
- The external appearance of the development is not in keeping with the area
- There is insufficient parking proposed
- Increased car movements will cause highways safety issues
- The development will appear over bearing and out of scale
- There will be noise and disturbance to the occupiers of the dwellings along Lancing Road from the car parking within close proximity to the fences and the play area
- Balconies should not be allowed above two storeys
- Cycle parking is too close to the rear boundary which may cause a security risk
- Bin storage is insufficient for the development
- A much more suitable proposal would be townhouses
- There are no other blocks of flats in this residential area
- The public consultation was not listened to and the plans have been altered to the detriment of local residents
- The Berkeley Homes development was considered to be in the town centre, whereas this development is considered a transitional site. Why are there differences when they are equally as close to Orpington Town Centre?

As notified on the 6th March 2017:

- Bromley Council refused an application in 2010 to erect a bungalow at the end of the garden of 21 Lancing Road on the grounds that the development was out of character. This application would cause a greater amount of harm.
- Since the original consultation process, the developer has not taken on board any of the public comments
- The proposals will cause significant overlooking
- Overdevelopment of the site
- Out of keeping with the character of the area
- Considerable alterations to the skyline
- Other development in the area is not suitable justification for the proposals
- The scheme is not of high quality design. This development exceeds the allocation for the site and does not contribute to the quality of the area in terms of facilities
- The development will create significant over shadowing and will be overbearing in nature
- Security will be compromised as a result of the exposure of the rear gardens along Lancing Road
- Highways Safety Issues
- There is insufficient open space within the development

- The developer makes reference to the lack of 5 year housing land supply, this is no longer the case
- Too ambitious for the site
- Object to the loss of trees

As notified on the 30th March 2017

- The height of these dwellings will severely affect the sunlight and daylight and will overshadow the neighbouring properties and gardens significantly which are already shady due to the Northerly aspect.
- The proposal will create significant overshadowing of mine and other neighbouring properties and will be overbearing in its nature. The underlying terrain that these blocks will be built on is not flat and therefore the overall impact will be greater. Additionally, the height of these properties will mean significant privacy is lost by the existing occupiers of the neighbouring properties gardens and houses.
- Traffic issues due to increased car movements
- Believe that Affinity Sutton are abusing the planning application process by continually amending parts of their planning application and that Bromley Council are allowing them to do this.
- 14 days is not enough time to respond to amendments
- Amendments frustrate residents
- At no time a change has been made has any former document be named as no longer relevant. This is deliberately confusing and dishonest and Bromley Council should put a stop to it.
- Blocks are too high and too close to Lancing Road residents
- Orpington needs 2 and 4 bedroomed houses not 1 and 2 bedroom flats
- Flats are not in keeping
- Not enough parking spaces
- Communal bins will attract rats
- Overdevelopment of the site
- The exterior appearance of the upper floors makes the blocks look like containers
- Safety concerns from traffic and construction

Comments from Consultees:

The Council's Highways Development Engineer:

'There is a total of 76 surface car parking spaces proposed with four given over to wheelchair spaces. 14 electric charging points are proposed. The parking will be provided at 0.72 spaces per unit which is higher than the nearby Police Station site (0.55 spaces/unit). The developer has also offered to provide each resident with membership of the nearby Car Club with driving time included. A car park management plan is appropriate to be conditioned to give further information as to the allocation of parking spaces. The Road Safety Audit indicated that it was unlikely that the existing parking bays on Homefield Rise will need to be relocated. Once the development is occupied there may be issues that become apparent that require alterations to waiting restrictions. The bays in Mortimer Road could be

extended where the crossover is removed. A contribution of £5000 for such work is suggested.

The existing access to the properties is to be stopped up and two new accesses from Homefield Rise proposed. A Stage 1 safety audit was carried out and no major items were identified. The general condition of Homefield Rise was identified in the audit and this is an area targeted by the resurfacing programme for the next financial year.

In terms of trip generation, the assessment of the Homefield Rise/High Street junction shows that it is still within capacity during the peak hours. This does not include the effect of the Police Station site but that is unlikely to significantly alter the situation.

In terms of servicing, the refuse vehicle will enter the site. The swept path analysis show the vehicle slightly overrunning some of the landscaped areas within the site however this is not a major issue and these may need to be slightly reduced.

With regard to cycle parking, the London Plan requirements would require a total provision of 190 spaces. Covered cycle spaces will be provided in close proximity of each block to provide for up to 80 cycles. An area has been allocated within the site to cater for a further 112 spaces within 2 areas, resulting in capacity for 192 cycles on site. The demand for cycle parking will be monitored via the Travel Plan and controlled via the S106. Should the travel plan highlight the demand for additional cycle parking then the additional 112 spaces will be provided. No objections to this are raised.

A construction management plan will be needed if permission is forthcoming'

No highways objections are made to the scheme subject to conditions and the provision of the highways contribution as laid out and can be secured via a legal agreement.

The Council's Drainage Officer -

Reviewing the submitted FRA carried out by Herrington Consulting Ltd dated September 2016 and the Addendum FRA carried out by Herrington Ltd with Ref No. SMB/1601/6593_Rev1 dated 23/03/2017, it is confirmed that the proposed 2 options of disposing surface water run-off are acceptable in principle subject to detailed design. No objections are raised subject to conditions.

The Council's Street Trees Officer-

The properties included for demolition are not subject to any tree restrictions in terms of tree preservation orders and the site is not located within a conservation area. The landscape masterplan indicates the general landscape arrangement, including the positioning of new tree planting. The concept is supported however, a landscape scheme needs to include the specifications of the trees to be planted and the selected species.

The application has been supported by a Tree Constraints Plan, a Tree Protection Plan and an Arboricultural Report. The report is designed to support the application at this outline stage and a revised document is referred to for any future submission.

No objections are made to the scheme by the Tree Officer subject to conditions.

The Council's Environmental Health Officer (Pollution)-

No objections are raised within the grounds of consideration however a condition is required for further details of acoustic mitigation to be submitted.

Regarding the submitted air quality assessment, the report states that *'impacts from traffic generated by the proposed development on air quality is assessed as insignificant'* whilst also concluding that *'transport related emissions are above the relevant benchmark'*. Given the outcome of the assessment it is suggested that mitigation is based on provisions for electric vehicle charging points. A further condition requiring additional charging points in the form of running ducts is also required. A construction logistics plan will also be required as materials will be brought through both Bromley and Bexley's AQMA's.

Metropolitan Police Designing Out Crime Advisor-

Should this application proceed it should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design New Homes 2014. It is recommend a Secure by Design condition is attached to any permission.

Thames Water-

No objections are raised to the application subject to the inclusion of a condition preventing piling occurring at the site until a piling method statement is submitted to and approved in conjunction with Thames Water.

Transport for London-

The site of the proposed development is less than 270m from the A232 Spur Road, which forms part of the Strategic Road network (SRN). TFL welcome the information on trip generation in the submitted transport Assessment (TA). The overall trips will not have a negative impact on the SRN.

It is requested that the number of car parking bays is reduced given the high accessibility of the site. TFL also request that the parking spaces are leased to residents rather than sold with the individual properties to allow future flexibility.

One wheelchair space for each wheelchair adaptable/accessible unit should be provided which should equate to around a 10% provision.

The cycle parking provision does not accord with the London Plan standard which requires 1 long stay space per one bedroom unit/studio, 2 long-stay spaces per all other units and 1 short stay space per 40 units therefore 190 spaces are required.

TFL raises comments as to the submitted draft Travel Plan which have been forwarded to the Applicant to note.

TFL require that a Construction Logistics Plan and Delivery and Servicing Plan are submitted prior to the commencement of development and considered in consultation with TFL.

Spur Road should not be blocked at any time during the construction.

Historic England - Archaeology

No archaeological requirements confirmed.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan (UDP):

BE1 Design of New Development
BE7 Railings, Boundary Walls and Other Means of Enclosure
ER10 Light Pollution
H1 Housing Supply
H2 and H3 Affordable Housing
H7 Housing Density and Design
H9 Side Space
NE3 Nature Conservation and Development
NE5 Protected Species
NE7 Development and Trees
T1 Transport Demand
T2 Assessment of Transport Effects
T3 Parking
T7 Cyclists
T8 Other Road Users
T9 and T10 Public Transport
T11 New Accesses
T12 Residential Roads
T15 Traffic Management
T18 Road safety

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 is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). An updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, indicating the submission of the draft Local Plan to the Secretary of State in 2017. The weight attached to the draft policies increases as the Local Plan process advances.

The most relevant draft Local Plan policies include:

- Draft Policy 1 - Housing Supply
- Draft Policy 2 - Provision of Affordable Housing
- Draft Policy 4 - Housing Design
- Draft Policy 8 - Side Space
- Draft Policy 30 - Parking
- Draft Policy 31 - Relieving Congestion
- Draft Policy 32 - Road Safety
- Draft Policy 33 - Access for All
- Draft Policy 34 - Highway Infrastructure Provision
- Draft Policy 37 - General Design of Development
- Draft Policy 113 - Waste Management in new Development
- Draft Policy 115 - Reducing Flood Risk
- Draft Policy 116 - Sustainable Urban Drainage Systems
- Draft Policy 119 - Noise Pollution Draft Policy 120 - Air Quality
- Draft Policy 122 - Light Pollution
- Draft Policy 123 - Sustainable Design and Construction
- Draft Policy 124 - Carbon Dioxide Reduction, Decentralised Energy Networks and renewable energy

In strategic terms, the application falls to be determined in accordance with the following policies of the London Plan (March 2015):

- 2.18 Green Infrastructure
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling

- 5.10 Urban greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood risk assessment
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.21 Contaminated land
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 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
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.18 Protecting Open Space and Addressing Deficiency
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodlands
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

The 2015-16 Minor Alterations (MALPs) have been prepared to bring the London Plan in line with the national housing standards and car parking policy. Both sets of alterations have been considered by an independent inspector at an examination in public and were published on 14th March 2016. The most relevant changes to policies include:

- 3.5 Quality and Design of Housing Development
- 3.8 Housing Choice
- 6.13 Parking

The relevant London Plan SPGs are:

- Housing (March 2016)
- Accessible London: Achieving an Inclusive Environment (2014)
- Sustainable Design and Construction (2014)
- Providing for Children and Young People's Play and Informal Recreation (2012)

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) must also be taken into account. The most relevant paragraphs of the NPPF include:

Para 17: Core planning principles
Paras 29 - 41: Promoting sustainable transport
Paras 47 - 50: Delivering a wide choice of high quality homes
Paras 56 - 66: Requiring Good Design
Paras 69-78: Promoting healthy communities
Paras 93-103: Meeting the challenge of climate change & flooding
Paras 109-125: Conserving and enhancing the natural environment
Paras 188-195: Pre-application engagement
Paras 196-197: Determining applications
Paras 203-206: Planning conditions and obligations

Planning History

There is no relevant history or constraints for all or part of the identified site.

Conclusions

The main issues to be considered in respect of the current proposal are:

- Principle of development
- Housing Supply
- Density
- Acceptability in terms of design
- Housing Issues
- Impact on neighbouring amenity in terms of outlook, daylight, sunlight and privacy
- Highways impacts
- Impact on trees and ecology
- Planning Obligations

Principle of Development and Housing Supply

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The NPPF Paragraph 14 identifies the presumption in favour of sustainable development and that planning permission should be granted if in accordance with the development plan. Paragraph 15 of the NPPF states that development which is sustainable should be approved without delay. There is also a clear need for additional housing to meet local demand and needs.

The London Plan Policy 3.3 requires the Borough to make provision for at least 641 additional dwelling completions per year 2015-2025. The current proposal could represent a significant contribution to the Council's required Housing Land Supply in a location adjacent to Orpington Town Centre. It is allocated within the Draft Local Plan (2016) for residential development of around 100 units of which some weight can be afforded. The site is also included as an identified site for within the Council's current Five Year Housing Land supply statement report which was approved by the council in November 2016.

As existing residential land, an increased density and housing provision could make a valuable contribution to the Boroughs housing supply. However, it is necessary to demonstrate that an appropriate density can be achieved having regard to the context of the surroundings, standard of accommodation to be provided and detailed design considerations.

The London Plan seeks mixed and balanced communities in accordance with Policy 3.9, which states that communities should be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment. Policies 3.11 and 3.12 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 where priority should be accorded to the provision of affordable family housing.

In terms of the extent of the development, the land carries no formal designation and is not located nearby sensitive areas such as conservation areas or sites of specific nature importance; no statutory listed buildings are located in close proximity to the site. Furthermore, the site is situated within an accessible, residential area bounded on three sides by a mixture of residential properties and is currently in residential use.

The principle of the redevelopment of the site for a higher density of housing and additional housing provision is therefore supported in principle subject to an assessment of all other matters.

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 Chapter 7 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). This site is considered to be in an 'urban' setting and has a PTAL rating of 4 giving an indicative density range of 45-260 dwellings per hectare / 200-700 habitable rooms per hectare (dependent on the unit size mix). The London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces. UDP Policy H7 also includes a density/location matrix which supports a density of 450-

700 habitable rooms / 165-275 units per hectare for locations such as this provided the site is well designed, providing a high quality living environment for future occupiers whilst respecting the spatial characteristics of the surrounding area.

Development should comply with the density ranges set out in table 4.2 of the UDP and table 3.2 of the London Plan and in the interests of creating mixed and balanced communities development should provide a mix of housing types and sizes. The Council's Supplementary Planning Guidance No1 - General Design and No.2 - Residential Design Guidance have similar design objectives to these policies and the NPPF. Policies 3.3 and 3.4 of the London Plan seek to increase the supply of housing and optimise the potential of sites, whilst policy 3.5 seeks to protect and enhance the quality of London's residential environment.

As set out above, the housing density of the development would equate to 140 units per hectare which is compliant with the density guidelines set out in the London Plan and below those of the UDP. Approximately 328 habitable rooms per hectare is proposed which is slightly under the density guidelines as stipulated within the UDP but compliant with the London Plan standards which are more up to date.

Whilst the proposed development would sit slightly below the UDP ranges, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity. Subject to more detailed consideration of the design and layout of the scheme and the quality of residential accommodation proposed, the proposed residential density is acceptable in principle only.

Design

Scale

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. 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 (Para's 56-57, NPPF).

Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area; 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; respond to local character, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments; and ensure that development are visually attractive as a result of good architecture and appropriate landscaping (Para.58, NPPF).

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 London Plan at policy 7.1 requires developments to be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to social and community infrastructure (including green spaces). Development should enable people to live healthy, active lives, maximise the opportunities for community diversion, inclusion and cohesion and the design of new buildings and spaces should help reinforce the character, legibility, permeability and accessibility of the neighbourhood. Furthermore, buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass and contributes to a positive relationship between the urban structure and natural landscape features (policy 7.4, London Plan).

Consistent with this policy BE1 of the London Borough of Bromley Unitary Development Plan (UDP) requires new developments to be imaginative and attractive to look at; complement the scale, form, layout and materials of adjacent buildings and areas; development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features; the space about buildings should provide opportunities to create attractive settings and security and crime prevention measures should be included in the design and layout of buildings and public areas. The emerging Draft Local Plan takes a similar stance.

This is an outline application for matters of scale, layout and access; the appearance of the development inclusive of proposed materials, window design and finishing details as well as landscaping will be considered within a later application for reserved matters should planning permission be granted.

Whilst a quantitative assessment could be made using a numerical calculation of density, it is also important to consider the qualitative feel of the development in terms of its character and appearance, relationship to the established characteristics of the area and resultant relationship to existing development. Policy H9 requires developments to maintain a minimum of 1m separation distance from the boundaries. However, this is a minimum and in areas characterised by greater separation distances a more generous spacing should be achieved.

To the west of the site to the other side of Gravel Pit Way are four two storey semi-detached dwellings, Nos 6-12 Homefield Rise, before the rear of the properties that front the eastern edge of High Street Orpington. The areas to the southern boundary, the east to the other side of Mortimer Road and the north-east to Lychgate Road are uniformly residential in character with a mixture of dwelling types representing the commencement of the residential development to the east of the town centre starting with the site itself. The northern edge of Homefield Rise comprises the southern boundary of a largely commercial block.

The scheme itself proposes a three storey building to the flank site boundary of Mortimer Road, with three, four storey buildings sited between 21m-6.8m between each other throughout the remainder of the site. The blocks are rectangular in shape with blocks A and D projecting a considerable way into the site, presenting a frontage to Mortimer Road and Gravel Pit Way. The development is set between 4.8m-10m from the Mortimer Road boundary and 2.8m-2m to Gravel Pit Way. The blocks are sited between 7.8-24.4m away from the rear boundaries with the properties along Lancing Road and are therefore considered compliant with Policy H9.

As stated within the Council's Five Year Housing Land Supply document, the site is noted as being suitable for a transitional form of development between the dense, commercial aspect of Orpington High Street to the wider residential form to the south and east. It is noted that the introduction of four residential blocks to the site, in lieu of the existing dwellings, will impact upon the overall character of the area however the site appears as a natural break away from the wider residential form, bounded to the east and west by Gravel Pit Way and Mortimer Road, and therefore is considered suitable for a holistic form of re-development. The existing dwellings which are to be demolished make a neutral contribution to the character of the wider area and their removal will not impact detrimentally upon the setting of the locality.

When viewed from the west, the site will be read in conjunction with the re-development of the Police Station site which proposes a Part 4/Part 9 storey building sited opposite Block D of the proposal at a distance of 19.1m, sufficient to prevent any un-due tunnelling impact. Within the surrounding area this part of Orpington High Street also hosts the 5 storey Sainsburys Supermarket with multi-storey car park and 11 storey Orpington College providing a densely urbanised, commercial district. This is in stark contrast to the lower and more domestic scale of the dwellings along Lancing Road and to the east past Mortimer Road which also bound the site. It is therefore considered that the development of three/four storey buildings is appropriate in that the heights of the buildings would step down, away from the High Street towards the residential area to the east, providing a transitional massing of built form from high to low rise. As a result in the changes to the topography, the proposed buildings will appear stepped in height when viewed from the east with the blocks at A and D providing suitable separation distances from the neighbouring two storey development to prevent any undue oppressive or incongruent impact. It is noted that the site is lower in topography to the properties to the south and as a result the overall impact of the increased height is lessened.

Whilst the detailed appearance of the development is not a matter for consideration at this stage, the overall appearance of the blocks have been substantially altered throughout the lifespan of the application to seek to demonstrate that a development of this scale can be accommodated at the site, and now propose a more contemporary, stepped massing which is considered to soften the development when viewed from Homefield Rise and the adjoining roads. The buildings appear tiered with good fenestration to brick ratio which breaks up the overall facades. The upper floors of the buildings are sited the furthest back from Homefield Rise, mitigating the overall height of the four storey building. Given the staggered massing, the verticality of the window arrangement does not accentuate

the height of the buildings as otherwise may occur, and the overall depth of the reveals and balconies add further interest to the design. Whilst the blocks are sited between 1.4-2m from the edge of the highway, the changes in the massing of the development so that the overall form is staggered back from the pavement mitigates any undue oppressive impacts and results in a form of development appropriate to its edge of town centre location. Whilst not a matter for consideration at this stage, the variety of materials proposed complements the overall form and adds visual interest to the scheme whilst retaining some of the materiality found within the surrounding residential properties. If the application were to be considered acceptable overall, at the detailed stage a high quality design and materials would need to be secured.

Third party concerns raised regarding the scale and height of the development have been duly considered. It is accepted that the proposed buildings would be taller than surrounding developments. However, it is considered appropriate to assess the scale of the building in the context of its immediate surroundings on the edge of the town centre forming part of the town centre and the wider residential area. In this particular location the proposed height and mass is considered to be acceptable. Approval of this application would not set a precedent for future buildings of a similar massing which would need to be assessed on their individual merits.

Layout:

The proposed layout, overall, provides adequate separation between the flats and neighbouring development in compliance with Policy H9, allowing good opportunities for soft and hard landscaping and retaining existing mature landscaping on and around the site, further details of which will be dealt with at the reserved matters stage. Generous spacing is provided between the blocks, between 21m-6.8m which allows for the implementation of planting and prevents the development appearing dominant and monolithic in its appearance. The buildings can be considered to frame the front and flank elevations of the site, allowing for the retention of open, landscaped space to the rear to allow for the maximum spatial separation distance between the proposal and the existing residential dwellings along Lancing Road whilst creating an active and interesting frontage on approach into the Town Centre. Matters of appearance of the development from the dwellings along Lancing Road will be dealt with elsewhere in the report.

Officers do note that the gates were a response to security concerns raised by neighbours, however the removal of these in replacement with soft landscaping which is replicated throughout the parking area, is considered beneficial to the overall aesthetical appearance of the scheme specifically in the retention of a more spacious appearance in keeping with the wider residential area. Additional defensive planting is proposed along the rear boundary with a 1.8m fence which Officers consider any concern regarding potential security impact to be allayed as a result of this. Further details of the boundary will be conditioned for submission should permission be forthcoming.

Whilst design is a matter for future consideration it is noted that some of the ground floor units are provided with separate entrances which promote an active frontage along the site in keeping with the edge of town centre location. The ground floor units are also provided with private amenity areas to the front of the elevations which continue along Mortimer Road and Gravel Pit Way, encouraging ownership of the site which is considered a good mechanism to ensure the longevity of the publically viewable areas and defensible space. Members may also consider that the development not only responds well to the public realm at ground floor level, but Blocks A and D have also been designed to respond appropriately to the highways that bound the site to the east and the west, creating a dual active frontage which is welcomed. Some of the flank elevations are absent of fenestration which does provide a stark appearance, however this is considered to be overcome by the step in of the flank elevation between the second and third storey and the corresponding change in materials at this point which enhances the visual interest of the scheme. It is considered that the flank elevation of Block D is the most prominent of the site, given the separation distances between the flank façade and the neighbouring development which allows for an open and spacious corner location at this point. The flank elevation has been designed well and is considered satisfactory in addressing this prominent corner location with adequate fenestration and design detailing.

In terms of siting, Block D is also sited opposite the 9 storey Police Station Development and at this junction is considered to create a gateway entry point to the High Street without causing any undue tunnelling or oppressive impacts as a result of the stepped massing as considered previously.

All units must benefit from private amenity space which must comply with the requirements set out in the Mayor's Housing SPG. Only "in exceptional circumstances where site constraints make it impossible to provide private open space for all dwellings, then a proportion of dwellings may instead be provided with additional floorspace equivalent to the area of the private open space requirement" (Para.2.3.32 Housing SPG). This must be added to the minimum GIA. Further to this, the Mayor's Play and Informal Recreation SPG notes the importance of doorstep play space which is defined as a landscaped space including engaging play features for young children under 5 that are close to their homes, and places for carers to sit and talk.

Outdoor amenity space for the apartments are located to the rear and by way of private balconies/ private patios for the ground floor units (in which over 5sqm per unit is provided) and is of an acceptable size, shape and layout. As well as the private amenity area, three separate communal spaces are proposed to the rear of the site of approximately 265.5sqm of play space. The communal areas are considered appropriate to foster door step playing however consideration as to the appropriateness of such a space close to the parking areas needs further thought. Mitigation details of this can be submitted at the reserved matters stage within a detailed landscape plan.

Refuse/recycling storage has been considered in the proposed layout and are located within an integral location close to the main entrances of the blocks which

is found to be acceptable. Cycle storage is proposed within an integral position within the blocks with indicative external sites identified should they be required.

The architectural approach is appropriate for this location and design quality will be secured by way of a reserved matters application, should the application be considered acceptable overall. In respect of layout and scale overall, it is considered that the development would complement the form of adjacent development and is appropriate within its context.

Housing Issues

Unit Size Mix:

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms. The size of the site and location in a predominantly urban setting close to the town centre would respond well to the provision of 1 and 2 bedroom flats as is the majority provision however consideration should also be given to the loss of the 13 family sized dwellinghouses. In response to this, the application was amended to provide two 3 bedroom units suitable for family occupation within the ground floor of block D. The three bedroom properties give good access to the communal amenity spaces whilst also having their own private amenity area directly from the grounds which is considered responsive to the needs of the future occupiers. The majority of the affordable units are one and two bedroom dwellings which is considered to reflect local need and is considered acceptable by the Council's housing team.

Affordable Housing:

Affordable housing will be sought on sites capable of providing 11 dwellings or more, a site area of 0.4ha or on sites providing over 1000 square metres of residential floorspace. The London Plan, at policy 3.8, states that Londoner's should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought on schemes having regard to current and future requirements at local and regional levels and the London Plan's target of an average of at least 17,000 more affordable homes per year in London. Development proposals are required to create mixed and balanced communities with the size and type of affordable housing being determined by the specific circumstances of individual sites. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. Priority should be accorded to provision of affordable family housing.

The development is considered liable for the provision of affordable housing on site as set out in the Policy H2 and contributions by way of planning obligations under Policy IMP1. Policy H2 requires 35% affordable housing to be provided.

The Applicant is proposing 77 affordable dwellings which equates to a 73% provision (by unit), however only the policy compliant level of 35% provision will be secured via the section 106 agreement. The units to be secured are predominantly located within apartment block A with the intermediate rented properties sited within block B. 4 x 1 bedroom units (including 2 accessible wheelchair units) and 18 x 2 bedroom units (including 2 accessible wheelchair units and one wheelchair adaptable unit) are to be made available for affordable rent. 5 x 1 bedroom units and 10 x 2 bedroom units are to be made available at intermediate rent which equates to a 35% provision by habitable room and unit number. The affordable dwellings are provided at varying sizes which is encouraged including one and two bedroom apartments, of which it is agreed there is the greatest requirement. This equates to a 59.5%-40.5% split in tenure in favour of affordable rent which is considered compliant with the London Plan standards as outlined and acceptable for the size of the development being provided and reflecting upon local need. Four affordable rented wheelchair accessible properties and one wheelchair adaptable property are located within the ground floor of block A and block B which equates to just over 10% provision and deemed acceptable. 5 further wheelchair adaptable dwellings are sited throughout the development, one which is to be made available for intermediate rent and the rest within the market units. The wheelchair units are also identified as being capable of adaption for use by wheel chair users in accordance with the design requirements set out in the South East London Housing Partnership Wheelchair Homes Design Guidelines. Members may consider this provision acceptable and should planning permission be forthcoming the delivery of Affordable Housing can be secured by way of legal agreement.

Standard of Residential Accommodation:

Policy 3.5 of the London Plan, which was amended by the Minor Alterations in 2016, sets out the Mayor's aspirations for the quality and design of housing developments. Part 2 of the Mayor's Housing SPG sets out guidance in respect of the standards required for all new residential accommodation to supplement London Plan policies 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.

The 2016 Minor Alterations to the London Plan adopted the DCLG Technical Housing Standards - nationally described space standard (March 2015) which standard 24 of the SPG says that all new dwellings should meet. Furthermore, the Minor Alterations at paragraph 3.48 state that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. As set out in approved document part M of the Building Regulations - Volume 1: Dwellings, to

comply with requirement M4 (2), step free access must be provided. Generally this will require a lift where a dwelling is accessed above or below the entrance storey. In accordance with the Technical Housing Standards, the minimum gross internal areas specified for new dwellings will not be adequate for wheelchair housing (Category 3 homes in Part M), where additional area is required to accommodate increased circulation and functionality to meet the needs of wheelchair users.

The proposed units all comply with the space standards set out in the Technical Housing Standards and the proposed wheelchair accessible units (plot 3, 4, 6 and 7 within Block A) will have an internal area of 62sqm (1 bedroom, 2 person) and 77sqm (2 bedroom, 3 person), in excess of the minimum floor space standards of 50sqm and 61sqm respectively and larger than the other one and two bedroom apartments within the block. Detailed layouts for the wheelchair apartments confirm that this unit will be able to meet the requirements of Part M4(3) of the Building Regulations which will be secured by way of legal agreement.

With regards to Part M4(3) (wheelchair user dwellings) additional supporting information has been provided which show that units 22 (Social Rent), 24 (Affordable Rent), 50, 52, 83 and 84 are wheelchair adaptable which accounts for just under 10% of the market housing. Should the application be considered acceptable overall, conditions would be required to secure the relevant category of building regulations for the units which are wheelchair accessible and adaptable and those designated as wheelchair user dwellings.

Based on the expected child occupancy of the development, the London Plan requires a minimum 241.6 square metres of play space for the development. Each unit would be provided with both private and communal amenity space. Furthermore, the proposed layout of the development provides open green space to the rear of the development of a considerable size and appropriate scale to facilitate doorstep play. It is therefore considered that the proposal would provide adequate play space for occupiers of the development.

With regard to the internal cores of the buildings, the circulation space is provided with roof lights and natural ventilation which is considered a benefit to the scheme, allowing for a light and airy communal space. It is also noted that the 4 storey buildings would have access by a correctly sized and positioned lift which is welcomed. Whilst the SELHP standards would require two lifts for all levels above ground floor, given the constraints of the site and the siting of all wheelchair units within a ground floor location, this is considered superfluous and the provision of one lift is considered acceptable.

In terms of natural light provision, it is noted that some of the units are single aspect and north facing. Within the Applicant's Daylight and Sunlight Assessment it is noted that the proposed Block D and Block C lie within the affected range of the Sainsbury's supermarket building and the Berkley residential buildings currently under construction. The windows of the north-facing single aspect dwellings have been assessed with opaque trees and also with trees omitted and the daylight to the windows is within the BRE guidance performance criterion and therefore considered acceptable.

Overall the proposal would provide a good mix of dwellings designed to afford a high standard of amenity for future occupiers.

Impact on neighbouring amenity

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

The application site is surrounded to the east, south and west by residential dwellings along Gravel Pit Way, Lancing Road and Homefield Rise. The development is sited so that the primary outlook from the residential units is to all four elevations of the blocks.

The dwelling most impacted by the development would be that to the west at number 12 Homefield Rise which is sited 20.5m from the flank elevation of Block D to the nearest habitable room window. Block D extends for 35m between 2-3m from the boundary of the site at four storeys, 15m from the boundary with 12 Homefield Rise. It is noted that there are several habitable room windows and projecting balcony space along this elevation which may give rise to some overlooking into the rear amenity space, however given the oblique angle between the proposed plot and the rear of number 12, no direct overlooking into the rear of the neighbouring dwelling is considered to occur. Further to this, the visual impact of the scheme when viewed from number 12 Homefield Rise is further mitigated by the separation distance between Block D and the neighbouring properties. Members may therefore consider that the impact of the scheme upon the privacy and outlook of the owner/occupiers of 12 Homefield Rise is acceptable.

With regard to any potential daylight and sunlight impacts, the only property identified within the affected zones of the development within the submitted daylight/sunlight assessment submitted would be the property at number 12 Homefield Rise. The report states that there are no habitable room windows within the flank gable end of number 12 however there are habitable rooms sited to the rear. The rear facing windows have been assessed with the proposed development in place and opaque trees present. All the rear facing windows within number 12 has been assessed with the proposed development in place and opaque trees present. All windows have a Vertical Sky Component (VSC) greater than 27% and the daylight to these windows is within the BRE guidance performance criterion and therefore Members may consider there to be no significant adverse impact to the access to daylight to these habitable rooms.

The dwelling at number 46 Homefield Rise is sited to the east of the development, adjacent to Mortimer Way. The development is proposed to extend at three storeys along the eastern boundary of the site for 36m in length with habitable room windows and balconies along this elevation. Again, whilst the development would cause some overlooking of the rear amenity space, the angle of overlooking would be so oblique that Members may consider that there would be no loss of privacy with regard to the rear facing windows. Whilst there will be some visual impact of

the development when viewed from number 46 as a result of the extent of the depth of the development, given the considerable change in land levels and separation distance as well as the three storey height of the block, this is not considered to be so significant to warrant the refusal of this application. Furthermore, given the change in land levels, the ridge height of the proposed three storey block is to be no higher than number 46 Homefield Rise which further mitigates its prominence.

Several comments have been raised from the neighbouring properties along Lancing Road whose rear amenity space adjoins the site to the south and south-west, specifically with regard to loss of privacy, overshadowing, loss of light and impacts to outlook. Blocks A and D are the closest sited 7-8m from the rear common boundary with numbers 43-23 Lancing Road. The dwellings along Lancing Road closest to the proposed development are those at numbers 43-39 with number 41 sited 31.2m from the rear elevation of Block A at the nearest. Whilst it is noted that there are habitable room windows and balconies which face onto the rear of the gardens of 43-23 Lancing Road, these are located between 7-8m from the common boundary and between 31.2m- 65.2m from the neighbouring rear elevations, increasing in distance from the development from east to west. The separation distances provided are considered satisfactory to prevent any loss of privacy or overlooking which is further mitigated by the length of the rear gardens along Lancing Road. The overlooking is further mitigated by the mature planting sited along the rear boundary which will be further increased with the provision of increased planting to the rear which can also be secured through the submission of a landscaping plan at the reserved matters stage.

Members may also wish to note that the development site is located at a slightly lower land level to those properties facing Lancing Road which is considered to mitigate the overall appearance of the massing of the development. The benefits of the changes in land levels are mostly achieved with the properties closest to the development i.e. 41 Lancing Road where the ridge height appears no taller than the ridge of Block A as a result in the changes of the land levels. Given the orientation of the site, no concerns are raised as to potential loss of light resulting from the development.

It is acknowledged that the dwellings at 23-43 Lancing Road will meet the boundary with the development at the point of the communal parking area for the apartments and the communal outdoor amenity area. It is acknowledged that at this point there will be some additional vehicular movements and noise where presently there is an absence; however the retention of the hedgerow, replacement of the boundary fencing and planting along the southern boundary of the site is considered to mitigate this to an acceptable degree. Furthermore, the dwellings are located in excess of 24m at the closest point from the parking area therefore the noise associated with this space is not considered to be so detrimental to be considered harmful to neighbouring amenity given the size and scale of the adjoining gardens. Should permission be forthcoming, a condition will be required for a scheme of lighting and car park management plan to be submitted which will include methods to alleviate disturbance. No comments have been received from the Council's Environmental Health Officer with regard to potential noise impacts.

It is noted that Block D is sited opposite the new Berkeley Homes development at the Old Police Station, of which the northern aspect of the development is to be residential in use from the second to the fifth floor at the closest point. The development steps back away from Homefield Rise from floors 5-9. Given the height of the building at Block D, and the distances to the neighbouring commercial/residential development, it is not considered that there would be any undue overlooking or loss of light as a result of the development. Furthermore, Block D proposes no single aspect front facing units to Homefield Rise, and as a result it is not considered that the Orpington Police Station would adversely impact upon natural light provision to these units. With regard to the impact upon Block C, the submitted daylight/sunlight assessment raises no concern in this regard.

In terms of residential amenity within the site, the four proposed blocks are sited between 21m- 6.8m at the closest point between Block C and Block B. Whilst some windows within the flank elevations of Block C and Block B are secondary windows to living rooms/kitchen spaces and can be obscurely glazed, the primary windows are to bedrooms and it is acknowledged that there is a constrained relationship with regard to potential overlooking. It is considered however that the primary outlook of the windows is to the front and rear of the site and mitigation methods to prevent a detrimental loss of privacy can be a matter to be dealt with at the reserved matters stages i.e. with the offsetting of the windows/use of restrictors. On this matter, Members may consider the relationship acceptable. Details regarding screening along private amenity spaces, specifically close to entrance ways, to prevent mutual overlooking can also be dealt with under reserved matters.

Officers recognise that there is potential for transient pedestrian movements within close proximity to the habitable room windows along the ground floor of the application site which may cause some overlooking. However, the scheme proposes the installation of a 1.2m high boundary wall with railings which segregates the public highway from the defensible space in front of the units along the front of the site which would mitigate this concern and this is not an uncommon situation. Matters concerning landscaping are to be considered under a future reserved matters application and it is considered that mature planting along the frontage would both alleviate any amenity concerns whilst seeking to approve the aesthetics of the scheme.

Overall it is considered that the proposal is acceptable in terms of overlooking/loss of privacy, visual impact, effect on daylight and sunlight and noise and disturbance for neighbouring residents of the development.

Parking and cycling provision and Highways impacts

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 (Para.32).

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

There is a total of 76 surface car parking spaces proposed with four given over to wheelchair spaces. 14 electric charging points are proposed. The parking will be provided at 0.72 spaces per unit which is higher than the nearby Police Station site (0.55 spaces/unit). The developer has also offered to provide each resident with membership of the nearby Car Club with driving time included which can be secured via the section 106 agreement. A car park management plan is appropriate to be conditioned to give further information as to the allocation of parking spaces.

The Road Safety Audit indicated that it was unlikely that the existing parking bays on Homefield Rise will need to be relocated. Once the development is occupied there may be issues that become apparent that require alterations to waiting restrictions. The bays in Mortimer Road could be extended where the crossover is removed. A contribution of £5000 for such work is suggested which can be secured via the section 106 agreement.

The existing access to the properties is to be stopped up and two new accesses from Homefield Rise proposed. A Stage 1 safety audit was carried out and no major items were identified. The general condition of Homefield Rise was identified in the audit and this is an area targeted by the resurfacing programme for the next financial year.

In terms of trip generation, the assessment of the Homefield Rise/High Street junction shows that it is still within capacity during the peak hours. This does not include the effect of the Police Station site but that is unlikely to significantly alter the situation.

In terms of servicing, the refuse vehicle will enter the site. The swept path analysis shows the vehicle slightly overrunning some of the landscaped areas within the site however this is not a major issue and these may need to be slightly reduced.

With regard to cycle parking, the London Plan requirements would require a total provision of 190 spaces. Covered cycle spaces will be provided in close proximity of each block to provide for up to 80 cycles. An area has been allocated within the site to cater for a further 112 spaces within 2 areas, resulting in capacity for 192 cycles on site. The demand for cycle parking will be monitored via the Travel Plan and controlled via the S106. Should the travel plan highlight the demand for additional cycle parking then the additional 112 spaces will be provided. This has been agreed by the Council's Highways Officer.

A construction management plan will be needed if permission is forthcoming.

In conclusion, no concerns are raised in relation to highways matters

Landscaping, Trees and Ecology

Landscaping is an integral part of development and is fundamental to ensuring that the development responds appropriately to the character of the site and surrounding area and provide a high standard of amenity for future occupiers. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; minimising impacts on biodiversity and providing net gains in biodiversity where possible. Landscaping is a reserved matter and it is considered that a suitable landscaping scheme could be provided at reserved matters stage.

Policy NE7 of the UDP requires proposals for new development to take particular account of existing trees on the site and on adjoining land, which, in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. Policy NE9 seeks the retention of existing hedgerows and replacement planting; where appropriate, recognising the important role they can play in softening and screening new development.

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. Natural England 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. Natural England 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 an arboricultural report and ecological appraisal which make a number of recommendations in respect of tree protection measures and protected species.

It is proposed to remove 6 no. category B sycamore trees from a centralised position within the site, 17 no. category C trees and 6no. low category C hedges. 3no. category U trees and 1 no. category U hedge will also be removed. The report includes various mitigation and protection methods in order to protect the remaining trees within the site. The report states that there is scope for extensive replacement planting with relatively large trees that should have more than adequate space to develop into good specimens. The report concludes that providing that the measures outlined in the report are followed it should be relatively straight forward to protect the remaining trees on the site.

Comments from the Tree Officer note that the properties to be demolished are not subject to any tree restrictions in terms of Tree Preservation Orders (TPO) and the site is not located within a conservation area therefore there are no constraints on the removal of trees. The Landscape Masterplan that has been submitted indicates

the general landscape arrangement, including the positioning of new tree planting. The concept is supported, however, a landscape scheme needs to include the specifications of trees to be planted and the selected species and this is a matter that can be considered at the reserved matters stage should Members grant permission.

The application has been supported with a Tree Constraints Plan (TCP), a Tree Protection Plan (TPP) and an Arboricultural Report. The report is designed to support the application at this outline stage and a revised document is referred to for any future submissions inclusive of the reserved matters application should Members be minded to grant permission.

An Ecological Assessment was submitted which considered any likely impact of the scheme upon protected species inclusive of bats and badgers. The assessment found that the site does not lie within or adjacent to any statutory or non-statutory designated sites. The site is comprised mainly of amenity grassland, building and hardstanding.

Two buildings on the site were considered to have 'low' suitability for roosting bats, with no evidence of internal roosting and a lack of suitable holes and crevices. These buildings can be demolished without further consideration of bats. Four of the residential buildings could not be surveyed and it is recommended they are surveyed in the future when available. Should Members be minded to grant permission, this requirement can be conditioned. Three mature ivy covered sycamores were found on site which were considered of low suitability for roosting bats however it is recommended that these are retained within the scheme or where this is not possible, then it is recommended the ivy be removed by hand to reveal any features that may be concealed, provided no further features are revealed after this then the trees may be soft felled.

No evidence of badgers was found on the site however some areas could not be fully assessed due to dense vegetation cover or lack of access. A badger update survey is recommended before works begin and once dense vegetation is cleared which can be conditioned to be submitted should Members be minded to grant permission.

Much of the site was unsuitable for reptiles however some long grass and scrub in the garden could potentially be suitable for slow worms. It is recommended a sensitive strimming regime is adopted.

One pond was identified which was considered to contain 'poor' habitat suitability for great crested newts.

Nesting birds may use the trees and scrub on site; it is recommended that clearance work on site be undertaken outside of the breeding bird season or immediately after a nesting bird check by a suitably qualified ecologist. This requirement can be conditioned for compliance.

A fox hole was identified in one garden. Any mammal burrows should be excavated by hand to prevent any harm under the Mammals Protection Act.

The report concludes that the site is not considered to be of high intrinsic value from an ecology and nature conservation perspective. Should the application be considered acceptable overall, tree and ecology conditions, to include the requirement for additional planting along the southern site boundary and the provision of ecological enhancements such as bat and bird boxes, would be recommended.

Site wide energy requirements

The London Plan provides the policy framework in respect of sustainable construction and renewable energy, and your attention is drawn to Chapter 5 of the London Plan (2015) and the Supplementary Planning Guidance entitled Sustainable Design and Construction (the latter document provides an example of a report format for an Energy Statement that the Council has found relevant and comprehensive). See also policy BE1(vi) of the UDP, regarding sustainable design and construction and renewable energy.

As outlined in the Housing SPG, from 1 October 2016 the Mayor has applied a zero carbon standard to new residential development. The Housing SPG defines 'Zero carbon' homes as homes forming part of major development applications where the residential element of the application achieves at least a 35 per cent reduction in regulated carbon dioxide emissions (beyond Part L 2013) on-site. The remaining regulated carbon dioxide emissions, to 100 per cent, are to be off-set through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere (in line with policy 5.2E).

With regard to the zero carbon requirements, it is acknowledged that although the scheme achieves the minimum 35% reduction through high efficiency measures and on site renewables however the Applicant states that there is little scope to reduce this any further. Therefore as the remaining offset to achieve 'zero carbon' cannot feasibly be met on site; a payment in lieu for carbon offsetting will apply and can be secured via the section 106.

Air Quality

Policy 7.14 of the London Plan aims to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs) and where development is likely to be used by large numbers of those particularly vulnerable to poor air quality, such as children or older people) such as by design solutions, buffer zones or steps to promote greater use of sustainable transport modes through travel plans.

It is noted within the submitted air quality assessment that the transport related emissions are above the relevant benchmark and appropriate mitigation measures should be implemented throughout the scheme to offset this. Comments from the Environmental Health Officer state that whilst the site is not located within an Air Quality Management Area, offsetting through the installation of electric charging points would be adequate. As construction materials will be brought through Bexley

and Bromley's AQMA it is also recommended that the Applicant submit a construction logistics plan.

Drainage

Policy 5.13 of the London Plan states that Development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. Drainage should be designed and implemented in ways that deliver other policy objectives of this Plan, including water use efficiency and quality, biodiversity, amenity and recreation.

The Applicant submitted a Flood Risk Assessment with the application which was followed by an addendum submitted in March 2017. Within this it was noted that the means of disposing surface water run-off was found to be acceptable. No objections were raised from the Council's Drainage Officer subject to a condition requiring further information to be submitted to identify 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 .

Planning Obligations

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

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

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

Policy IMP1 (Planning Obligations) and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

The applicant has agreed, in principle, to pay contributions for health and education. Highways contributions of £5000 have been agreed to provided waiting

restrictions along the entrance to the development and also for a car club membership of 3 years. A payment in lieu for carbon off-setting is also required and agreed to which can be secured via the legal agreement.

The scheme would also be subject to Mayoral CIL.

Summary

The assessment above considers the qualitative as well as the quantitative merits of the design of the proposal in the context of surrounding development and in relation to adjacent residential properties.

It is considered that the site is an appropriate, identified site, suitable for the density of residential development proposed within this application. Through the submission of a transport statement and road safety audit, the amount of development proposed is not considered to unduly impact highway safety given the provision of sufficient off-street parking.

Matters concerning the impact on neighbouring amenity have been taken into account and it is considered that as a result of the separation distances between the neighbouring dwellings and the proposed development, no adverse impacts upon neighbouring properties will occur. The siting of the dwellings are considered appropriate in that they are set at a distance which mitigates any potential overlooking or loss of privacy. The scheme is considered of a logical layout, providing an open green space to the south of the development as well as landscaping throughout the site including throughout the parking area, softening the impact of the built form. The massing and siting of the flats is well reasoned, and appropriate within the wider residential and townscape context of the area.

Trees, ecology and protected species have also been considered and, subject to suitable conditions, the proposal is unlikely to have any significantly adverse impacts in this respect.

On balance the impact of the development is considered acceptable and it will contribute to the Borough's housing supply in a sustainable location.

as amended by documents received on 30.03.2017

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 (i) Details relating to the appearance and landscaping shall be submitted to and approved by the Local Planning Authority before any development is commenced.**
(ii) Application for approval of the details referred to in paragraph (i) above must be made not later than the expiration of three years beginning with the date of this decision notice.

(iii) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the details referred to in paragraph (i) above, or in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: Section 91, Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out otherwise that in complete accordance with the following plans unless previously agreed in writing by the Local Planning Authority:**

Site wide plans/elevations/floor plans: 1001 Rev B, 650_SL01, 001, 1021 Rev B, 1020 Rev B, 1019 Rev B, 1018 Rev B, 1017 Rev B, 1016 Rev B, 1015 Rev B, 1014 Rev B, 1013 Rev B, 1012 Rev B, 1011 Rev B, 1010 Rev B, 1000 Rev B, 1001 Rev B, 1002 Rev B, 1003 Rev B, 1004 Rev B, 1005 Rev B, 1006 rev B, 1007 Rev B, 1008 Rev B, 1009 Rev B, U534TCP, U534TPP

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.

- 3 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 above ground level, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall seek to achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.**

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

- 4 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.**

In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

- 5 The development hereby permitted shall be carried out in complete accordance with the survey, mitigation and biodiversity enhancement recommendations outlined in the Ecological Appraisal document accompanying the application. Any deviation from these**

recommendations shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing.

In order to comply with Policy NE5 of the Unitary Development Plan and in the interest of any protected species present at the site.

- 6 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.**

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.

- 7 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**

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.

- 8 Details of a scheme of lighting for the whole site including the car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter**

In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

- 9 Details of a scheme for the management of the car park shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied and the car park shall be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority.**

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.

- 10 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.**

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to controlled waters.

- 11 Details of the means of privacy screening for the balcony(ies) 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 and permanently retained as such.**

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.

- 12 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' for the units identified in the application within Blocks B, C and D as non-wheelchair units and shall be permanently retained thereafter.**

To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants

- 13 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(3) 'wheelchair user dwellings' for the units identified in the application as wheelchair units and shall be permanently retained thereafter.**

REASON: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants."

- 14 An electric car charging point shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces.**

Reason: To minimise the effect of the development on local air quality in accordance with Policies 6.13 and 7.14 of the London Plan.

- 15 Details of the layout of the access road as/junctions and turning area including its junction with Homefield Rise; and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 1m in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.**

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 16 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space 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) Order (England) 2015 (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.

- 17 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.

- 18 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.**

Reason:In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

- 19** Details of the finished surfaces of the access road, garage drives and parking areas, which shall include coloured materials and block paving, and of the street lighting installations, shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the access road, drives, parking areas and street lighting shall be completed in accordance with the approved details before any of the dwellings hereby permitted are first occupied.

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

- 20** Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

Reason:In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 21** The existing accesses shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.

Reason:In order to comply with Policy T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 22** Details of a scheme for the management of the car park shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied and the car park shall be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority.

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.

23 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

24 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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

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

26 Unless otherwise agreed in writing by the Local Planning Authority, the trees hereby approved as part of the landscaping scheme shall be of standard nursery stock size in accordance with British Standard 3936:1980 (Nursery Stock art 1:Specification for Trees and Shrubs), and of native broad-leaved species where appropriate.

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 27 **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 site until an arboricultural method statement detailing the measures to be taken to construct the development and protect trees 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;

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);

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 protected zone

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.

- 28 **Development shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site identifying efficiency and sustainability measures to be undertaken during site construction of the development has been submitted to approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority**

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

29 Prior to the commencement of the development hereby permitted a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

30 Details of a scheme of mitigation measures in full compliance with all recommendations of the submitted acoustic report (Noise Assessment for a Proposed Residential Development on Land at Homefield Rise, Peter Moore Acoustics Ltd, ref 160904/1, 22/9/2016) shall be submitted to the Local Planning Authority for written approval. Once approved the scheme shall be implemented in full prior to the use commencing and permanently maintained thereafter.

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.

31 Prior to the commencement of development, an ecological appraisal of numbers 42,38, 34 and 30 Homefield Rise shall be undertaken and the finding and conclusions of the appraisal shall be submitted in writing to the Local Planning Authority for approval in writing.

In order to comply with Policy NE5 of the Unitary Development Plan and in the interest of any protected species present at the site.

32 A badger update survey shall be undertaken and the findings and conclusions of the appraisal shall be submitted in writing to the Local Planning Authority for approval in writing. If any badgers are discovered, details shall be submitted to and approved in writing by the Local Planning Authority of the timing of the works and any necessary mitigation measures. The works shall be carried out in accordance with the approved timing and mitigation measures.

In order to comply with Policy NE5 of the Unitary Development Plan and in the interest of any protected species present at the site.

33 Removal of trees on site shall be undertaken outside of the breeding bird season or immediately after a nesting bird check by a suitably qualified ecologist

In order to comply with Policy NE5 of the Unitary Development Plan and in the interest of any protected species present at the site.

- 34** 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.

Reason: To reduce the impact of flooding both to and from the proposed development and third parties

You are further informed that :

- 1** Before any work is commenced on the access/highway works a Stage 2 Road Safety Audit shall be submitted to and approved in writing by the local Planning Authority. The works shall be implemented strictly in accordance with the approved details to the satisfaction of the local Planning Authority before any part of the development hereby permitted is first occupied. A Stage 3 Audit shall be submitted to and approved in writing by the local Planning Authority following satisfactory completion of the works and before they are opened to road users.

In the interests of highway safety

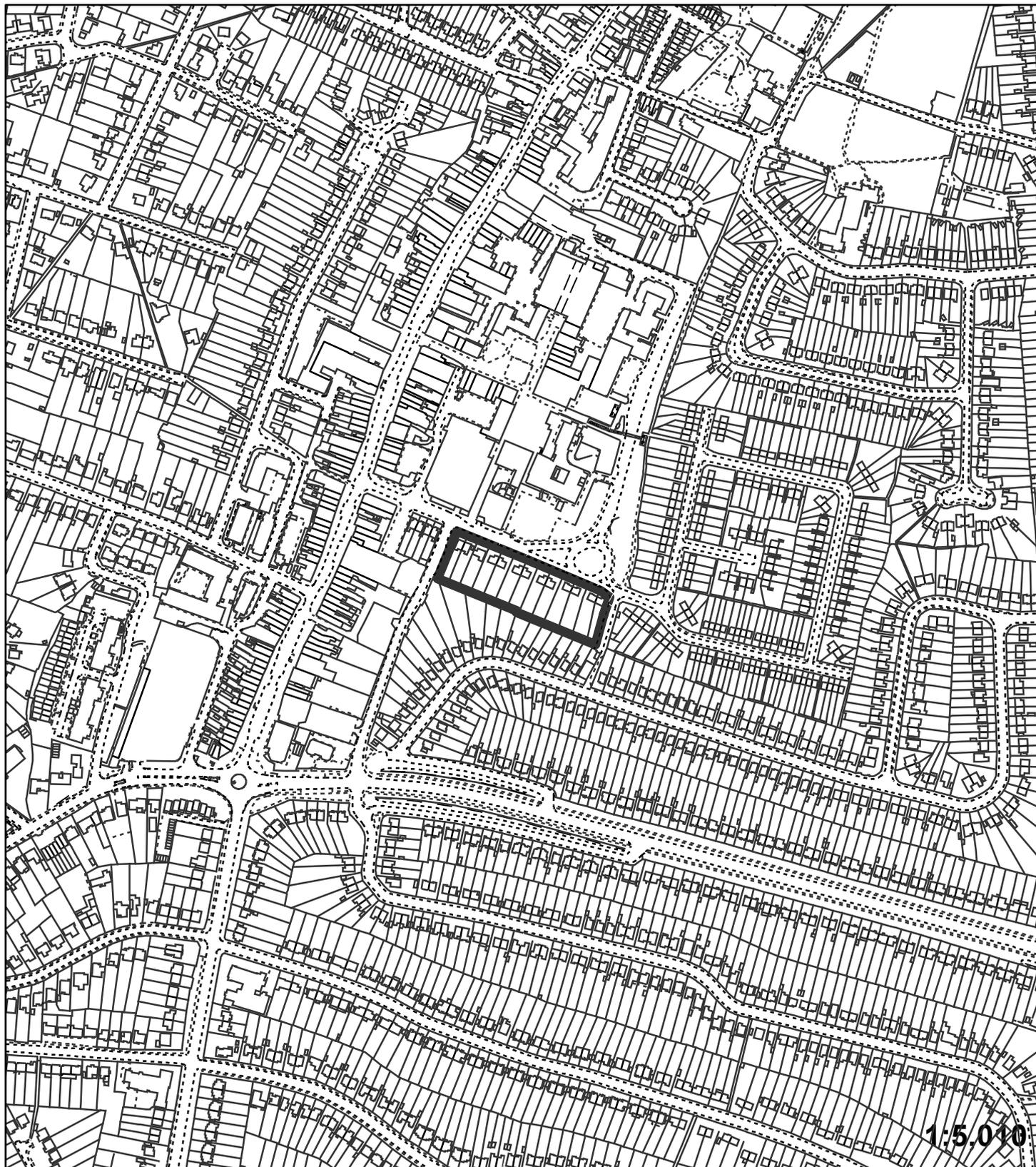
- 2** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL
- 3** Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development."

- 4 **A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team.**

Application:16/04563/OUT

Address: 18 Homefield Rise Orpington BR6 0RU

Proposal: Demolition of numbers 18-44 Homefield Rise and the construction of 105 residential apartments in four separate three and four storey blocks to be served by two accesses, together with associated car parking, cycle parking, refuse storage and private communal amenity



"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 No : 16/05782/FULL1

Ward
Cray Valley East

Address : Klinger Works, Edgington Way
Sidcup DA14 5AF

OS Grid Ref: E: 547799 N: 170450

Applicant : Chancerygate (Erdington) Ltd

Objections : No

Description of Development:

Partial demolition and redevelopment of the Klinger factory and associated buildings to provide 15 units to be used for B1(c), B2, B8 uses together with associated access and parking.

Joint Report 16/05782/FULL1 and 16/05784/LBC

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 20

Proposal

The proposal consists of the demolition the majority of the existing buildings and associated structures on site except for the front elevation and side returns of the listed building and the redevelopment of the site for purpose built B1/B2/B8 industrial units. The proposal comprises:

- Erection of 13 purpose built industrial units in 3 rows
- Small mezzanine to each area
- Extension to the Klinger building to provide a self-storage unit
- Detached two storey commercial unit adjacent to the original Klinger building
- Amendments to existing vehicular access points and provision of in/out access
- Provision of access roads and car parking
- Provision of landscaping
- Retention of the tower and reinstatement of all exterior details
- Retention and re-use of the original piers and railings

Building and Works

The application proposal seeks to retain, restore and enhance the front and side returns of the Grade II listed Klinger building in order to provide a commercial/industrial unit. The existing Klinger building has been designed to

enclose a two storey mezzanine. The proposal also seeks to redevelop the land to the rear of the Klinger building by demolishing the existing dilapidated warehouse and production buildings and erecting 14 new B1(c), B2, B8 units (Units 2 to 14), providing a range of employment accommodation.

Unit 2 (split into 2a and 2b) is a new building, shown as sited adjacent to the east of the Klinger building in the north east section of the site. Units 3-14, also new units, are set behind in three parallel rows of units running horizontally across the site

158 car parking spaces are shown on the site within the curtilage of each of the units, in addition to an area of overflow parking to the east of the site. Operationally it is proposed that visitors will use the spaces adjacent to the relevant unit they are visiting, and the overflow parking is envisaged to be used sporadically. Of the 158 spaces, 16 are disabled spaces, and there are 32 electric vehicle charging point spaces provided (16 of which are passive). Staff parking for each of the units is included in the overall parking provision.

The proposals include landscaping including the retention and enhancement of mature perimeter trees and planting. The frontage to the site includes a landscaping zone, and existing off site mature highway landscaping.

Access arrangements

A separate planning application for proposed works to the vehicular accesses to the site has been submitted to LB Bexley and are therefore not submitted as part of this current application. The vehicular access to the site off Edgington Way is proposed to be located within the central section of the frontage, with the egress proposed to the north east. The proposals have been designed to enable access by vehicles required to service modern employment operators and represent an improvement to the current arrangement.

Listed Building Consent Application

A separate listed building consent application has been submitted to accompany this application under ref 16/05784/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.

Supporting Documents

Along with the submitted plans, the following supporting documents have been submitted with the application. Where appropriate, they are examined in greater depth throughout the body of this report:

Clock Replacement Specification dated 5.12.2016
Schedule of External Building Materials - Unit 1 dated 10.10.2016
Schedule of External Building Materials - Unit 2 dated 10.10.2016
Schedule of External Building Materials - Units 3-14 dated 10.10.2016
Schedule of External Building Materials - Units 1-14 dated 7.10.2016

Masonry Repair and Cleaning Statement dated 12.12.2016 (Rev A)
Repair and Cleaning Statement for the Works to the Interior of the Central Tower dated 12.12.2016 (Rev A)
Method Statement and Demolition Specification for Demolition and retention of Frontage Building 16-028R_001
Energy and Sustainability Statement dated 16.12.2016
Arboricultural Assessment dated December 2016
External Lighting Assessment
Car Park Management Plan dated December 2016

Flood Risk Assessment ref 16-028R_004
Transport Assessment dated December 2016
Design and Access Statement Rev C dated 16.12.2016
Heritage Statement dated December 2016
Extended Phase 1 Habitat Survey ref 16-0420.01
Justification Statement dated November 2016
Land Contamination Site Investigations ref 16-028R_005
Noise Screening Statement dated December 2016
Drainage Strategy Report ref 16-028R_007
Air Quality Screening Statement dated November 2016
Nocturnal Bat Survey ref 16-0420.04
Reptile Survey ref 16-0420.03
Planning Statement ref 9911
Statutory Services Report ref 4826/03
Archaeological desk Based report ref LP2247L-DBA-v1 10
Condition Report on Existing Windows dated August 2016
Structural report on Existing Façade ref 16-028R_003 Rev C
Construction Management Plan dated 2.3.2017

Location

The application site is the former Klinger Factory site located on Edgington Way, Sidcup, with the site within the Borough of Bromley, and Edgington Way, within the Borough of Bexley, with Bexley being the relevant Highway Authority.

There is a significant change in levels on the site and with adjoining land uses, with an embankment and landscaping along the southern boundary of the site. The site is allocated in the adopted Bromley UDP as a Business Area and is situated in a busy commercial area in close proximity to the Strategic Highway Network and the A20.

The application site comprises several buildings that form part of the disused Klinger factory complex which ceased production in the late 1990s. The Klinger Building was originally built in 1937 to the designs of the architectural practice Wallis, Gilbert and Partners. There have been a series of subsequent developments on site, including an extension to the Klinger Building in addition to a further large building to the south of the site. This building, as well as the gatehouse, railings and walls on the northern edge of the site are Grade II listed (first designated in July 1999) and also feature a number of attached unremarkable warehouse and production buildings as part of the wider complex to the rear. The Heritage Statement submitted with the application contains a detailed historical and architectural appraisal of the site and surroundings.

The application site has been vacant for over 15 years and during this period the buildings on the site have been subject to arson and vandalism, causing significant and extensive damage to the structure and its fabric. The frontage building was placed upon Historic England's Heritage at Risk Register.

The surrounding area comprises a mixture of uses including light industrial, warehousing and other commercial operations. To the north of the site beyond Edgington Way is the Ruxley Corner Industrial Estate. The site is bound to the east by a BP petrol filling station and further commercial units on Sandy Lane. There are also commercial uses to the south with the Sidcup by-pass road beyond. To the west of the site is a Tesco superstore with a large surface level car park.

Site Constraints:

Listed Building (Grade II)

Area of Archaeological Importance

Allocated Employment Site

Close proximity to Site of Importance for Nature Conservation known as Ruxley Woods

Close to Site of Special Scientific Interest at Ruxley Gravel Pits

Contamination of both buildings and soil relating to previous use of asbestos on site

Ground Water Protection Zone

PTAL 1a/1b

Strategic Highway implications

SIL in London Plan

Consultations

Comments from Local Residents

No letters of objection or support have been received. A number of neutral comments have been received which note that the south and east sides of the site have geological value and should remain visible and accessible in any future development of the site. A request has been made that a gate be put into the boundary fencing so that access can be achieved if required.

Comments from Consultees

Highways:

The site is within Bromley and Edgington Way lies within LB Bexley who are the highway authority for the road. There is a separate application to LB Bexley for the reconfiguration of the access arrangements (Bromley ref 17/00129). The site has a low (1a) PTAL assessment. Pre-application discussions have taken place with LB Bexley and TfL.

The Klinger building is being refurbished and there are 14 other units proposed on the site giving a total of 15,805m² of floorspace. The proposed use is a mixture of B1, B2 and B8 with some trade counters. There are 158 car spaces shown which equates to 1

space per 100m² which is at the top end of the UDP parking standards. The B8 use also requires lorry spaces. One is shown for each unit.

The exact use split is unknown at present. Various scenarios for the split between the uses for trip generation purposes were presented. B2 use tends to have higher trip generation than B1 or B8. If the proportion of trade counters is increased that could in turn increase the amount of trips generated by the site as customer trips increase.

The roads that are likely to have the most impact from the development are not within Bromley. All traffic will turn left when leaving the site so the impact is likely to be on Edgington Way and Crittalls Corner roundabout. The nearest roads to the site within LB Bromley are Sandy Lane (Ruxley Corner roundabout) and Sevenoaks Way (Crittall's Corner roundabout). Only the latter roundabout was modelled as part of the TA. With a split between the various uses the increase in trips on Sevenoaks Way was estimated to be 5 trips in the AM peak and 3 trips in the PM peak, there was no impact on Sandy Lane. With the trip rates weighted towards B2 use, there was an increase in trips on Sevenoaks Way of 20 trips in the AM peak and 2 in the PM peak, again there was no impact on Sandy lane. In percentage terms these increases are negligible. LB Bexley and TfL may wish to comment on the effect on the impact on the immediate road network.

Given the location and low PTAL the majority of trips are likely to access the site by vehicle. TfL have indicated a desire to improve the cycling facilities in the area, any contribution sought towards infrastructure would need to be agreed with LB Bexley and TfL. The TA indicates that cycle parking is being provided to London Plan standards. There is no working shown given the mix of uses but the 78 spaces appears to be in line with B1 use, the highest, and so I would not object to that. The spaces are spread around the site, some within buildings, which should aid security and encourage use.

Also given the location there are unlikely to be many walking trips to the site. Within the site there is a continuous footway through to the back of the site.

Please include the following conditions in any permission.

- H03 parking
- H16 hardstanding for wash down facilities
- H17 materials for estate road
- H21 car parking to be for customers/employees
- H22 cycle parking
- H23 lighting
- H29 construction management plan
- H32 highway drainage

It was subsequently advised that condition H30 should be applied regarding the travel plan.

Transport for London (TfL):

TfL remains in the position that car parking should be reduced as this is an ongoing aspiration of TfL and the London Plan to reduce congestion and traffic levels and encourage sustainable travel. However, as the proposed quantum does not exceed London Plan standards, TfL would not have sufficient grounds to object on this occasion.

With regard to the S106 contributions, this was not a request by TfL but any contribution secured would be supported. However, it should be noted that this was and still is highly encouraged by TfL but should be borough-led due to the nature of the highway.

London Borough of Bexley

As adjoining Authority, has raised no objection to the proposal subject to the imposition of conditions covering the travel plan, parking management, construction logistics, and delivery and servicing plan. Has expressed that the construction of an additional unit to the east of the existing building is unsatisfactory.

Historic England:

As you will note, we are supportive of these proposals in principle in the interest of securing a long-term future use for the Grade II listed Klinger Factory which is a longstanding entrant on our Heritage at Risk Register. As the listing is restricted to the central tower and flanking wings, we also accepted that most of the proposed demolition could be accommodated without harming the significance of the listed building.

However, we raised concern about the proposed demolition of the internal floors and rear walls of the listed wings, and advised that 'clear and convincing justification' should be provided for the harm that would inevitably be caused in line with Paragraph 132 of the National Planning Policy Framework.

The Justification Statement (Chancerygate, November 2016) states that the listed building contains "differing ceiling heights and narrowing floor plates" (p5) and the client Titan Storage requires a "non-negotiable clear internal height of 8.65metres" (p6) in order to provide the correct sized rooms customers require to store their possessions. We acknowledge this argument, and your Council must be satisfied that this justification is sufficient to satisfy the relevant planning policies.

We also note that a Demolition Specification has been prepared by Bradbrook (December 2016) which sets out a brief methodology for the work including the means of retention of the Klinger Factory tower, and the front and flank elevations of the wings. The report states that a "detailed method statement and proposals will be prepared by specialist contractors in due course" (p2). These details should be subject to condition should your Council be minded to approve the scheme. The details should include monitoring of the fabric for any potential movement during the works. We recommend that the demolition work is undertaken by specialist contractors with experience of structural alterations to historic buildings.

We note from the proposed drawings that there would only be a slight change to the floor levels in the Klinger building, and it is encouraging to learn that the new floor plates would have no resulting impact on the fenestration.

We also mentioned at pre-application stage, that the likely harm that would be caused to the Klinger Factory should be mitigated by the delivery of public benefits as is required under Paragraph 134 of the National Planning Policy Framework. As we previously mentioned, the potential for removal of the Klinger Building from our Heritage at Risk Register, can contribute to the heritage-related public benefits of the scheme in our opinion. However, we also strongly recommended that the conservation and repair of the Central Tower should be offered as part of the heritage related public benefits.

We are pleased to see that the intention is to repair and clean the Central Tower and retain and reinstate features where possible. We note that the submitted Central Tower Repair and Cleaning Statement (Ian C King Associates Architects, December 2016) sets out a brief methodology for the work which includes a full survey and recording of the interior, and the salvage and reuse of features “where possible” (p3).

We recommend that a gazetteer of items is provided as part of these investigations, with a recommendation for each. These details should be subject to a condition in consultation with your Council’s Conservation Officer, and we recommend that an accredited conservation specialist is appointed to undertake this work.

We also recommended that the boundary wall, railings and gatepiers are included in the conservation work if possible. The annotations to the Demolition Plan (drawing no.16-028/004 rev.P4, Demolition Specification document, December 2016) state that the “wall and railings will be repaired and retained, and gates will be replaced with like-for like new ones” (p16). Whilst this is encouraging in principle, your Council should consider requesting details of the wall features such as gates and gatepiers which could be catalogued as part of the gazetteer items for the Central Tower, again with a recommendation for each. We note that this plan also proposes a 2.4m high timber perimeter fence. Your Council will need to be satisfied that would not significantly impact on the setting of the factory in important views.

Finally, should your Council be minded to approve the scheme, we also recommend that further conditions are imposed regarding the brickwork repairs and new brickwork to the rear walls of the factory wings, a mock-up of the new windows which should be subject to an on-site inspection, and the proposed signage, which should not undermine the historic character of the main façade.

Recommendation

We would urge your Council to address the above advice and recommended conditions in the determination of this application. We enclose the draft letter authorising the granting of consent (draft attached) and have referred the case to National Planning Casework Unit. Subject to the Secretary of State not directing reference of the application to him, they will return the letter of direction to you. If your authority is minded to grant listed building consent, you will then be able to issue a formal decision. Please send us a copy of your Council’s decision notice in

due course. This response relates to listed building matters only. If there are any archaeological implications to the proposals please contact the Greater London Archaeological Advisory Service for further advice (Tel: 020 7973 3712).

Bromley Conservation Officer

The existing statutory listed building on the site is described as “*Offices, cutting shop, toolroom and storage for factory. Completed in 1937 to the designs of Wallis Gilbert and partners for Richard Klinger Ltd*” . Unusually the listing refers mainly to the frontage rather than all the structures. It is designed in the modernist style and being statutory listed is considered to be of national importance. It is also of interest that the building was deliberately impressive to present a modern image of the company but also to hide the more mundane structures to the rear.

After Klinger Ltd left the building it came into the ownership of IKEA but has been vacant since the 1990s with several failed attempts at reuse. It is also on the Historic England “Heritage at Risk Register”. Therefore the principal of reuse and repair is strongly welcomed from a heritage perspective.

The Heritage Statement submitted gives a lot of background on the building and its architects but is disappointingly light on how the proposal addresses local and national policies, but nonetheless there is sufficient detail to make a recommendation. The special interest of the building can be summarised in its use of the modernist style, characterised by the horizontal emphasis, crittal type windows and the central tower. Internally much has been lost but some terrazzo stairs with steel handrails survived.

It is proposed to demolish the large shed type structures to the rear of the brick built frontage and replace them with modern portal frame structures. I have no objection to the loss of these structures as they make no contribution to the special interest of the listed building. Furthermore the replacements are relatively modest and out of view from Edgington Way. I have no objection to their material finish but it may be appropriate to condition this.

Within the main listed building itself it is proposed to demolish the floors behind the front and side facades but retain the main central tower. The justification is that the new use requires higher floor to ceiling levels and specialist construction for modern storage use such as avoiding UV lights near windows and presumably high levels of climatic control. This is not surprising given the proposed use but nonetheless removing original floors causes some degree of harm, albeit mitigated by the fact that there is little of architectural or historic interest in these locations, as detailed in the heritage statement. In the main tower the remaining stairs would be conserved along with the handrails. Externally the existing crittal windows are beyond repair having been neglected for decades so modern replica crittals are proposed.

In terms of signage little detail is given except for some 3d renderings and whilst I have no major objection to the Titan signage, individual applied letters would be much better and was the approach used by Klinger and other buildings by the same architect such as the Hoover building.

HE mention the boundary treatment but at the front it is intended to keep the existing railings so I have no additional concerns in this respect.

Conclusion

There is a very strong public benefit in bringing this building back into use but nonetheless I can identify some elements which cause harm. These include the removal of the internal floors and the loss of the gate lodge (not really covered in the heritage statement). Therefore para 134 of the NPPF applies. It is my view that the harm caused is relatively modest and would not damage the fundamental interest of the building. It is also far outweighed by the benefits of restoring the building and safeguarding its future.

If minded to recommend consent I suggest the following conditions as some detail on materials and the demolition works is given but some extra clarification would be needed

C08
G01
G03 and G08

(These last two fulfil need for a method statement as suggested by HE to go with the Bradbrook Drawings 16-028/002 etc)

Thames Water:

Waste Comments

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Surface Water Drainage - 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. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Drainage:

Reviewing the submitted "Drainage Strategy Report" with Ref No. 16-028R_007 dated December 2016. I note the use of three geo-cellular system tanks to restrict the discharge to 5l/s for all events including the 1 in 100 year plus 30% climate change, I also note that the applicant has allowed overground flooding for extreme events which is acceptable as long as it is contained on site and the submitted calculations have not included the storage capacity available in the proposed pipe network.

Condition: 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.

Reason: To reduce the impact of flooding both to and from the proposed development and third parties

Environmental Health:

I have looked at this application including the following documents:
Phase 2 Site Investigations prepared by Bradbrook Consulting (ref 16-028R-005)
Noise Screening Statement prepared by TRC Co Ltd (December 2016)
Air Quality Screening Statement prepared by TRC Co Ltd (November 2016)

and would have no objections to permission be granted.

Designing Out Crime Officer:

In summary I would recommend the principles and standards of 'Secured By Design' Commercial 2015' as a planning condition for the development noting the size and historical criminality at the site. I saw in the Design and Access statement there is provision for the entrance doors and ground floor windows to meet 'SBD accreditation' for the retained building which I recommend-I endorse the LPS 1175 SR2 standard doors proposed and recommend a sufficient level of lighting for the exterior.

I would also include this standard for the proposed warehouses including doors, shutters and ground floor windows.

I would recommend the boundaries are of a sufficiently dissuasive height (minimum 1.8) and construction and that there is a security rated vehicular gating system. Noting the number of vehicular spaces I would recommend provision for CCTV and a good level of lighting for the external area's.

Archaeology:

Recommend No Archaeological Requirement

The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter.

I am grateful to Mr Barton of LP Archaeology Ltd for a copy of the geotechnical report dated May 2016 in respect of the above site. The data contained demonstrate that the historic land forming will have had a severe and widespread impact upon any archaeological resource that may have been present.

Despite the proximity of the site to known in situ prehistoric archaeology, it is concluded that there is no discernible on-going archaeological interest with this site. It is therefore recommended that the planning application can be determined without the requirement to further consider archaeology.

Natural England

No objection - subject to appropriate mitigation being secured

As submitted the application may damage or destroy the interest features for which Ruxley Gravel Pits Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

The development should maintain the same run off rate to ensure that hydrology is not affected.

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 Practice Guidance (NPPG) as well as other guidance and relevant legislation must also be taken into account.

Unitary Development Plan (2006)

BE1 Design of New Development

BE7 Railings, Boundary Walls and Other Means of Enclosure

BE8 Listed Buildings

BE9 Demolition of Listed Buildings

BE16 Ancient Monuments and Archaeology

EMP4 Business Areas

NE1 Development and SSSI

NE2 Development and Nature Conservation Sites

NE3 Mitigation
NE7 Development and Trees
ER7 Contamination Land
ER10 Light Pollution
T1 Transport Demand
T2 Assessment of Transport Effects
T3 Parking
T5 Access for People with Restricted Mobility
T7 Cyclists
T10 Public Transport
T11 New Accesses
T15 Traffic Management
T17 Servicing of Premises
T18 Road safety

Supplementary Planning Guidance 1: General Design Principles

Bromley's Proposed Submission Draft Local Plan:

It is expected the emerging Local plan Examination in Public will commence in 2017. The weight attached to the draft policies increases as the Local Plan process advances. These documents are a material consideration. Updated Policies relevant to this application include:

13 Renewal Areas
17 Cray Valley Renewal Area
30 Parking
31 Relieving congestion
33 Access to services for all
34 Highway infrastructure provision
37 General design of development
38 Statutory Listed Buildings
68 Development and SSSI
69 Development and Nature Conservation Sites
70 Wildlife Features
72 Protected Species
73 Development and trees
46 Archaeology
80 Strategic Economic Growth
81 Strategic Industrial Locations (SIL)
84 Business Improvement Areas
115 Reducing flood Risk
116 Sustainable Urban Drainage Systems
118 Contaminated Land
122 Light Pollution
120 Air Quality
119 Noise Pollution
123 Sustainable design and construction
124 Carbon reduction, decentralised energy networks and renewable energy
125 Delivery and implementation of the Local Plan

Draft Allocation, further policies and designation document (Sept 2015)
Chapter 7: Getting Around – Revised Draft Parking Policy
Chapter 9: Working in Bromley

London Plan (March 2015)

2.6 Outer London: vision and strategy
2.7 Outer London: Economy
2.8 Outer London: Transport
2.17 Strategic Industrial Locations
4.1 Developing London's Economy
4.4 Managing Industrial Land and Premises
4.8 Supporting a successful and diverse retail sector and related facilities and services
5.2 Minimising carbon dioxide emissions
5.3 Sustainable design and construction
5.6 Decentralised energy in development proposals
5.7 Renewable energy
5.8 Innovative energy technologies
5.0 Overheating and cooling
5.10 Urban Greening
5.11 Green roofs and development site environs
5.12 Flood Risk Management
5.13 Sustainable drainage
5.21 Contaminated Land
6.3 Assessing effects of Development on Transport Capacity
6.9 Cycling
6.10 Walking
6.12 Road Network Capacity
6.13 Parking
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local character
7.5 Public Realm
7.8 Heritage assets and archaeology
7.9 Heritage-Led Regeneration
8.2 Planning Obligations
8.3 Community Infrastructure Levy
Mayor's SPG: "Accessible London: Achieving an Inclusive Environment" (2014)

National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) must also be taken into account.

The most relevant paragraphs of the NPPF include:

Para 14: Achieving sustainable development
Para 17: Core planning principles
Paras 18-22: Building a strong competitive economy
Paras 29 - 41: Promoting sustainable transport

Paras 56 – 66: Requiring Good Design
Paras 93-103: Meeting the challenge of climate change & flooding
Paras 109-125: Conserving and enhancing the natural environment
Paras 126-141: Conserving and enhancing the historic environment
Paras 188-195: Pre-application engagement
Paras 196-197: Determining applications
Paras 203-206: Planning conditions and obligations

Planning History

01/03745/LBC - Two storey rear extension . Granted

01/03746/OUT - Two storey extension, detached single storey building and change of use of factory (Class B2) to self storage warehousing with car parking, and erection of 4 buildings to provide 9 units for Classes B1, B2 and B8 purposes with ancillary offices, loading areas, car parking and access road (PART OUTLINE)
Granted

02/02254/ADJ - Formation of new road and pedestrian access with associated road markings and associated works to Edgington Way (CONSULTATION BY LONDON BOROUGH OF BEXLEY) No objection raised

Conclusions

It is considered that the main planning issues relating to the proposed scheme are as follows:

- Principle of Development
- Layout, Scale, Massing, Design and Appearance
- Historic Asset Impact
- Highways and Parking
- Amenity Impact
- Trees and Landscaping
- Other Technical Issues

Principle of Development

The NPPF states that significant weight should be placed on the need to support economic growth through the planning system and identify strategic sites for local and inward investment.

The London Plan identifies Foots Cray (Ruxley Corner) as a SIL (Industrial Business Park). The application site is located within this identified area. Planning decisions paragraph B of policy 2.17 states that 'development proposals should be refused unless they fall within the broad industrial type activities outlined in paragraph 2.79.' Paragraph 2.79 states that: London's strategic industrial locations (SILs) are London's main reservoir of industrial land comprising approximately 50 per cent of London's total supply. They have been identified following an assessment of future need

In addition, the Majors SPG: Land for Industry and Transport 2012, puts Bromley in the category of 'restricted transfer' commenting that this applies to Boroughs with typically low levels of industrial land relative to demand.... Boroughs in this category are encouraged to adopt a more restrictive approach to the transfer of industrial land to other uses. This approach is reflected in Policy 4.4 of the London Plan.

The site is designated within the UDP as a Business Area. Policy EMP4 sets out the criteria for evaluating proposals in designated business areas stating that only proposals for uses within Use Classes B1, B2 and B8 will normally be permitted.

The site is identified in draft policy 80 as the Cray Business Corridor – a strategic priority area for economic growth. The policy states that the focus within this area will be on bringing forward adequate development capacity, the co-ordination of public and private investment and the delivery of enabling infrastructure.

The Site is designated as a Strategic Industrial Location (SIL) in Draft Policy 81, which states that within these areas, uses falling within Class B1(b) and B1(c), B2 and B8 will be permitted and safeguarded. The supporting text to the policy states that the Council will restrict further expansion of retail floorspace within the SIL to instances where the use is demonstrated to be ancillary to a primary B use.

In respect of the proposed mix of uses, the units are to be B1(c)/B2 and B8 units which all comply with planning policies. The applicant has expressed the intention to install ancillary trade counters throughout the scheme. However, in accordance with the policies outlined above, to protect the industrial character of the site, this can be restricted through condition. This can require details of the extent and scale of any trade counters to be submitted for approval prior to their installation. The provision of trade counters could change the nature of the use from storage and distribution to retail based business. The Draft Local Plan Policy in relation to SIL's clearly states that "Proposals involving a portion of floorspace to be used for display and sales should demonstrate that the use is clearly ancillary to a primary Class B use." This form of development would be discouraged on site.

The principle of development is policy compliant and appropriate in this designated employment area. In addition, the proposal would bring a long standing, under used site, back into an industrial/commercial use in accordance with NPPF, London Plan and local policy aspirations.

Layout, Scale, Massing, Design and Appearance

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, 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. Policy EMP4 is also applicable. These policies seek to ensure the highest standard of design in all new development and require proposals for new business development to provide a high standard of landscaping which makes appropriate provision for biodiversity as well as space for vehicle circulation and parking. In addition, policy BE7 seeks to ensure that railings, walls, plantings and hedgerows are retained where they form an important feature of the streetscape.

A key feature of the proposal is the substantial refurbishment of the listed frontage. Subject to an assessment of the impact on the heritage asset (which will be dealt with in further detail below), the improvement works would significantly enhance the appearance of the site within the street scene.

The proposal will also result in a number of new buildings being erected on the application site. The new single storey block, shown as Unit 2, is proposed to the east of the frontage building with a brick faced façade and fenestration to Edgington Way. It has been designed in a manner that is sympathetic to the retained façade of the listed building without copying its features. A 6m wide space is proposed between Unit 2 and the retained Klinger façade. This would provide sufficient separation between the two buildings and would ensure that Unit 2 would appear subservient to the Klinger building.

The area to the front of the listed building has been designed with a high quality landscaping scheme to respect and enhance the setting of the listed building and provide an attractive setting in the street scene. Limited car parking is proposed to this frontage area with the majority of spaces located elsewhere within the main site. The original existing railings and gate piers at the front of the site are shown as being retained and upgraded. This would all enhance the appearance of the building within the street scene and provide for a high quality development.

The layout and orientation of the further proposed units (Units 3-14) located behind the Klinger building responds to the site's natural features and topography. This in addition to the introduction of further landscaped areas and new tree planting along the side and rear boundaries would ensure that the visual impact of the proposed buildings on the neighbouring sites is softened and reduced.

The proposed development incorporates Secured by Design principles, as required by Policy to take account of crime prevention and community safety.

The proposed scheme reflects the original design rationale of Wallis Gilbert and Partners, by positioning functional and utilitarian structures behind the principal 1930s façade, albeit now using modern materials and structures that meet the needs of modern day occupiers.

Due to the positioning and reduced scale of the new build elements, the principal façade will remain the focus of the scheme.

In summary, the proposal would result in a high quality development that responds to the character of the listed building, and provides a functional, non invasive wider provision to accommodate a policy compliant use of the site.

In accordance with NPPF policy, the proposed site would function well, add to the overall quality of the area, and establish a strong sense of place through the use of sensitive landscaping and boundary treatments. The proposal would optimise the potential of the site to accommodate development, and create an appropriate provision of use. The development would respond to the history of the site and would reflect the identity of local surroundings and materials.

Historic Asset Impact

The NPPF sets out the importance of retaining and enhancing Heritage Assets and paragraph 131 identifies the need 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 contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 considers the impact of development on the significance of a designated heritage asset, where great weight should be given to the asset's conservation. It identifies that significance can be harmed or lost through alteration or the destruction of the asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 130 also sets out that where there is neglect or damage to a heritage asset, the deteriorated state of the asset should not be taken into account in any decision.

Policies 7.8 and 7.9 of the London Plan seek to address the issues surrounding Listed Buildings and Heritage Assets. Policy 7.8 states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where

appropriate and development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Policy 7.9 identifies the benefit of Heritage – Led regeneration and schemes should be designed so that the heritage significance is recognised both in its own right and as a catalyst for regeneration. Wherever possible heritage assets (including buildings at risk) should be repaired, restored and put to a suitable and viable use that is consistent with their conservation and the establishment and maintenance of sustainable communities and economic vitality.

Policies BE8 of the UDP relates to listed buildings, their setting and the need to preserve the character, appearance and special interest of the listed building and the setting. Policy BE9 also identifies the key issues to consider with proposals for the substantial demolition of a listed building.

Historic Value of the Site

The frontage building on the site is Grade II listed. It is also on Historic England's Buildings at Risk Register. It is recognised that the building has suffered the effects of vandalism and fire damage and it is accepted that the loss of the rear section of the listed building will enable the site to be redeveloped and the front section and elevation of the building retained. Therefore the proposal to retain the original modernist frontage building with new development behind is welcomed in principle.

The Applicant has engaged in pre application discussion with both the Council and Historic England regarding the impact of proposed works on the character and setting of the listed building. The current application under consideration reflects the advice given and provides a justification for the works in a comprehensive Heritage Statement.

The Heritage Statement outlines how *'the designs of Wallis, Gilbert and Partners often featured a dominant frontage building and a simplified series of hidden storage and production spaces housed in unremarkable structures to the rear. The frontage building often incorporated a central tower with flanking wings in the mid-late-1930s 'geometric phase' of their work. This provided the desired public image to the business and industry, so included an increased level of architectural detail, expenditure and materiality which remains identifiable with almost all the 1920s and 1930s work of the practice.'*

'This hierarchy of structures or spaces within a given site was also often replicated in the reception spaces areas within the frontage buildings designed by Wallis, Gilbert and Partners, such as in the centralised staircases and lobby. These spaces once again reinforced the public image of the company and industry through high quality design. As a result, these core elements invariably form the special architectural and historic interest of their buildings. They express the core design rationale of all buildings designed by the practice, which was 'to elevate the status of the industry and company brand or identity'.

‘Conversely, the secondary elevations, spaces and structures to the rear of the principal areas were constructed of poorer quality materials and conveyed a very basic level of architectural application. These spaces were seen as subservient and of a lesser importance or significance. Instead, it was the principal frontage buildings that provided the architectural statement and special architectural and historic interest within the 1930s factory complex’s designed by Wallis Gilbert and Partners.’

It is accepted that the site’s historic value is formed by the aesthetic value of the principal façade. In terms of setting, the structures to the rear provide a lesser contribution to the significance of the frontage building. The wider setting of the frontage building has altered over time to include modern industrial, retail and commercial warehouse units. These buildings have large footprints and spans, incorporating simple utilitarian modern cladding and materials, thus forming the predominant character of the area and the building’s wider setting.

Demolition works

The proposal seeks to demolish existing buildings, spaces and associated sections of fabric to the rear of the principal façade. It is accepted that these areas are of limited historic or architectural significance. They form a mixture of failed and redundant 1930s and 1960s warehouse and production spaces. They comprise simple, poor quality, utilitarian structures hidden behind the principal façade. The loss of these units will not impact on the ability to appreciate the aesthetic significance or ‘special architectural interest’ of the retained 1930s façade. It will have an impact upon the historic fabric and immediate setting of the complex, however, this is outweighed by the ability to preserve and enhance the primary features of architectural significance identified on site.

Furthermore, the new replacement units will fit the requirements of modern day users and will reflect the original Wallis Gilbert and Partners design rationale by placing

Works to the Frontage Building

The internal works to the tower are extensive but would retain the plan form of the original spaces, expressing their original configuration and use.

The proposal shows that the retained external envelope will be sensitively refurbished, adapted, repaired and cleaned. This includes the reinstatement of a comparable clock tower fitting, the removal of existing graffiti and the like for like repair of damaged, failed masonry and render, as well as the sympathetic replacement of period doors and windows that are no longer serviceable. These works are significant heritage benefits.

All failed windows are shown as being removed and replaced. All replacement windows are shown as replicating the profile, breakdown and detailing of the existing 1930s façade. They will remain unobscured and light the proposed circulation spaces within the new core behind.

Some minimal alterations have been shown to the front elevation. The proposed works to the envelope include the establishment of a new glazed reception access and lightweight entrance canopy within an existing opening in the north-east corner of the façade. The structure has been designed to reflect the existing fenestration and period detailing of windows within the principal façade, ensuring the character and appearance of the façade is preserved. In addition, two utilitarian loading bays are placed discretely within the western side return, which would remain largely invisible from Edgington Way.

These adaption works are considered to be sympathetic to the character and appearance of the building and would minimise intervention to significant areas of fabric whilst responding to the requirements of an occupier and any prospective end users.

Significant detail of the works has been submitted with the applications, to the satisfaction of Bromley's Conservation Officer and Historic England.

New Development

A sheet metal clad, steel framed unit (unit 1) has been designed to adjoin the rear face of the retained 1930s façade. The new sub-structure and cladding will form the new body of the building and spaces within. It would be obscured from view within the public realm and would remain lower than the existing building parapet at roof level when viewed from Edgington Way.

The primary elevation of the proposed units (2a-2b) fronting Edgington Way has been designed to reflect the architectural treatment of the retained 1930s façade which it flanks. The two storey building remains subservient in scale and features banded brickwork and comparative fenestration. It sits comfortably next to the listed building without offering an architectural pastiche, and would appear appropriate within the industrial setting.

The structure formed behind the façade of units 2a-2b is shown as steel framed and clad in sheet metal with a roof that would not be visible from Edgington Way. The additional units (3-14), positioned to the rear of the site, are shown as steel framed and clad in sheet metal in their entirety. The two storey units reflect the established architectural character of modern warehouse buildings within the area, forming the wider setting of the existing buildings on site.

Boundaries

The existing dilapidated gatehouse and smaller standalone outbuildings on site are proposed to be demolished, and the existing gates to the frontage which are in a poor state of repair are shown as being replaced with modern alternatives. The access is shown as enlarged to comply with modern requirements. New piers, walls and railings will be added on each side of the new opening, as necessary, to match the existing. A substantial section of wall and railings to the east which has been lost is shown as being reinstated.

The application includes a landscaping plan showing improved landscaping and boundary treatment.

It is considered that the boundary works would improve the existing dilapidated frontage of the site and enhance the foreground setting of the façade. When coupled with the removal of undergrowth and tree growth, the façade will be better appreciated from within the public realm and the site will feature enhanced security. These works would provide for additional heritage benefits to the appearance and setting of the heritage asset.

Summary

It is considered that the proposed scheme would reflect the original design rationale of Wallis Gilbert and Partners, by positioning functional and utilitarian structures behind the principal 1930s façade. The positioning and reduced scale of the new build elements would ensure that they remain subservient and that the principal listed façade would remain the focus of the scheme. The works would enhance the historic integrity of the existing building and reflect the history of the site.

It is accepted that, as stated within the submitted Heritage Statement *‘Whilst all existing structures and spaces to the rear of the façade will be demolished, removing compromised and redundant sections of both original and non-original structure, the core element of significance on site (1930s façade) will be retained and secured. The proposed demolition will have a direct impact upon the completeness of the original complex and immediate setting of the frontage building, however, it will also offer a secure use and substantial funding for the refurbishment and conservation of the principal façade which is ailing and dilapidated at present.’*

The works to the main façade and tower represent a considerable heritage benefit and would enhance the wider street scene. The proposal represents a high quality architectural intervention that responds to the significance, as well as the development history of the site.

The Applicant has identified the significance of the Grade II listed building. It has also identified the setting and any features of special architectural or historic interest. There would be an impact upon the setting and significance of the Grade II statutory listed building, which on balance, would be positive. Whilst areas of lesser significance will be lost, a substantial heritage benefit would be achieved by preserving and enhancing key features of special architectural or historic interest and removing the site from the Historic England At Risk Register. In accordance with the statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990, the significance of the listed building will be preserved and enhanced.

The Applicant has sufficiently assessed the significance of the heritage assets (both designated and non-designated), as required by paragraph 128 of the NPPF, and the conservation of those heritage assets has, in line with paragraph 132 of the NPPF, been given great weight. The application proposals will, on balance, have a positive impact upon the setting and significance of the Grade II statutory listed building. As a result, the application proposals are in accordance with paragraphs 126, 129 and 131 of the NPPF.

Para 134 of the NPPF applies as the harm caused is relatively modest and would not damage the fundamental interest of the building. The less than substantial harm that would be caused is outweighed by the public benefits of the proposal, including securing its optimum viable use and the benefits of restoring the building and safeguarding its future.

The potential for removal of the Klinger Building from the Heritage at Risk Register would also contribute to the heritage-related public benefits of the Scheme.

The proposal would ensure that the key heritage values of the building are preserved and enhanced. The works would reinvigorate the landmark Grade II listed building and re-using the derelict site, which would subsequently make a positive contribution to the surrounding public realm, streetscape and wider cityscape. As such, the proposals are in accordance with Policy 7.8 and 7.6 of the London Plan.

The proposed scheme will make a positive contribution to the character of Bromley's historic and built environment, by preserving and enhancing the character, appearance and special interest of the listed building. The proposal is therefore in accordance with Policy BE8.

Highways and Parking

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability objectives. All developments that generate significant amounts of movement should be supported by a 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 in Paragraph 32 that development should only be prevented or refused on transport grounds where the residual cumulative impacts 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 the London Plan should be used as a basis for assessment

This application has been accompanied by a Transport Assessment (TA) and a Travel Plan which considers the accessibility of the site by all modes of transport. Bromley Highways Engineer has advised that a revised travel plan should be requested by condition.

When compared to the potential trip generation of both the previous proposals on the site and the potential existing uses on the site, the proposed development of the employment uses will result in a significant reduction in trips to the site during both the AM and PM peak hours.

Furthermore, when considered on its own, it has been shown that the traffic generation of the proposed development would have a negligible impact on the surrounding road network.

UDP parking standards have been adhered to with overall development on site being served by 158 car parking spaces within the curtilage of each of the units as well as an area of overflow parking to the east of the site. Operationally it is expected that visitors will use the spaces adjacent to the relevant unit they are visiting, and the overflow parking is envisaged to be used sporadically. Of the 158 spaces, 16 are disabled spaces, and there are 32 electric vehicle charging point spaces provided (16 of which are passive). Staff parking for each of the units is included in the overall provision.

Bromley Highways Engineer, and TfL have raised no objections to the highways impact and parking provision on the site, subject to the imposition of appropriate conditions.

Amenity Impact

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

The application site is set within an established Business Area/SIL. The nearest residential properties are located in excess of 200m away, across roads and behind other industrial sites.

A Noise Screening Statement has been submitted by the Applicant. It concludes that the residual operational noise impacts are of negligible magnitude and not significant (when compared against the existing baseline conditions). The potential impacts as a result of the demolition and construction phase have also been assessed in relation to the impacts upon existing receptors. The closest receptors are located within the neighbouring industrial/commercial units within 50m of the site boundary. It is considered that with appropriate mitigation, the proposed development is acceptable with regard to both operational and construction noise impacts.

The potential for adverse noise impacts from construction vehicles and plant during the works can be minimised through a range of measures which can form part of a site specific Construction Management Plan within which all contractor activities would be undertaken. This could be required by condition and agreed prior to any works taking place on site.

The proposed use itself is unlikely to generate significant levels of noise and, given the generous separation distances of the site from residential dwellings the proposal is unlikely to have a significant detrimental effect on neighbouring amenities.

Trees and Landscaping

Policy NE7 requires proposals for new development to take particular account of existing trees and landscape features on the site and adjoining land and Policy BE1 requires proposals to respect existing landscape features.

The existing site is overgrown with self-seeded low level shrubs and plants with some trees and more mature planting along the perimeter of the site. The landscaping scheme submitted with the application indicates that most of the perimeter planting, including the trees on the southern and eastern embankment will be retained and enhanced. A high quality landscaping scheme is also proposed at the frontage of the site. It is considered that this would enhance the setting of the listed building.

An Arboricultural Survey, has been submitted with the application. It identifies and assesses a total of six trees and seven tree groups as part of the Survey, none of which are covered by Tree Preservation Orders or are within a Conservation Area. The survey sets out three recommendations regarding adequate tree protection, tree works and trees assessed with low bat roosting potential which can be required by condition.

Subject to implementation of the recommendations of the survey, the proposed development would not have a significant impact upon the existing arboricultural amenity of the area and therefore complies with UDP Policy NE7.

Other Technical issues

Ecology and Protected Species

The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes; minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF addresses ecology in paragraph 109 which states, the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitments, which include establishing ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

UDP Policies NE2, NE3 and NE5 seek to protect wildlife features and protected species requiring development proposals to incorporate appropriate mitigation where damage may occur.

The application site lies close to a Site of Borough Importance (SBI 7.58) known as Ruxley Woods and the Site of Special Scientific Interest (SSSI) at Ruxley Gravel Pits is approximately 540 metres south-west of the site. An Extended Phase 1 Habitat Survey has been submitted with the application which considers all biodiversity and conservation aspects, including potential impacts on protected and other species, notably reptiles and bats.

It concludes that despite the presence of suitable basking and foraging habitat at, the site and immediately adjacent to, the site, no evidence of reptiles was recorded during the surveys. It is, therefore, considered unlikely that the site supports a population of any reptile species. No further reptile surveys are considered necessary and no restrictions to the proposed development in relation to reptiles were identified.

The proposed development is considered acceptable with regard to ecological and nature conservation impacts.

External Lighting

An External Lighting Assessment has been submitted with the application which reviews the proposed external lighting scheme at the site. This incorporates measures to prevent night time lighting pollution. The scheme addresses the use of the site by bats and minimises light pollution to other parts of the site and the wider area addressing the requirements of para.125 of the NPPF.

Air Quality

An Air Quality Screening Statement has been prepared. An air quality neutral assessment has been submitted, which demonstrates compliance and a negligible impact. The assessment demonstrates that the development will not lead to an increase in air pollution within the locality.

The development therefore meets the London Plan requirements that new developments are air neutral, and air quality impact in the local area as a result of this development is not expected to be significant. Conditions have been recommended to ensure and address any matters which could subsequently affect air quality and which could be attached to any approval.

Sustainability and Renewable Energy

The London Plan provides the policy framework in respect of sustainable construction and renewable energy, and in particular Chapter 5 of the London Plan (in particular policies 5.3 & 5.6) and the Supplementary Planning Guidance entitled Sustainable Design and Construction. In addition, Policy BE1(vi) of the UDP, regarding sustainable design, construction and renewable energy is also relevant.

The application is supported by an Energy and Sustainability Statement which confirms that as a result of the sustainability features incorporated within the proposed development this allows for a 35.85% carbon saving against Part L 2013 requirements for the scheme which exceeds the 35% improvement requirement under the London Plan and demonstrates that the scheme is a sustainable development.

This is shown to be achieved through passive design, energy efficient measures incorporating design features such as energy efficient lighting, sub-metering of relevant areas, upgrading of 'U' values and occupancy sensing in relative areas.

Further to this, photovoltaic (PV) arrays are included within the proposed development, which allows for a 31.82% carbon saving from the inclusion of the renewable technology in accordance with London Plan and UDP planning policies.

The Application advises that it is anticipated that further measures will be adopted as a means of reducing carbon emissions associated with the development such as the use of construction materials which have undergone a life cycle impact assessment through analysis on the Green Guide to Specification. In addition, it is anticipated that construction materials will be responsibly sourced and have environmental certification. To reduce the energy demand of the development as well as help to conserve water resources within the local area, it is anticipated that the fit out works will provide for sanitary fittings which will be water efficient through measures such as dual flush toilets and low flow taps.

The proposed development is considered to comply with London Plan Policies 5.7 to 5.11, the Mayor's SPG and also UDP policy BE1.

Archaeology

The data contained in a geotechnical report submitted in support of the application demonstrates that the historic land forming will have had a severe and widespread impact upon any archaeological resource that may have been present.

Despite the proximity of the site to known in situ prehistoric archaeology, Historic England Archaeology Advisor has concluded that there is no discernible on-going archaeological interest with this site. It is therefore recommended that the planning application can be determined without the requirement to further consider archaeology in line with NPPF guidance and policies BE16 of the UDP and 7.8 of the London Plan.

Flood Risk Assessment and Sustainable Urban Drainage Systems (SUDS)

The application site is not in a Flood Zone but the River Cray is located west of the site. The site is also in a Ground Water Source Protection Zone.

A 'Flood Risk Due Diligence Appraisal' has been submitted with the application in addition to a more recent 'Review of Flood Risk Assessment'

The documents conclude that overall, flood risk is not considered to pose a significant threat to the functioning of the site and future development could implement appropriate measures to manage surface and foul water discharge, subject to appropriate agreements.

The application is accompanied by a drainage scheme which meets discharge rates agreed with Thames Water. The Drainage Officer has assessed the submission and advised that subject to appropriate conditions, the submission is considered to be acceptable in this respect.

Contaminated Land

A Phase II Geo Environmental Assessment Report has been submitted with the application. The report concludes that a potential for localised contamination exists, however, the risk of significant soil and groundwater contamination is considered to be low.

Laboratory analysis has not identified any significant contamination issues within the soil and groundwater that pose a risk to Human Health or the wider Controlled Water environment.

A condition could be attached to any planning permission securing a contaminated land assessment and an appropriate remediation strategy, which could address all these aspects appropriately in accordance with Policy ER7 of the UDP.

Secured by Design

The proposal needs to incorporate Secured by Design principles (as required by Policy BE1 (vii) and H7 (vii) to take account of crime prevention and community safety. Paragraphs 58 and 69 of the NPPF are relevant. Compliance with the guidance in Secured by Design and the adoption of these standards will help reduce the opportunity for crime, creating a safer, more secure and sustainable environment.

The Designing Out Crime Officer has recommended the principles and standards of 'Secured By Design' Commercial 2015' as a planning condition for the development noting the size and historical criminality at the site. There is provision for the entrance doors and ground floor windows to meet 'SBD accreditation' for the retained building which is supported.

Environmental Impact Assessment

As the site has an area of over 1ha it was necessary to “screen” an application as to whether it requires to be accompanied by an Environmental Assessment under the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. The screening process identified that an EIA was not required, and a formal opinion was issued on 20th February 2017.

Geological Value

It has been noted in consultation responses that geological exposure around the site is identified as GLA41 in the London Plan SPG 'Londons Foundations: Protecting the Geodiversity of the Capital' The Thanet Sand formation lies outside of the developed area of the site. The provision of additional gates to access this would not accord with the requirements for security of the site and as such, the Applicant has not been requested to make the area accessible by an access gate. However, the designation of the land, and that the area is outside the developed area of the proposal are noted.

CIL

The development would be liable for the payment of Mayoral CIL.

Conclusion

The proposed use of the site complies with planning policy and is acceptable in principle.

The proposal would result in a high quality development that would function well, add to the overall quality of the area, and establish a strong sense of place through the use of sensitive landscaping and boundary treatments. The proposal would optimise the potential of the site to accommodate development. The development would respond to the history of the site and would reflect the identity of local surroundings and materials.

The refurbishment and occupation of the listed frontage building will secure long term occupation and maintenance of this heritage asset, removing it from the at Risk Register which is a significant heritage benefit. In accordance with the statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990, the significance of the listed building will be preserved and enhanced.

The application proposals will, on balance, have a positive impact upon the setting and significance of the Grade II statutory listed building. As a result, the application proposals are in accordance with paragraphs 126, 129 and 131 of the NPPF.

The less than substantial harm that would be caused by the works is outweighed by the public benefits of the proposal, including securing its optimum viable use and the benefits of restoring the building and safeguarding its future in accordance with paragraph 134 of the NPPF.

The proposal would ensure that the key heritage values of the building are preserved and enhanced. The works would reinvigorate the landmark Grade II listed building and re-using the derelict site, which would subsequently make a positive contribution to the surrounding public realm, streetscape and wider cityscape. As such, the proposals are in accordance with Policy 7.8 and 7.6 of the London Plan.

The proposed scheme will make a positive contribution to the character of Bromley's historic and built environment, by preserving and enhancing the character, appearance and special interest of the listed building. The proposal is therefore in accordance with Policy BE8.

The listed building application has not been referred to be determined by the Secretary of State and Historic England have confirmed by way of decision notice dated 7th February 2017 that the Council are authorised to determine the application as it sees fit.

The proposals are supported by comprehensive set of technical reports which demonstrate that the proposals do not result in any significant impacts.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following 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.

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

**Clock Replacement Specification dated 5.12.2016
Schedule of External Building Materials - Unit 1 dated 10.10.2016
Schedule of External Building Materials - Unit 2 dated 10.10.2016
Schedule of External Building Materials - Units 3-14 dated 10.10.2016
Schedule of External Building Materials - Units 1-14 dated 7.10.2016
Masonry Repair and Cleaning Statement dated 12.12.2016 (Rev A)
Repair and Cleaning Statement for the Works to the Interior of the Central Tower dated 12.12.2016 (Rev A)
Method Statement and Demolition Specification for Demolition and retention of Frontage Building 16-028R_001
Energy and Sustainability Statement dated 16.12.2016
Arboricultural Assessment dated December 2016
External Lighting Assessment
Car Park Management Plan dated December 2016
LP-N-01
C-160-TP-D-01
C-160-TP-D-02A
C-160-TP-D-03
C-160-TP-N-01-CPMP
C-160-TP-N-01C
C-160-TP-N-02A
C-160-TP-N-03A
C-160-TP-N-04A
C-160-TP-N-05A
C-160-TP-N-06A
C-160-TP-N-07A
C-160-TP-N-08A
C-160-TP-N-09A
C-160-TP-N-10A
C-160-TP-N-11B
C-160-TP-N-12C
C-160-TP-N-13A
C-160-TP-N-14A
C-160-TP-N-15A
705.10.05
705.19.03
705.29.03**

16-028/001 P6
16-028/002 P6
16-028/003 P6
16-028/004 P4

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 No trade counter shall be installed in any of the units hereby approved without the prior written approval from the Local Planning Authority. Proposals to install a counter shall include details of its extent and scale, and demonstrate to the satisfaction of the Council that the counter is ancillary to the primary use of the unit.

Reason: To prevent the erosion of the permitted use of the site and ensure consistence with the NPPF, Policy 2.17 and 4.4 of the London Plan, UDP Policy EMP4, and draft UDP Policies 80, 81 and 82.

- 4 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space 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) Order (England) 2015 (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.

- 5 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

- 6 The finished surfaces of the access road and parking areas, and the external lighting installations, shall be carried out in accordance with the approved schedule of external materials and external lighting assessment, and shall be completed in accordance with the approved details before any of the units hereby permitted are first occupied.

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

- 7 The car parking area hereby permitted shall be used only by customers and employees of the premises at the application site and for servicing of the said premises hereby permitted.**

Reason: Development without adequate parking or garage provision is likely to lead to parking inconvenient to other road users and to be detrimental to amenities and prejudicial to road safety and would not comply with Policy T3 and Appendix II of the Unitary Development Plan.

- 8 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.**

Reason: In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 9 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.**

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 10 Prior to the commencement of the use hereby permitted, a Travel Plan 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.

- 11 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. Surface water from private land shall not discharge on to the highway. 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. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

Reason: To reduce the impact of flooding both to and from the proposed Development and third parties

- 12 The landscaping scheme as shown on the approved landscaping drawings 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, and shall be retained as such thereafter. 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 in the next planting season with others of a 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.

- 13 The boundary enclosures indicated on the approved drawings shall be completed before any part of the development hereby permitted is first occupied and shall be permanently retained thereafter.

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

- 14 Sustainability measures as detailed in the approved Energy and Sustainability Statement shall be incorporated into the development prior to its occupation.

Reason: To achieve a sustainable development in accordance with London Plan Policies 5.7 to 5.11, the Mayor's SPG and UDP policy BE1.

- 15 Recommendation 1 as set out in the arboricultural assessment dated December 2016 shall be adhered to in full throughout construction works.

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

You are further informed that :

- 1** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL
 - 2** If any further bricks are noted to be missing from the former factory building which supports a cavity wall, before demolition is undertaken, a licenced bat ecologist should attend Site to assess the potential for roosting bats
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Application:16/05782/FULL1

Address: Klinger Works Edgington Way Sidcup DA14 5AF

Proposal: Partial demolition and redevelopment of the Klinger factory and associated buildings to provide 15 units to be used for B1(c), B2, B8 uses together with associated access and parking.



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

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Application No : 16/05784/LBC

Ward
Cray Valley East

Address : Klinger Works, Edgington Way
Sidcup DA14 5AF

OS Grid Ref: E: 547799 N: 170450

Applicant : Chancerygate (Erdington) Ltd

Objections : No

Description of Development:

Partial demolition and redevelopment of the Klinger factory and associated buildings to provide 15 units to be used for B1(c), B2, B8 uses together with associated access and parking.

Joint report with 16/05782/FULL

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 20

Proposal and Conclusions

Planning permission and listed building consent are sought for the demolition the majority of the existing buildings and associated structures on site except for the front elevation and side returns of the listed building and redevelop the site for purpose built B1/B2/B8 industrial units. The proposal comprises:

- Erection of 13 purpose built industrial units in 3 rows
- Small mezzanine to each area
- Extension to the Klinger building to provide a self-storage unit Detached two storey commercial unit adjacent to the original Klinger building
- Amendments to existing vehicular access points and provision of in/out access
- Provision of access roads and car parking
- Provision of landscaping
- Retention of the tower and reinstatement of all exterior details
- Retention and re-use of the original piers and railings

The listed building application has not been referred to be determined by the Secretary of State and Historic England have confirmed by way of decision

notice dated 7th February 2017 that the Council are authorised to determine the application as it sees fit.

The detailed description and analysis of the acceptability of the alterations and the impact on the listed building is set out in the accompanying planning application report ref 16/05782/FULL1 which appears elsewhere on this agenda.

Based on the conclusions of the above report, it is considered that listed building consent should be granted, 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:

Clock Replacement Specification dated 5.12.2016
Schedule of External Building Materials - Unit 1 dated 10.10.2016
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Schedule of External Building Materials - Units 3-14 dated 10.10.2016
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C-160-TP-N-02A
C-160-TP-N-03A
C-160-TP-N-04A
C-160-TP-N-05A
C-160-TP-N-06A
C-160-TP-N-07A
C-160-TP-N-08A
C-160-TP-N-09A
C-160-TP-N-10A
C-160-TP-N-11B
C-160-TP-N-12C
C-160-TP-N-13A

C-160-TP-N-14A
C-160-TP-N-15A
705.10.05
705.19.03
705.29.03
16-028/001 P6
16-028/002 P6
16-028/003 P6
16-028/004 P4

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 commencement of any demolition work to the listed building, a detailed method statement of demolition shall be submitted to, and approved by the Local Planning Authority. The statement should include details of the monitoring of the fabric of the building for any potential movement during the works, and subsequent actions, and should state which specialist contractors are to be used. Works shall only be carried out in accordance with the details thereby approved.

Reason: In order that English Heritage and the Local Planning Authority may be given the opportunity of monitoring the progress of the works to ensure the preservation of the special interest of the Listed Building.

- 4** Prior to commencement of works to the central tower, a full survey of the tower shall be carried out by an accredited conservation specialist. A gazetteer of items shall be made, which provides recommendations for the proposed reuse or replacement of each item. This shall be submitted to, and approved by the Local Planning Authority prior to the removal of any items. Works shall only be carried out in accordance with the recommendations within the survey and gazetteer as approved.

Reason: In order that English Heritage and the Local Planning Authority may be given the opportunity of monitoring the progress of the works to ensure the preservation of the special interest of the Listed Building.

- 5** The boundary enclosures indicated on the approved drawings shall be completed before any part of the development hereby permitted is first occupied and shall be permanently retained thereafter.

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

- 6** 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.

- 7 No plumbing, pipes or other services other than those shown on the approved drawings shall be located on the exterior of the building(s) without the prior approval in writing by the Local Planning Authority.**

Reason: In order to comply with Policy BE8 of the Unitary Development Plan and in the interest of the architectural and historic interest of the Listed Building.

- 8 Detailed drawings or samples of materials, as appropriate, in respect of the following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun: brickwork repairs and new brickwork**

Reason: In order to comply with Policy BE8 of the Unitary Development Plan and in the interest of the architectural and historic interest of the Listed Building.

- 9 With the exception of the details required in condition 8 of this consent, all other external materials shall be implemented in accordance with the schedules of external materials submitted and approved as part of this application.**

Reason: In order to comply with Policy BE8 of the Unitary Development Plan and in the interest of the architectural and historic interest of the Listed Building.

Application No : 16/05897/FULL1

Ward:
Copers Cope

Address : Maybrey Business Park, Worsley Bridge
Road, London SE26 5AZ

OS Grid Ref: E: 536949 N: 171257

Applicant : Bellway Homes (Thames Gateway)

Objections : YES

Description of Development:

Demolition of existing buildings and comprehensive redevelopment of the site to provide new buildings ranging from five to nine storeys in height comprising 159 residential units (Use Class C3), 1,099 sq m commercial floorspace (Use Class B1a-c), residents gym (Use Class D2), together with associated car and cycle parking, landscaping and infrastructure works.

Key designations:

Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
Metropolitan Open Land
Sites of Interest for Nat. Conservation
Smoke Control SCA 12

Proposal

- Demolition of existing buildings providing at least 3273 sqm of Class B1/B2/B8/Sui Generis floorspace
- Re-development of the site for 159 flats comprising 75 one bed, 56 two bed and 28 three bedroom flats and 1,129 sqm of B1a-c employment floorspace and 143 sqm residents gym
- The proposal is for two new buildings extending between 5 and 9 storeys in height which would appear to be divided into 5 distinct blocks by using different heights and breaks in the massing to provide modulation to the buildings
- The residential units will be positioned at first floor level and above
- the commercial and D2 uses will be positioned at ground floor of the blocks with a central area used for car and cycle parking, an energy centre, water tank and refuse storage
- The parking provision has been revised to provide 158 spaces including 16 spaces designed to accessible standards accessed via the existing eastern most vehicular access from Worsley Bridge Road which will be modified to accommodate refuse vehicles
- The western access point would also be retained to provide vehicular access to the substation and 5 car parking spaces proposed for the commercial uses situated along the western site boundary

- 2 car club spaces would be supplied
- at first floor a central communal courtyard is proposed providing a landscaped amenity/play space for occupiers of the development and further amenity and play space will be provided for resident of Block B on the roof of block A
- A site-wide landscaping Masterplan has been submitted which also includes brown and sedum roofs on all blocks, hard and soft landscaping adjacent to the Pool River on the eastern site boundary to create a recreational space
- the possibility of extending the public footpath along the rivers edge through to the Metropolitan Open Land to the south of the site has been suggested however no further details are given
- pedestrian/cycle paths are proposed along the southern and western boundaries as well as additional parking along the western edge
- pedestrian movements through the site will be facilitated either through dedicated footways through the central landscaped podium or shared surfaces with direct pedestrian access provided onto Worsley Bridge Road.

Amendments to scheme received 29/03/17; 31/03/17:

- Increase in cycle parking from 290 to 310 spaces
- Amended parking layout at ground floor and provision of upper half-levels increasing total parking provision to 158 spaces including 16 wheelchair accessible spaces
- Southern boundary treatment amended to prevent ingress from publicly accessible spaces
- Layouts amended to facilitate residential access from block B to the central podium garden at first floor level
- Layouts amended to separate private balcony spaces where buildings A and B meet
- Western access point from Worsley Bridge Road corrected to align with existing highways crossover
- Accessible and adaptable apartments layout amended
- Apartment layout amended to address housing officer comments.

The applicant has submitted the following documents and reports in support of the application which are summarised below:

- **Planning Statement by Savills (Dec 2016)**

This gives the background information and characteristics of the application site and adjacent sites and sets out the design approach behind the proposed scheme. The statement suggests the isolated position of the site from the wider Lower Sydenham Business Area by the railway line and development coming forward on the adjacent Dylon site, is likely to undermine the suitability of industrial floorspace on the site and that development of this part of the site would not compromise the primary function of the LSIS.

The statement concludes that the proposals will provide a wide range of planning benefits for the site and surrounding area including the redevelopment of a poor quality brownfield site; increasing the Boroughs housing stock with a range of well-designed, sustainable accommodation including affordable homes; re-provision of employment use with high quality, flexible commercial floorspace suitable for creative industries, providing a minimum employment density of 18.8 + 2.2 provided by the gym; provision of high quality open space, landscaping and play space; improvements to the wider environment, especially along the River Pool and adjoining MOL; and sustainable design and construction methods helping to tackle climate change. Overall, the applicant considers that the scheme complies with the relevant national, regional and local policy guidance.

- **Supporting Letter by Savills (March 2017)**

This sets out the revised/additional information which has been submitted in support of the application and is summarised below:

Principle of Development

An Addendum Employment Land Report and a commercial vision document which will form part of the soft marketing of the units going forward have been submitted. The applicant has confirmed that they would be prepared to accept an appropriately worded planning obligation with the legal agreement regarding the requirements of the marketing strategy. The applicant considers that the application meets the criteria in Draft Policy 82 for why the loss of industrial land may be acceptable and therefore considers that the site should be de-designated. The findings of the Addendum Employment Land Report are summarised below.

They also refer to the recently published Housing White Paper (Feb 2017) which places greater emphasis on the need to make as much use of brownfield land for homes and say they can see no reason why the site cannot be re-designated for residential use.

Design/impact on MOL

The applicant considers that the different heights and breaks in the building frontages adds visual interest and modulation to the buildings massing and takes account of the MOL. The main revisions made to the design of the scheme are listed above.

Affordable Housing

The applicant says that a viability report is being prepared which is to be submitted subsequently.

Highways

Concludes that the level of car parking provision is unlikely to have a material effect on the results of the analysis; on the basis of the minor anticipated increase in vehicle trips over the course of a day it was considered unnecessary to model the junction and no material harm is anticipated. Furthermore, it is assumed that at the time the Dylon development was considered any analysis would have accounted for the permitted uses on the Maybrey site. The applicant does not consider that the proposed development is likely to result in a material increase

from those findings. The findings of the updated Transport Statement are summarised below.

Thames Water and Drainage

The applicant states that an updated flood risk assessment will be issued in due course.

Residential Amenity

The applicant states that the submitted daylight/sunlight assessment demonstrates that there would be negligible impact on adjacent windows at the Dylon site with all but 1 window meeting the min standards. Furthermore the effects of the proposed development of the Maybrey works will be no worse than the prevailing condition of some of the units within the Dylon scheme where blocks are in close proximity to one another.

Secure by Design

The applicant states details of amendments in relation to this are to be provided.

Occupational Therapy

In order to address concerns raised the applicant says that the internal layouts have been substantially revised and has submitted further details in relation to this.

Energy and Sustainability

The applicant has responded to the GLA's and Officer's comments regarding the exclusion of the commercial units from the heat network and has also provided a roof plan layout showing the size and position of PV panels. They also confirm that CHP is to be the lead heat source for all building uses. Further details of the energy assessment are summarised below.

- **Design and Access Statement by Stockwool Architects (Dec 2016)**

This describes the site, its context and the key local receptors which have informed the proposals. It goes on to set out the design evolution before describing the planning submission in detail. Due to the flood risk issues with the site it says residential development would be inappropriate at ground floor and instead the scheme has been designed to be mixed-use offering "*high quality, flexible commercial floorspace - suitable for a variety of small and medium enterprises*" (p.60) across the ground floor. A key design intent has been to open up the site and increase permeability and activity throughout for pedestrians as well as providing car parking for residents and access to alternative more sustainable transport modes such as cycle parking and car club.

The scheme also provides various forms of external amenity space, private and communal, and the layouts proposed for residential units include a high proportion of dual-aspect flats with views onto adjoining MOL or green roofs. The smaller single aspect dwellings, it says, will benefit from a projecting balcony to maximise aspect. The report also sets out how the proposal has been designed to be fully accessible for commercial and residential users including wheelchair users.

The statement concludes that the proposals represent a high quality, sustainable, safe and welcoming scheme, delivering 159 units of accommodation offering a mix

of housing types and tenures to promote mixed and balanced communities. The redevelopment of the site, it says, will not only deliver a landmark building - "*highly appropriate to its location given the predominantly residential character east of the railway line*" (p.72) but will also realise the potential of this deteriorating site. Furthermore, it states that the provision of circa 1100sq m of commercial floorspace will compensate for the loss of industrial uses that currently occupy the site and will deliver an enhanced employment offer.

- **Amended Design Proposals by Stockwool Architects (March 2017)**

This attempts to address concerns raised by Officers and consultees during the course of application in respect of design and layout, including wheelchair accessible design and designing out crime. The main changes are listed above.

- **Employment Land Review prepared by Grant Mills Wood (Nov 2016) as amended by Addendum Employment Land Report received 29-03-17**

This report describes the configuration of the site for its current uses, the status of the site's freehold/leasehold arrangements and the physical characteristics of the premises. It states that the site is expected to be completely vacant before the end of 2016 and that due to the poor, outdated nature of the buildings they are "*physically obsolete*" and "*uneconomic to refurbish*". It goes on to say that the site is effectively 'isolated' from the more modern Kangley Bridge Road Industrial Estate by the railway lines which restrict the access of larger heavy goods vehicles and concludes that due to the character of the area being now "*largely dominated by residential and green belt uses*" including the neighbouring Dylon development which "*conflicts with the 24/7 working practices of warehouse/storage and distribution uses*" and given "*the restricted access to the site*" it is no longer suitable for industrial uses.

Furthermore, it states that there is no evidence of demand for industrial/warehouse uses in this location and 'B1a' type uses may be more appropriate. However, it goes on to cite the adjacent Dylon development as an indication as to the lack of demand for offices across the Borough and says that there is an overall weakening of demand for Offices in this part of London generally.

It concludes that "*replacement office space in a secondary location such as Worsley Bridge Road is not viable and will not become viable in the foreseeable future. Any new provision can therefore only come forward through permitting a higher value mixed use scheme*".

- **Addendum Employment Land Report & Appendices received 29-03-17:
The Mayor's SPG**

The report contends that although the whole of Bromley is an a category of 'restricted transfer' for industrial land there is a declining demand for employment land in and around the application site and several other forms of development on such sites in the Borough have been permitted historically. Furthermore the applicant considers that the guidance in the Mayors SPG which refers to certain industrial activities would not be applicable to the application site (with the possible exception of 'creative industries') and says that "*the restrictive transfer allocation should therefore only apply to sites suitable for the types of uses that have been highlighted*". The only potential use highlighted by the examples given is, they

consider, that of "creative industries" which the application proposes to accommodate.

Alleged Shortage of Supply of small and medium industrial premises

The applicant considers that that the majority of available industrial/business space in the Borough actually falls within the small or medium categories and suggests that there is in fact a good local supply of employment floorspace. They conclude that the release of "poorly located land on sites such as this" would not have an adverse impact on supply.

Viability

The applicant still considers that the buildings and property are physically obsolete and it would be unviable to refurbish the existing site and let it out for business uses.

Marketing

The applicant states that the property and its various parts have been available to the market since 2008 however the author of the report was not the principal sale/letting agent during the whole of that period. Furthermore, they say that the poor condition of the accommodation is a hindrance to it being successfully let or purchased. They also provide further information about the recent period of marketing the premises from 8th June 2015 to 23rd Dec 2016 stating that it was "intensely marketed" during this period including circulating a set of detailed particulars to their database of around 10,500 contacts. The property was also marketed on the web. General feedback from prospective purchasers was that the property was unsuitable for B uses on any short, medium or long term basis due to its poor condition and extensive size.

Occupation of Units

It is stated that there was as significant level of under occupancy on the premises in a 2013 report undertaken by the author and they do not accept the proposition that most of the property was occupied in 2014.

Dylon Site; potential for higher density occupation

It is considered that similarities exist between the application site and Dylon in that Dylon had some temporary low-rent occupation which does not show real demand and the physical characteristics of Dyon were also similar. As such they question why it was accepted that there was no market demand for Dylon but not Maybrey and consider that the Council is being inconsistent. Furthermore, they contend that market signals have demonstrated that there is no market demand or need from B1 users for this part of the larger industrial estate, the majority of which can be found on the other side of the railway lines.

Historic Reports

These have been referred to by the author as a demonstration of evidential trends in market activity for employment purposes which they say remain valid.

- **Sequential Test prepared by Savills (Dec 2016)**

This sets out the flooding vulnerability of the site, which is classified as being in flood zones 2 and 3 of the Environment Agency (EA) Flood Map, and sets out the

aims of national planning policy in the form of the NPPF and NPPG in relation to climate change and flooding. National planning policy seeks to direct development away from areas at highest risk of flooding. Consequently the applicant has undertaken the sequential test in order to try and ascertain if any alternative suitable sites, i.e. those which would be capable of housing the development at roughly the same density and with a lower probability of flooding, are 'reasonably available'.

The report goes on to explain the rationale for only applying the sequential test across the administrative area of the London Borough of Bromley. It says that given the demand for land and floorspace in the Borough over the next 15 years:

"it is clear that the redevelopment of the Maybrey Works site with the amount of commercial floorspace proposed has to be located within LBB. If the proposed development were to be located outside the administrative area of LBB, then in addition to the fact that the Maybrey Works site would most likely become a long term vacant site, the borough would not benefit from this new high quality flexible floorspace" (Para 6.10).

The applicant has identified 5 alternative sites within the London Borough of Bromley which exhibit the minimum floor area required for the development. However these have all been discounted as being suitable either due to them not being currently available, not realistically able to deliver housing within 5 years or being within the Green Belt.

The report concludes that this redevelopment proposal cannot take place anywhere other than on the Maybrey Works site itself by virtue of it being a redevelopment of the existing site. Notwithstanding this, the applicant concludes that at the time of the sequential test there are no reasonably available suitably preferable sites for the proposed development within lower risk flood areas.

- **Exceptions Test prepared by Savills (Dec 2016)**

This report has been prepared in order to try and demonstrate that flood risk to buildings and people will be managed satisfactorily and is intended to be read alongside the Flood Risk Assessment (FRA). The report outlines the proposal and its sustainability objectives which include improving the environmental condition of the site, social benefits of providing much needed residential accommodation which, in turn, it says, will enable employment floorspace to be maintained on the site, resulting in economic benefits.

The report concludes that there is an exceptional case to proceed with the redevelopment of the site as proposed and considers that the sustainability benefits of the proposal would accord with national, regional and local planning policy resulting in wider sustainability benefits to the community which would outweigh flood risk. The accompanying FRA (see below), it says, includes evidence to show that the development proposed "will be safe for its lifetime taking into account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall".

- **Flood Risk Assessment and Surface Water Drainage prepared by Ardent Consulting Engineers (Dec 2016) as amended by report received 11/04/17**

This report identifies the sources of flooding to which the site is at risk. It confirms that the site is located within floodzones 2 and 3b associated with the Pool River which abuts the south eastern boundary of the site. There is a Thames Water foul water pumping station and associated substation located just outside the north-eastern part of the site. The site is considered to be at low to medium risk of surface water flooding and Worsley Bridge Road and the entrance of the site also has a high and medium risk of pluvial flooding. No records of sewer flooding in the vicinity of the site have been found. The site is not located within a Groundwater Source Protection Zone (SPZ) or within any Groundwater Vulnerability Zone. Part of the site is at risk of flooding from the South Norwood Reservoir however it says that this is unlikely to happen since Reservoirs are well managed.

The report goes on to set out the mitigation measures proposed for managing flood risk from the various sources and includes the proposal to locate all residential accommodation above ground floor level with less vulnerable commercial uses on the ground floor; it outlines a range of flood resilience measures, emergency planning measures and means of access/egress to safe area in the event of a flood.

The proposal has been designed to achieve at least a 50% reduction in the rate of surface water discharge from the site through the use of green roofs, permeable paving, landscaping and attenuation tanks/geo-cellular storage totalling 210 cubic metres of storage. It is concluded that proposals are consistent with the aims of the NPPF and the 'more vulnerable' residential properties are not at risk of flooding. Furthermore, the proposed development, it says, will not increase flood risk to others.

- **Amended Flood Risk Assessment and Appendices received 11/04/17**

The amended report finds that the surface water runoff rate for all storm events (up to and including the 1 in 100 year event plus climate change allowance of 40%) is restricted to a maximum rate of 28l/s from the whole site, into the Pool River. This is a reduction of 67% of the existing 1 in 1 year discharge rates. As a result of the reduction in impermeable area, the volume of surface water runoff from the Site will reduce.

Furthermore, residential properties will be located above the flood level. It is also recommended that all ground floor commercial properties should incorporate flood resistance measures to minimise potential damage. The conclusions of the report are the same as above.

- **Ecological Assessment prepared by the Ecology Partnership (Dec 2016) as amended by report received 11/04/17**

A desk-top study search of the site was undertaken to understand the habitats present in and around the survey area and habitat linkages and features within the wider landscape. A search radius of 1km was carried out. An extended ecological appraisal was carried out on 3rd October 2016 including assessment of the potential of the site to support protected species.

The report was updated to acknowledge the fact that part of the site along the eastern edge fell within the Grade 2 Site of Interest for Nature Conservation (SINC), the River Pool. There is one statutory designated site within 2km, Beckenham Place Park which is a local nature reserve. The report considers that the development would only impact on habitats within the redline site boundary.

No features were identified on the site indicating the presence of bats, however not all buildings were surveyed internally. None appeared to support any external features which suggested roosting bats were present. It is likely that the edge of the site along the River Pool provides some suitability for foraging bats and it is considered that this feature provides a green corridor along the edge of the site and into the wider landscape. The wider landscape also has the potential to support foraging bats.

The surveys identified none to negligible opportunities for Great Crested Newts and reptiles on the site or around it and Badgers are also unlikely to be present on site. All mature trees and scrub areas within the site boundary as well as buildings have the potential to support nesting birds and the report recommends that any clearance work is carried out outside of breeding season. There is some potential for stag beetles on and close to the site given the presence of dead wood. Japanese knotweed has also been identified on the adjacent fields and water courses.

It concludes that the development would not impact the SINC significantly and the redevelopment of the adjacent site and the eastern corner would enhance the river corridor itself. Mitigation and enhancement measures for the SINC within the red line boundary are recommended including new an replacement trees and planting replacing scrub to be removed from the water's edge. Further recommendations are made in respect of future inspection of buildings for signs of bats and trees if additional trees are to be removed; additional and replacement tree planting; a sympathetic lighting scheme for the development; bat boxes; clearance of scrub with hand tools in case Badgers are present; treatment of Japanese knotweed; ecological enhancements for Stag Beetles and brown or sedum roofs.

- **Transport Statement prepared by Mayer Brown (Dec 2016) as amended/updated by information received 29-03-17**

The report considers the existing conditions and relationship of the site to public transport as well as pedestrian, cycle and highways infrastructure. It sets out the proposed access and internal highways arrangements of the development, the proposed number of parking spaces including the provision of an onsite car club which, it says, would offset the need for an additional 26 car parking spaces on the site, and the refuse collection strategy proposed.

The report also considers the potential vehicular trip generation associated with the scheme, taking into account the potential trip generation associated with its existing or former permitted uses and discounts the proposed resident's only gym from these calculations. TRICS data has been used to estimate the number of trips which will be generated by the proposed uses on the site. The total number of expected trips made by public transport in relation to both the business and

residential uses is estimated to be 76 during the morning peak and 65 during the evening peak. Private vehicle trips are estimated at 34 weekday morning and 32 weekday evening trips during the peak hours. Overall the report concludes that the proposal will result in decreased vehicular movements during the morning peak and an additional vehicle movement during weekday evenings and recommends no subsequent junction or highway modelling.

Furthermore, it considers that the existing infrastructure is sufficient to accommodate any increase in pedestrian, cycling and public transport trips. In addition, the number of heavy goods vehicles entering the site is expected to be reduced as a result of the development. A parking stress survey was also carried out over 2 weeknights between the hours of 00:30 and 05:30 which identified a surplus of on-street parking available within a 400m radius of the site.

Overall the report concludes that the development as proposed would have an acceptable impact on the local transport network.

- **Framework Travel Plan prepared by Mayer Brown (Dec 2016)**

This sets out the objective of the Travel Plan which is to encourage long-term, sustainable travel patterns and alert the residents of the proposal to sustainable travel options and sets out the role of the travel Plan coordinator. It also identifies the accessibility of the site by a range of travel means. It is proposed to provide an onsite car club vehicle which would be provided as an alternative to car ownership. Support has been secured from a car club to provide 2 vehicles initially which will offer free membership to all residents. The report also sets out the measures which will be introduced to residents to encourage the uptake of more sustainable modes of transport. The Travel Plan will be reviewed 2 years after implementation.

- **Townscape and Visual Impact Appraisal prepared by Turley (Dec 2016)**

The report considers the various characteristics of the site and its surroundings which contribute towards the townscape character of the area and identifies various visual receptors from which the application site can be seen. Four townscape character areas have been identified which it considers will be indirectly affected by changes to a restricted amount of views. Nine representative viewpoints into the site have been identified, none of which are located within a Conservation Area or identified as local views of importance. Visual assessments were carried out. The assessment considers that while the site would be more visible from the north, east and south, the surrounding built form and vegetation will continue to restrict its visibility and the Dylon development will continue to screen views from the northwest. It also considers that there would be open to partial views from adjacent areas of MOL but that the scheme will be seen in context with the adjacent residential block currently under construction at the Dylon site.

The report asserts that the scheme proposed is of high quality design, replacing derelict buildings and promoting activity at street level and adjacent to Pool River with proposed landscaping which enhances the appearance of the street scene and provides an enhanced buffer to adjacent MOL. Furthermore, it contends that the massing of the built form in views from the MOL is addressed through the central landscaped podium which "breaks up the massing" (para.7.6).

Overall the appraisal finds that the magnitude of change as a result of the proposed development would be moderate to minor and largely beneficial for the viewpoints assessed with only views 4 (Braeside) and 5 (Worsley Bridge Road (SE)) considered to be neutrally impacted by the development and concludes that the proposal would not lead to any significant visual effects.

- **Contamination Assessment prepared by Idom Merebrook Ltd (Dec 2016)**

The assessment finds some contamination at the site and in respect of the soft landscaping areas recommends that at least 300mm of clean validated soil is imported to provide a suitable growing material and to break potential exposure pathways. Further investigation is recommended in the centre of the site where shallow perched groundwater has been impacted by hydrocarbons to determine whether there is a significant risk of contamination to the shallow aquifer and adjacent river. Asbestos containing materials on the site should also be removed by a suitably licensed contractor.

- **Daylight/Sunlight Assessment prepared by Thomas Road (Dec 2016)**

Assessment was carried out in respect of how far the development would be likely to impact upon daylight and sunlight at properties in Montana Gardens and the adjacent Dylon development currently under construction. It concludes that no significant daylight or sunlight impacts would occur at properties in Montana Gardens. For daylight, the development would have minimum impact on the adjoining Dylon site with all but a single window receiving VSC levels in excess of the recommended levels (27% VSC) (after the balconies removed assessment). For sunlight 94 rooms were eligible for assessment and 90% complied with the target guidance (after the balconies removed assessment).

Overall it concludes that the results of the daylight and sunlight assessment are in line with the intentions of the BRE guidance and are considered acceptable particularly given the context of redevelopment set by the neighbouring Dylon Works scheme.

- **Energy Strategy prepared by Hodkinson (Dec 2016) as amended/updated by information received 29-03-17**

The energy strategy has been prepared in line with the Energy Hierarchy outlined in the London Plan and further to this, gives consideration to the emission of other pollutants. The report sets out the relevant policy background including the NPPF, the London Plan, London Plan SPGs and local planning policy including the Draft Local Plan. A number of measures are proposed to reduce energy demands across the site including improved fabric performance, communal heat network, energy efficient lighting and passive cooling in apartments avoiding the need for mechanical cooling and ventilation. There are no existing or planned heat networks which the development could connect to, however an on-site network is proposed, constructed within a 62sq m energy centre, in order to provide heat to the residential units only. Air Source Heat Pumps are proposed for the commercial units. Combined Heat and Power (CHP) technology is also proposed to provide a proportion of the heating demand. A range of low carbon and renewable energy sources are also assessed. In order to complement the proposed heat network it is proposed to use Air Source Heat Pumps (for the commercial uses) and Solar

photovoltaics are proposed positioned over the proposed brown roofs of the buildings.

The energy strategy results in an expected onsite dwelling reduction of Regulated Carbon dioxide emissions by 35.5%. The remaining 64.5% will be offset through a cash in lieu payment to the Council. In line with GLA guidance, the applicant has used a price of £60 per tonne of Regulated CO², for a period of 30 years to calculate the contribution required to meet "Zero Carbon" compliance. This equates to a contribution of £212,040.

- **Landscaping Masterplan by Stock Wool Architects (Dec 2016)**

This sets out the proposed landscaping which will be undertaken as part of the development and includes improvement to access alongside the River Pool providing amenity space for occupiers of both the commercial and residential elements. Soft and hard landscaping is proposed and it is also intended to reconstruct the river walls using low gabion baskets filled with stones instead of the existing concrete. To the south of the site potential future access to the adjoining MOL has been considered extending the public footpath along the water's edge through to this area, however, no further details of this are given.

The central podium is proposed to be the main open space for residents which has been designed to be permeable but enclosed to allow safe playspace. More dedicated play equipment will also be provided. A timber pergola is proposed to offer semi-privacy from residents of flats above looking down and privacy for residents whose homes back onto the podium garden will be protected by the inclusion of a tone or buffer of defensive planting that wraps around the exterior of the garden. The 5th floor amenity space will as provide play space and, overall, 1,107 sq m of dedicated play space is proposed for the development.

The provision of green roofs is also proposed and a lighting strategy for the site has also been indicated in this document.

- **Archaeological Assessment by CGMS Consultants (Dec 2016)**

A desk based assessment has been undertaken in accordance with planning policy and guidance and no further archaeological mitigation measures are recommended in this instance.

- **Air Quality Assessment by Ardent Consulting Engineers (Dec 2016)**

This recommends a series of mitigation measures in respect of dust and soiling during construction. With these mitigation measures enforced, the likelihood of nuisance dust occurring at receptors adjacent to the development is considered low. Notwithstanding this, the Developer should take account of the potential impact of dust and air quality on worker exposure although monitoring is not recommended at this stage. However a visual assessment should be undertaken and logged in order to prevent nuisance dust episodes from reoccurring in the future.

- **Arboricultural Report by SJA trees (Dec 2016)**

Six trees were surveyed within or adjacent to the site. 1 Lombardy poplar tree is to be removed as part of the proposals. This is considered a category 'C' tree and is

not subject to a Tree Preservation Order (TPO). It concludes that the proposed tree removal would not have an adverse impact on the character and appearance of the area. Tree protection measures in respect of retained trees are recommended.

- **Noise and Vibration Impact Assessment by Ardent consulting Engineers (Dec 2016)**

Noise levels have been measured at 2 locations across the site over several days. The report recommends that north facing bedroom windows of Blocks A or B will require acoustic glazing, however all other windows will meet the desirable noise levels with standard double glazing. External noise levels on balconies overlooking Worsley Bridge Road are likely to be higher than recommended levels, however the report does not consider any mitigation measures are necessary in this respect. Furthermore, it states that no mitigation measures for vibration are required.

- **Overheating Assessment by Hodkinson (Dec 2016)**

Concludes that all the unit types assessed including single aspect units would have an acceptable level of overheating when assessed against the relevant guidance.

- **Statement of Community Involvement by Curtin & Co (Dec 2016)**

The applicant sets out the key interest groups which were consulted prior to the application being submitted including local residents, community groups, stakeholders and elected representatives. The report states that in general there was support for the redevelopment of the brownfield site and there was support for a mixed use scheme on the site.

- **Sustainability Statement by Hodkinson (Dec 2016)**

This outlines the sustainability issues which have been considered throughout the development, in particular the incorporation of sustainable design and construction methods, energy and water saving measures, waste reduction techniques as well as measures to enhance the ecological value of the site and concludes that a good quality and sustainable development is proposed.

- **Utilities and Service Statement by Ardent Consulting Engineers (Dec 2016)**

This concludes that the proposed development can be provided with the necessary services and connections to existing water supplies for future occupiers of the development.

Location

- The site comprises is situated to the south/southwest of Worsley Bridge Road and comprises 1930s - 1940s two and three storey industrial buildings with a sewer pumping station on the eastern corner of the site
- The 0.6 hectare site lies within the Lower Sydenham Business Area as designated in the UDP to which adopted Policy EMP4 applies
- The application site is not located within a Significant Industrial Location (SIL) however it is being taken forward as a proposed Locally Significant Industrial Site (LSIS) in the Draft Local Plan.

- The site is within flood zones 2 and 3 and is at high risk of surface water flooding
- Immediately to the south of the site and to the south-east and north-east on both sides of Worsley Bridge Road are extensive areas of playing fields which are covered by Metropolitan Open Land designation and form part of the Green Chain
- The Site also includes a site of importance for nature conservation on its eastern boundary along the river Poole
- The west of the site is flanked by the Dylon site which is being redeveloped for residential led mixed use providing approximately 223 residential units
- the Hayes to Charing Cross railway line abuts the Dylon site to the west
- The playing field immediately to the south of the application site is the former Dylon sports ground also known as Footzie Social Club
- Commercial accommodation continues further to the west beyond Lower Sydenham station and the railway line in the Lower Sydenham Business area which is characterised by large warehouses used for general industrial uses
- the Maybrey site remains the only land east of the railway line in industrial use
- On the north-east side of Worsley Bridge Road is some 1990s residential development with a mix of 2 storey detached, semi-detached and terraced properties around a cul de sac and 3 storey flat blocks
- There are 2 storey semi-detached type flats further to the north.
- The context of the site therefore combines relatively low rise commercial and residential buildings and a significant degree of spaciousness provided by swathes of recreational land
- The site is within an Air Quality Management Area (AQMA)
- The site had a Public Transport Accessibility Level (PTAL) rating of 2 on a scale of 0-6b where 6b is the highest level of accessibility to public transport
- There are three existing vehicular access points to the site off Worsley Bridge Road.

Consultations

Nearby owners/occupiers were notified of the application by letter. Site notices were displayed and an advertisement was placed in the local press.

Representations are summarised below:

- The proposed Maybrey development and existing Sylon development will continue to cause increased road and pedestrian traffic on Worsley Bridge Road and Meadowview Road
- What pedestrian crossings and traffic slowing measures will be put in place?
- What parking measures will be taken without this extra traffic effecting residents parking long Meadowview Road and Worsley Bridge Road?
- Will the bus stop be located to a more suitable position?
- Parking is already full to capacity
- Where will apartment owners with more than one vehicle, visitors, employers, employees, retail customers and delivery vans park?

- Bromley Council have tried to promote green space but have failed to balance this with the amount of pollution, traffic volume, congestion and danger which it will bring
- Fewer parking spaces than apartments
- Will make it impossible for other local residents to park within reasonable proximity of their house
- It's an improvement
- Good idea if there are affordable homes
- Hope it's nice and that nice people live there
- Concerns about increased population on school spaces
- Worried about impact on commuter trains which are already crowded
- Worried that riverside walk and estate grounds will become a recreational area for children from the new development - its already being littered and fly-tipped by the public
- Potential height may compromise the privacy of back gardens
- Would like development to be softened by existing or new trees and planting
- The riverside needs to be as natural as it can be
- Would be good to keep historic features
- Want to see low rise housing which is more appropriate in the context of Beckenham
- The buildings would dominate the skyline
- Further increase in density would give the feeling that we are in inner London
- Seven storeys up is a long way for people to take their shopping and change their washing machine
- There is no need for a gym on site as there are other in the vicinity
- Would like to see the developer offering to extend the landscaped public walkway by the river pool and open it up for the public.

Consultee Comments:

GLA stage 1 comments (summary - full comments attached as Appendix 1):

While surplus industrial land, in the right locations, can be used to deliver new, high-density housing and supporting uses, the Mayor's preferred approach to releasing such land is through the local plan process. However, release of such land through the determination of individual planning applications will also be considered.

London Plan Policies on industrial land, housing, urban design, flood risk and sustainable drainage, climate change and transport are relevant to this application. The application does not fully 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 including further justification for the loss of industrial land to include marketing evidence and the acceptance of residential uses; additional information regarding how the rental levels proposed for the affordable housing units relate to local and strategic need; and how the application complies with London Plan climate change mitigation policy and transport policy. More detailed comments in respect of these issues are set out below:

- o *Land use principles:* Where land is to be released from LSIS's it must be based on strategic and local evidence and the proposed new uses must not compromise the integrity and viability of the remainder of the LSIS. While the proposal to provide flexible employment space is welcomed, and the quantum proposed would be considered a significant element of employment generating floorspace, the applicants own supporting information confirms the concerns relating to the viability of the site for office or light industrial uses. Subject to successful demonstration that the loss of industrial land would be acceptable, the proposals represent an opportunity for Bromley Council to reach and exceed its housing targets and further strengthen the residential character of this emerging neighbourhood. Development on this part of the LSIS would be unlikely to compromise the primary function of the LSIS or its use for industrial use because of the separation due to the railway line.
- o *Housing:* the proposed delivery of 159 homes would provide approximately 25% of Bromley's annual housing target and as such is strongly supported. The unit size mix is considered acceptable. The offer of 35% affordable housing by habitable room is welcomed, however, the current offer needs to be supported by sufficient information setting out how the proposed rental levels relate to strategic and local need. The proposed children's playspace would exceed that which is required and would be sited in amenity spaces across the site in areas that are safe, accessible and overlooked.
- o *Urban Design:* given the proximity of Lower Sydenham railway station, any potential resident's would have significantly better access to rail services than the low PTAL of the site suggests. The site is adjacent to large existing open spaces and is also within walking distance of Beckenham Town centre. As such, the higher density is considered acceptable given the high levels of on-site playspace, appropriate response to local context and overall high quality of design. The proposed form and massing of the buildings is considered acceptable and the proposals are considered a significant improvement over the existing buildings which would enhance the appearance of the immediate and wider areas and help to consolidate the residential character of the area to the east of the railway tracks. Furthermore, it is not considered that the proposals would have an adverse impact on the openness of MOL. With regard to residential quality the applicant should confirm that all units will achieve a minimum 2500mm floor to ceiling heights.
- o *Flood risk and Sustainable Drainage:* If the flood risk maps had not been updated by the EA taking the site out of Flood Zone 3B, the proposal would not have complied with NPPF and London Plan policy which prevents development within Flood Zone 3b. The site is expected to flood in the 1 in 100 year event and parts of the site would flood in the 1 in 50 year event. The accompanying FRA states a range of mitigation measures relevant to the high fluvial and surface water flood risk of the site and the proposals are considered acceptable in terms of London Plan policies 5.12 and 5.13 subject to the application of conditions to secure the mitigation measures.
- o *Climate Change Mitigation:* a drawing showing the route of the heat network linking all the buildings on site should be provided for future connection to a district heating network. A roof layout should be provided showing the location and size of the PV panels. Further information is also required in relation to the CHP, space heating and hot water demand.

- o *Transport:* see TfL comments below.

Transport for London (TfL):

- It is considered that proposed development would be unlikely to have a significant impact on the TLRN or SRN
- The proposed parking ratio of 0.5 spaces per unit is considered acceptable
- Electric vehicle charging point should be provided in line with London Plan policy 6.13
- The proposed cycle parking for the residential uses is considered acceptable, details of any cycle parking for the proposed commercial uses should also be confirmed
- A detailed Travel Plan should be secured with monitoring through a S106 Agreements
- A delivery and servicing plan and construction logistics plan is required and should be secured through condition.

Subsequent to these comments, concerns have been raised in respect of the increase in car parking for the residential use proposed in the information received 31/3/17 which would equate to just under 1 space per unit which, given the location of the site near to Lower Sydenham station, is considered particularly high.

The Council's Highways Development Engineer:

Initial concerns were raised regarding the amount of car parking provision for the residential units which was considered low due to the PTAL rating of the site and issues of on-street parking in the area. Furthermore, there was skepticism over whether the car club spaces would be equivalent to 13 spaces. Some of the proposed spaces were also considered sub-standard and provision should be made for visitor parking.

The initial parking surveys carried out are not an accurate reflection of the situation at the site due to the time of day they were carried out and the proposed level of parking provision is not acceptable in this instance. Furthermore, the applicant has not submitted a junction capacity analysis for Worsley Bridge Road/A2218 junction, or demonstrated that the proposal would have no material residual effects on the operation of the junction. The calculations should also take account of the adjacent Dylon scheme.

Additional Highways comments in response to additional/revised information received 31/03/17:

Site Access Arrangement: Further explanation is required as to how refuse vehicles can enter and exit the site in a forward gear.

Parking Provision: The parking provision has been revised to provide 158 spaces including 16 spaces designed to accessible standards); this is acceptable in principle. However it seems that no parking is provided for the commercial element of the development, the applicant is required to justify this.

Car Club Provision: Two car club spaces (1 car & 1 Van) would be supplied and operated in designated parking spaces on the development. This is acceptable in principle.

Parking Surveys: A survey for two weekdays and a Saturday to identify the parking demand in the middle of the day, when commuters are likely to be parked. This indicates that there are adequate spaces available within walking distance of the proposal.

Junction Analysis: The applicant considered it unnecessary to model the junction stating that "*there would be no material harm arising from the proposals*". On the basis that TfL and LB Lewisham haven't objected a junction analysis is not required.

Pedestrian permeability: This is considered acceptable.

The Councils Environmental Health Officer:

Pollution: no objections subject to the implementation of the recommendations in the accompanying reports.

Housing: questions whether all of the proposed windows and doors shown on the submitted plans and elevations are openable.

The Council's Occupational Health Therapist:

A number of concerns and suggestions were identified with regard to internal layouts of the proposed affordable social rented wheelchair units relating to features such as internal door widths, bathroom layouts, kitchen layouts and door entry systems. The 'let ability' of the proposed units was also identified as a serious concern due to flats being positioned above ground/first floors and concerns of future potential occupiers over access/egress, fire, the number of access doors and the inability of residents to answer their own private front doors.

Additional OH comments in response to the additional/revised information received 31/03/17:

- o Many of the households requiring occupancy of these special flats have at least one household member who has postural and high levels of mobility problems, and is frequently dependent on electrically operated powered profile beds to keep them posturally safe, powered wheelchairs; they often additionally have a high reliance on further assistive technology, including not unusually clinical prescription of oxygen for use in the domestic environment to manage day to day activities. The evacuation and management, and after care of clients with this level of need, in an emergency, is a serious factor that such clients consider when choosing to bid on an accessible home.

- o In relation to access and positioning generally of these flats, the comparative difference in a journey between ground/ first floor and any upper floors which may be deemed as negligible, for able bodied persons, occupying the majority of general needs flats, in the event of a fire, with a Stay Put Policy in Place, is not comparable to the requirements of the majority of those for whom we would be hoping to let these fully wheelchair accessible flats.

- o Current and recent local experience in adjacent and neighbouring London Boroughs evidences the reluctance of this client group to live in flats in multi storey high rise flats, above first floor. High proportions are left vacant, many months after completion. The letting of this type of design would be more attractive to those needing it, if arranged on ground / first floor only.
- o As a maximum of only 10% of affordable social housing is ever allocated for development purposes for this group of clients, it would be both advantageous and prudent to consider the likelihood of letting, before committing to developing multi storey occupation for wheelchair users, which is likely otherwise to remain unoccupied, not yielding rent to the Social Landlord, and not providing homes for those most needing it, who are subscribed to the Council Housing Register.
- o The number of heavy communal / fire doors, on each level, and the requirement for disabled occupants to be able to control these remotely/ automatically in a wheelchair and/ or from their flats, to control / enable the access of their guests/ visitors/ clinical deliveries/ through communal lobby areas, limits management / affects lettability when spread over several floors. Many highly dependent household members for whom these flats are designed, cannot manage Meet and Greet Arrangements in Communal Areas for the delivery of vital clinical supplies, when they are above ground floor.
- o I have not seen communal doorways/ access/ lift access. These require careful planning for wheelchair access from home. I need to see details to allow informed professional comment.

Furthermore, a number of concerns still remain in relation to hall corridor widths, doors, radiators/heating and bedroom, bathroom and kitchen layouts.

The Council's Drainage Officer:

Does not agree with results of the submitted FRA which say that surface water will be reduced by 50%. The surface water strategy should aim to achieve greenfield run-off rate (8l/s/ha) and should justify why a minimum of 50% was adopted. More SUDS measures should be investigated to be incorporated in the scheme.

Further to the revised Flood Risk Assessment submitted 11-4-17, there are no objections sustained from a Drainage perspective, subject to conditions regarding a SUDS scheme and green roofs.

Environment Agency: to be reported verbally at the meeting.

Thames Water:

No objections to sewerage infrastructure capacity; 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; There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings; No impact piling shall take place until a piling method statement has been submitted to and approved in writing by the local planning authority in consultation with Thames Water; - Worsley Bridge Sewage Pumping Station is located within the proposed development boundary. The developer should contact Thames Water to agree an assessment of potential impacts on amenity for future occupiers of the proposed development before a planning application is submitted. This should include an appraisal of existing odour, noise and lighting from the Sewage Asset and its potential impact on future occupiers of the proposed development.

Natural England:

Advises the Local Authority to refer to their standing advice.

Historic England:

No archaeological requirement recommended.

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.

The final consultation for the Preferred Submission draft Local Plan was completed on December 31st 2016. It is expected to be submitted to the Secretary of State for examination in public in mid-2017. The weight attached to the draft policies increases as the Local Plan process advances.

The application falls to be determined in accordance with the following Unitary Development Plan (UDP) policies:

- BE1 Design of New Development
- BE2 Mixed Use Development
- BE4 Public Realm
- BE6 Environmental Improvements
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE16 Ancient monuments and archaeology
- BE17 and BE18 High Buildings and the Skyline
- EMP2 Office Development
- EMP4 Business Areas

ER7 Contaminated Land
ER10 Light Pollution
ER16 The Water Environment - River Corridors
ER17 Development and the Water Environment
G2 Metropolitan Open Land
G6 Land adjoining Green Belt or Metropolitan Open Land
H1 Housing Supply
H2 and H3 Affordable Housing
H7 Housing Density and Design
H9 Side Space
IMP1 Planning Obligations
NE2 Development and Nature Conservation sites
NE3 Nature Conservation and Development
NE5 Protected Species
NE7 Development and Trees
NE9 Hedgerows and Development
NE12 Landscape Quality and Character
T1 Transport Demand
T2 Assessment of Transport Effects
T3 Parking
T6 Pedestrians
T5 Access for People with Restricted Mobility
T7 Cyclists
T8 Other Road Users
T9 and T10 Public Transport
T11 New Accesses
T12 Residential Roads
T14 Unadopted highways
T15 Traffic Management
T16 Traffic Management and Sensitive Environments
T17 Servicing of premises
T18 Road safety

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

Relevant policies from the proposed submission Draft Local Plan include:

Draft policy 1: Housing Supply
Draft policy 2: Provision of Affordable Housing
Draft policy 4: Housing Design
Draft policy 8: Side Space
Draft policy 26: Health & Wellbeing
Draft policy 30: Parking
Draft policy 32: Road Safety
Draft policy 33: Access for All
Draft policy 37: General Design of Development

Draft policy 50: Metropolitan Open Land
Draft policy 53: Land Adjoining Green Belt or Metropolitan Open Land
Draft policy 73: Development and Trees
Draft policy 77: Landscape Quality and Character
Draft policy 78: Green Corridors
Draft policy 79: Biodiversity and Access to Nature
Draft Policy 82: Locally Significant Industrial Sites
Draft policy 116: Sustainable Urban Drainage Systems (SUDS)
Draft policy 119: Noise Pollution
Draft policy 120: Air Quality
Draft policy 123: Sustainable Design and Construction
Draft policy 124: Carbon dioxide Reduction, Decentralised Energy Networks and Renewable Energy
Draft policy 125: Delivery and Implementation of the Local Plan

Relevant London Plan Policies include:

2.6 Outer London: Vision and Strategy
2.7 Outer London: Economy
2.18 Green Infrastructure: the multi-functional network of green and open spaces
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
4.4 Managing Industrial Land and Premises
5.2 Minimising Carbon Dioxide Emissions
5.3 Sustainable Design and Construction
5.6 Decentralised Energy in Development Proposals
5.7 Renewable Energy
5.9 Overheating and Cooling
5.10 Urban Greening
5.11 Green roofs and development site environs
5.12 Flood Risk Management
5.13 Sustainable Drainage
5.14 Water Quality and Waste Water Infrastructure
5.15 Water use and Supplies
5.21 Contaminated Land
6.1 Strategic Approach
6.3 Assessing the Effects of Development on Transport Capacity
6.9 Cycling
6.10 Walking

- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 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
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.17 Metropolitan Open Land
- 7.18 Protecting open space and Addressing Deficiency
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodland
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

The 2015-16 Minor Alterations (MALPs) have been prepared to bring the London Plan in line with the national housing standards and car parking policy. Both sets of alterations have been considered by an independent inspector at an examination in public and were published on 14th March 2016. The most relevant changes to policies include:

- 3.5 Quality and Design of Housing Development
- 3.8 Housing Choice
- 6.13 Parking

The relevant London Plan SPG's are:

- Land for Industry and Transport (September 2012)
- Providing for Children and Young People's Play and Informal Recreation (2012)
- Accessible London: Achieving an Inclusive Environment (2014)
- Sustainable Design and Construction (2014)
- Housing (2016)
- Energy Strategy

The National Planning Policy Framework 2012 (NPPF): relevant paragraphs

- Para 17: Core planning principles
- Paras 29 - 41: Promoting sustainable transport
- Paras 47 - 50: Delivering a wide choice of high quality homes
- Paras 56 - 66: Requiring Good Design
- Paras 69-78: Promoting healthy communities
- Paras 93-103: Meeting the challenge of climate change & flooding
- Paras 109-125: Conserving and enhancing the natural environment
- Paras 188-195: Pre-application engagement
- Paras 196-197: Determining applications
- Paras 203-206: Planning conditions and obligations

Planning History

12/03701/EIA: Mixed use redevelopment comprising 148 residential units and 4,120 sqm light industrial floorspace with associated access, landscaping and 184 car parking spaces (request for formal screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended): EIA NOT REQUIRED

13/01815/FULL1: Demolition of existing buildings and redevelopment to provide a part 5, part 7 storey building with 4,122 sq m of Use Class B1 floorspace on the ground floor with 147 residential units above with new access arrangements, provision of 183 car parking spaces at basement level and landscaping, refuse and recycling facilities: APPLICATION WITHDRAWN

16/05805/EIA: Re-development of site to deliver up to 165 residential dwellings and 1800 sq m of commercial floorspace along with up to 100 parking spaces and landscaping works with vehicular, cycle and pedestrian access provided from Worsley Bridge Road (request for formal screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended): EIA NOT REQUIRED

Assessment

The NPPF, at paragraph 14, sets out a presumption in favour of sustainable development and states that for decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts 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.

The acceptability of the loss of employment site and re-development for mixed use

The NPPF states that significant weight should be placed on the need to support economic growth through the planning system and identify strategic sites for local and in-ward investment. However, paragraph 22 states: "Planning policies should avoid the long term protection of sites allocated for employment use where there is no prospect of a site being used for that purpose....Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities".

The Mayors SPG: Land for Industry and Transport 2012 puts Bromley in the category of 'restricted transfer' commenting that this applies to Boroughs with typically low levels of industrial land relative to demand.... Boroughs in this

category are encouraged to adopt a more restrictive approach to the transfer of industrial land to other uses. This approach is reflected in Policy 4.4 of the London Plan which identifies Bromley as being within the restricted transfer of industrial land to other uses. Annex 1 of the SPG assigns Bromley an indicative industrial land release benchmark for 2011-2031 of no more than 9 hectares and an annual industrial land release benchmark of no more than 0.5 hectares. Since 2011, over 3 hectares of land in the Borough has been transferred from industrial to other land uses by change of use permissions, exceeding the annual benchmark in the SPG. This excludes the GlaxoSmithKline site on South Eden Park Road, Beckenham (granted permission for change of use in 2014).

The site lies within the Lower Sydenham Business Area in the UDP to which adopted Policy EMP4 applies. The policy applies to a range of Class B uses and seeks to resist loss of land within allocated Business Areas to non-Class B uses such as proposed here. It sets out the criteria for evaluating proposals in designated business areas stating that only uses relating to B1, B2 (general industry) and B8 will be permitted on such sites.

The site is being taken forward as a proposed Locally Significant Industrial Site (LSIS) in the Draft Local Plan, to which policy 82 would apply. This outlines the types of uses permitted on such sites to be B1, B2(c) & B8 and proposals involving the loss of industrial uses will be refused, unless it can be demonstrated that the site is no longer suitable and viable for its existing or alternative industrial use in the medium to long term.

Consequently, changes of use in designated industrial areas should be resisted. The Supporting Text to draft policy 82 further explains that, where it is demonstrated that existing premises cannot viably accommodate a quantum of Class B floorspace in the medium and long term, the Council will consider employment-led mixed use proposals that are consistent with the primary function of the LSIS and do not impede the effective operation of existing employment uses in the vicinity. Specifically, it states that proposals for employment generating uses that would result in a loss of Class B uses on the site will be permitted provided that the following is demonstrated:

- The site is no longer suitable or viable for the existing or any potential Class B use, refurbishment or redevelopment in the medium to long term (as demonstrated through a period of recent, active marketing undertaken prior to the submission of a planning application, to the Council's satisfaction),;
- The proposed development contains a similar quantum of floorspace for employment generating uses and is designed to allow for future refurbishment for a range of industrial uses and other compatible uses;
- The proposed use would not compromise the primary function of the LSIS or capacity conditions of neighbouring sites in the LSIS to continue to accommodate Class B uses in the medium to long term;
- The proposed development is compatible in scale and design with its surroundings.

The proposed development would result in the loss of approximately 3273 sq m of Class B1/B2/B8/Sui Generis floorspace in favour of residential uses and 1,099 sq

m of Use Class B1a-c employment floorspace (offices/research and development/light industry). The overall reduction in employment floorspace would be approximately 34%.

The applicant states that the site has been marketed since at least since 2008 and that due to the physical state of the buildings it would be unviable to refurbish the existing site and let it out for business uses. However, no evidence is provided of marketing prior to June 2015. Between June 2015 and December 2016, part of the site was advertised, as shown in Appendix 4 of the Employment Land Study, however, the advert appears to only show 2 units totalling 643.8 sq m. It is not explained if/why the remaining 4,131 sq m of internal floorspace was not marketed. Furthermore, the advert does not suggest the entire property is offered highlighting potential for redevelopment.

The Mayor's Land for Industry and Transport SPG considers a reasonable period of marketing to determine long term interest to be at least two years. There is insufficient evidence to suggest this has occurred for the entirety of the site. A majority of units were occupied as recently as 2015, for a range of Class B1, B2 and sui generis industrial purposes, which suggests there remains potential for reuse on the site in the medium term and, despite the applicant's assertion that the site was expected to be completely vacant before the end of 2016, at the time of writing, one of the units is still occupied by a use associated with the motor industry.

The Mayor's SPG outlines the various other industrial type activities for which there is expected to be increasing demand over the plan period. These include efficient and sustainable land for logistics, waste management, recycling, environmental industries including renewable energy generation, transport functions, utilities, wholesale markets and some creative industries. Furthermore, LSIS are identified as suitable locations for such uses, the protection of which should be reviewed regularly and justified in development plan documents.

The applicant considers that the majority of industrial type activities (with the exception of creative industries) would not be applicable to the application site due to its physical characteristics, such as its proximity to residential development and segregation from the remainder of the Business Area. However, it is important to recognise that the application site is being taken forward as a proposed LSIS in the Draft Local Plan and there have been a number of examples of other business sites in the Borough where redevelopment for B uses is being put forward. These include:

- First Centre West Buses Ltd, Faraday Way, Orpington (located in the SIL) (14/03092/FULL1): Erection of three buildings subdivided into nine units for B1(c), B2 and B8 uses, together with associated roads, parking and landscaping;
- Klinger Works, Edgington Way, Sidcup (Located in the SIL) (16/05782/FULL1 - PENDING CONSIDERATION: Partial demolition and redevelopment of the Klinger factory and associated buildings to provide 15 units to be used for B1(c), B2, B8 uses together with associated access and parking.

Given the scale of residential development proposed compared with employment floor space, this proposal could not be considered an "employment-led mixed use

proposal" when assessed against Draft Policy 82 and the proposed residential portion of the scheme is likely to represent additional constraints which would impair the potential range of business uses that could realistically occupy the employment portion. The current site operates precisely as it is intended to offer small to medium sized Class B1, B2 and B8 accommodation to local businesses and the proposal to restrict it to Class B1 uses would, in itself, realise the loss of this industrial space and the ability to accommodate similar uses in the future.

The applicant also cites the appeal decision relating to the adjacent Dylon site as justification for the loss of employment land at Maybrey Business Park and alleges that the Council is being inconsistent in its approach to the application site. Officers consider that the 'Dylon' scheme is distinct from the application site in that the site was vacant and had been unsuccessfully marketed for business use for a significant period of time. Furthermore, the fact that a residential development has been allowed on the adjacent Dylon site does not preclude the application site from continuing to operate in its current permitted B Use Classes. Indeed, no significant concerns were raised by the Inspector for the Dylon site in respect of harm to future residential amenity caused by the Maybrey site operating within its current permitted uses. The redevelopment of the neighbouring Dylon site (currently in the Business Area but to be excluded from the LSIS under the Draft Local Plan) is therefore not considered a direct precedent for the proposed development at Maybrey Works.

Whilst the applicants intend to provide a redevelopment that is congruous in scale and design with the neighbouring Dylon site development, the proposal would result in a reduction of approximately 34% of employment floorspace and the employment component cannot therefore be described as a "similar quantum" of floorspace as is currently provided on the site.

While the NPPF warns against the long-term protection of sites allocated for employment use where there is no prospect of a site being used for that purpose, in this instance no evidence has been submitted to demonstrate that this is the case and the proposal would therefore be contrary to adopted policy EMP4, Draft Policy 82 of the Local Plan and the London Plan.

Housing Need:

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups on the community; identify the size, type, tenure and range of housing that is required in particular locations; and where they have identified that affordable housing is needed, set policies for meeting this on site, unless off-site provision can be robustly justified (Para 50, NPPF).

Furthermore, Local Authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided there are not strong economic reasons why such development would be inappropriate (Para.51, NPPF).

The Council's latest Five Year Housing Land Supply paper was reported to and agreed by Development Control Committee on 24.11.2016. It concludes that the Council does have five years' worth of housing supply and it has informed the Council's Proposed Submission Draft Local Plan (November 2016) that was out for public consultation until the end of December 2016.

An assessment of the site was carried out by the Council and included within the Site Assessment 2015: Housing and Mixed Use (September 2015) to assist in its preparation of the Local Plan. The application site was assessed as a potential site for housing and mixed use however it was not subsequently recommended. Instead the site is being taken forward as part of a new LSIS designation in the draft Local Plan. This demonstrates the Council's intentions in respect of the employment function of the site going forward.

While it is accepted that the proposal for 159 residential units would, in principle, help to contribute to the London Plan's minimum target for Bromley to deliver 641 new homes per year until 2025, as set out above, the proposal would not be "employment-led" and there is insufficient evidence of the site being marketed for a reasonable period to conclude that there is no prospect of this LSIS being reused or redeveloped for continued employment uses. As it stands, the development, as proposed, would therefore be contrary to the employment policies of the development plan and is considered unacceptable in principle.

Impact on Metropolitan Open Land (MOL)

The Government, in chapter 8 of the NPPF, sets out its aspirations for promoting healthy communities through the planning system. Paragraph 73 recognises the important contribution which "access to high quality open spaces and opportunities for sport and recreation... can make to the health and well-being of communities" and says that "planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision".

The London Plan at policy 7.17 states that the MOL serves the same purpose as Green Belt in that it has an important role to play as part of London's multifunctional green infrastructure and it will be afforded the same level of protection as Green Belt. Inappropriate development that adversely affects the openness of MOL will therefore be refused except in very special circumstances. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of the MOL.

The London Plan also recognises the importance of Green chains to London's open space network, recreation and biodiversity and should be designated as MOL due to their London-wide importance.

Policy G2 of the UDP states that the openness and visual amenity of the MOL shall not be injured by any proposals for development within or conspicuous from the MOL which might be visually detrimental by reason of scale, siting, materials or design. Policy G6 requires development proposals on land abutting MOL to not harm the visual amenity, character or nature conservation value of the adjacent designated area. Policy 53 of the Draft Local Plan is consistent with this approach.

The fundamental aim of Green Belt and therefore MOL policy is to prevent urban sprawl by keeping land permanently open and, as set out above, UDP and draft local policies are specifically concerned with the impact that development would on character, visual amenity and nature conservation value of MOL. The supporting text to Draft Policy 53 adds that "sites adjoining MOL should be retained as a buffer between built development and the open land to ensure that both the character and visual amenity of the Green Belt fringe and MOL sites is maintained...any sites considered to be of visual or ecological importance to MOL will be subject to this policy".

The application site is bordered to the east and south by land designated as MOL. The proposed perimeter block arrangement would result in development in close proximity to the MOL boundaries, particularly to the south. With the exception of the Dylon development, the surroundings include a mixture of industrial and commercial uses, generally at no more than 2 storeys high, the adjacent sports grounds that form part of the MOL and suburban residential streets where development does not generally exceed 4 storeys at most, with much of it being limited to 2 storeys.

The development, as proposed, would provide a set-back of around 8m (minimum) between the eastern site boundary abutting the Pool River and the proposed 6 and 7 storey blocks along the eastern side of the site. The height of development would step-up towards the western side of the site adjacent to the Dylon site and development in this part of the site would be sited around 1m away from the southern site boundary.

The applicant has submitted a Views Impact Assessment showing computer generated visuals of the development from various vantage points to demonstrate how it would appear in the context of its surroundings. This report considers that the development would have a beneficial effect when viewed from the MOL by resulting in an improvement when compared to the existing buildings on the site and providing visual interest and activity to existing views from the MOL.

This opinion is not shared by Officers. In views from the MOL to the east of the site the development would appear as a mass of solid unbroken built development, higher and more elongated in these views than the adjacent Dylon development. In views from the former Dylon sports ground to the south, the development would extend eastwards of the approved Dylon development replacing existing views of the low-rise one/two storey industrial buildings with high-rise blocks. The

development would also appear closer to the MOL boundary and more prominent than the Dylon scheme in longer-range views from the south-eastern part of Worsley Bridge Road and from Copers Cope Road (which has not been assessed for the purposes of the Visual Impact Assessment).

While it is accepted that the existing buildings are of no particular architectural merit, the proposal would have a poor relationship when seen against the public open space to the south and the east, diminishing the visual buffer between the higher density development at Dylon and the open land, and appearing overly dominant in height and massing.

While the applicant's attempts to break-up the massing of the building by providing varied roof heights, articulation and through the use of a variety of materials are noted, for the reasons stated above, the development would result in significant harm to the setting and visual amenities of the adjacent MOL.

The eastern part of the site along with the adjacent MOL forms part of a Site of Interest for Nature Conservation (SINC) and the River Pool forms a green corridor and habitat linkage within the site linking up to the adjacent open space. Green spaces, or Green Infrastructure, in urban areas perform a number of vital functions which the London Plan (2015) recognises at policy 2.18. Green Infrastructure is an overarching term for a number of discrete elements (parks, street trees, green roofs, etc) that go to make up a functional network of green spaces and green features. The benefits of such infrastructure include but are not limited to: making a positive contribution to climate change; improving air quality; contributing to sustainable urban drainage systems; and protecting and enhancing biodiversity.

As part of the redevelopment of the site, the applicant is proposing a programme of landscaping works including reconstruction of the river walls and enhancements to its banks to include hard landscaping and planting. It is not considered that the development, as proposed, would have a significant impact on the ecological function of the SINC, nor would it undermine the potential of the green corridor along the eastern edge of the site to support protected species and habitats.

Notwithstanding the ecological impacts which, on balance, are considered acceptable, the development in the manner proposed, by reason of its height, scale, massing and proximity to adjacent open space would have a significant detrimental impact on the visual amenities of the MOL.

Other main issues to be considered in respect of this proposal are:

- Design
- Density
- Impact on neighbouring amenity
- Housing Issues
- Planning obligations.
- Highways impacts
- Flooding and Drainage
- Trees and ecology
- Sustainable Energy

- Pollution and Contamination
- Archaeology.

These matters are addressed in the following sections of the report.

Design

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. 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 (Para's 56-57, NPPF).

Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area; 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; respond to local character, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments; and ensure that development are visually attractive as a result of good architecture and appropriate landscaping (Para.58, NPPF).

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 London Plan at policy 7.1 requires developments to be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to social and community infrastructure (including green spaces). Development should enable people to live healthy, active lives, maximise the opportunities for community diversion, inclusion and cohesion and the design of new buildings and spaces should help reinforce the character, legibility, permeability and accessibility of the neighbourhood. Furthermore, buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass and contributes to a positive relationship between the urban structure and natural landscape features. Furthermore, development should be human in scale and create a positive contribution with street level activity (policy 7.4, London Plan).

Consistent with this policy BE1 of the London Borough of Bromley Unitary Development Plan (UDP) requires new developments to be imaginative and attractive to look at; complement the scale, form, layout and materials of adjacent buildings and areas; development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features; the space about buildings should provide opportunities to create attractive settings and security and crime prevention measures should be

included in the design and layout of buildings and public areas. The emerging Draft Local Plan takes a similar stance.

Whilst a quantitative assessment could be made using a numerical calculation of density, it is also important to consider the qualitative feel of the development in terms of its character and appearance, relationship to the established characteristics of the area and resultant relationship to existing development. Policy H9 requires developments to maintain a minimum of 1m separation distance from the boundaries. However, this is a minimum and in areas characterised by greater separation distances a more generous spacing should be achieved.

The established character of the area is a mixture of industrial and commercial uses, generally at no more than 2 storeys high, the adjacent sports grounds that form part of the MOL and suburban residential streets where development does not generally exceed 4 storeys at most, with much of it being limited to 2 storeys. The adjacent Dylon development which is currently under construction has altered the character of this area noticeably by introducing a high density residential use in what was a former business site at up to eight storeys in height.

The application site is sandwiched between the Dylon site and open space to the south and east which extends further north on the opposite side of Worsley Bridge Road. While the adjacent Dylon scheme does set a precedent to a certain extent for higher density, taller development in this area, it does not justify an even taller and more dense development on this site and it is considered that development at this site should be transitional in scale having regard to the Dylon scheme, the existing grain of development on the opposite side of the road and the adjacent MOL. While the principle of flatted development in this location would not be unacceptable in principle in character terms, the proposed blocks would be excessively high (exceeding the maximum height of adjacent Dylon development), substantial in scale and massing and with limited separation to site boundaries. The peripheral block arrangement proposed would give the appearance of a somewhat hard edge of development along the eastern and western elevations in particular, despite the applicant's attempts to break up the massing using articulation, set-backs and varied materials.

At the front of the site, the proposed 9 storey block 'B' would be stepped back by around 3.5m from the front of the 5 storey block 'A' which would extend to a width of approximately 35m along the site's frontage. Block 'D' would be set back significantly from Worsley Bridge Road and would be 7 storeys high. It is considered that the scale and height of the development would be at odds with the lower density terraces and blocks of flats opposite the site in Montana Gardens where development is generally 3 storeys high. From the Worsley Bridge Road street scene and from within Montana Gardens itself the proposed 5 and 9 storey blocks fronting the application site would appear unduly prominent. While the height of development has been reduced to 7 storeys on the eastern site with the 6 storey block 'E' behind it, it is still considered that the development would have a poor relationship with the adjacent open space, as discussed above, which would be harmful, overall, to the appearance of the street scene and the characteristics of this area.

The design is for 2 main buildings in a peripheral arrangement along the eastern and western/northern sides of the site which would be set at varying heights and broken-up to appear as 5 distinct blocks. Recessed balconies, deep reveals, and contrasting bricks are all proposed to help provide articulation to the buildings. The commercial elements will be provided with extensively lazed frontages providing views across the MOL. Green sedum and landscape roofs and brown roofs are proposed. Notwithstanding the concerns over scale and massing, the approach to the detailed design of the buildings is considered acceptable in principle. If this application were considered acceptable overall, a condition requiring further details of materials would be required.

Due to the flood risks associated with this site all residential uses have been placed on the upper floors with purely commercial accommodation at ground floor level. Entrances to residential cores accessed via a pedestrian access direct from Worsley Bridge Road would help to promote a more active night time frontage when the commercial units are closed.

Pedestrian movements have been considered across the site including the possibility to open up pedestrian access through to the MOL to the south and proposed improvements to the edge of the River Pool, promoting access to green space. These proposals are welcomed, in principle.

A central amenity area at first floor level on a central podium deck. This is considered acceptable in terms of the quality and amount of amenity space which this would provide residents with and the applicant has considered how to mitigate potential overlooking from adjacent flats using planting to help mitigate any perceived sense of overlooking and, vice versa, to protect the privacy of occupiers of flats adjoining this space.

Overall it is considered that an attractive setting for the development could be achieved utilising roofs and the edge of the River Pool to maximise amenity space for both residents and occupiers of commercial units. The proposals also include space within the development dedicated to car and cycle parking, refuse storage and an energy centre. However, Officers are concerned with the amount of development proposed due to the proposed scale and massing of buildings, their proximity to site boundaries and the level of site coverage when combining buildings with car parking and hard surfacing required to serve the development, which would result in a cramped over-development of the site. The resulting development would be at odds with and detrimental to the important characteristics of the area.

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 Chapter 7 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 London Plan states that residential density

figures should be based on net residential area, which includes internal roads and ancillary open spaces.

The London Plan advises that development plan policies related to density are intended to optimise not maximise development and density ranges are deliberately broad to enable account to be taken of other factors relevant to optimising potential such as local context, design and transport capacity, as well as social infrastructure, open space and play (para.3.28).

The Housing SPG (March 2016) provides further guidance on implementation of policy 3.4 and says that this and Table 3.2 are critical in assessing individual residential proposals but their inherent flexibility means that Table 3.2 in particular should be used as a starting point and guide rather than as an absolute rule so as to also take proper account of other objectives, especially for dwelling mix, environmental and social infrastructure, the need for other land uses (e.g. employment or commercial floorspace), local character and context, together with other local circumstances, such as improvements to public transport capacity and accessibility (para.1.3.8).

This site is considered to be in an 'urban' setting and has a PTAL rating of 2. The London Plan gives an indicative density range of 70-170 units/ha and 200-450 habitable rooms/ha. UDP Policy H7 also includes a density/location matrix which supports a density of 100-150 units/ha and 300-450 habitable rooms/ha for locations such as this provided the site is well designed, providing a high quality living environment for future occupier's whilst respecting the spatial characteristics of the surrounding area.

Taking into account the accommodation schedule submitted and the fact this is a mixed use scheme, the density calculations for the proposed development are approximately 297 units/ha and 805 habitable rooms/ha which significantly exceeds indicative density guidelines in both the London Plan and the UDP. Although the site is within close walking distance to the Lower Sydenham train station with very convenient commuter links to London making it potentially suitable to a density in the upper ranges of the matrix at table 3.2 of the London Plan, as discussed above a numerical calculation of density is only one consideration. It is also necessary to consider the quality of the development in relation to the surrounding context. It is noted that during the assessment of the adjacent Dylon planning application the proposed residential density was found to be equivalent to 134 dwellings per hectare and 409 habitable rooms per hectare on a 1.119 ha site, giving an indication of the amount of development which was considered acceptable on this adjacent site. As discussed above, the development of the Maybrey site would need to provide a transition between Dylon, the residential development opposite and the open space. In this instance, the amount of development proposed, based on height, scale and massing and separation of development to boundaries would amount to a cramped overdevelopment of this site.

Impact on neighbouring amenities

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

The Daylight/sunlight assessment submitted as part of the application concludes that, for daylight, the development would have minimum impact on the adjoining Dylon site and that the existing balconies on the Dylon development are the main cause of reduced levels of sunlight and daylight to these adjacent flats. No significant harm was found to result at properties in Montana Gardens as a result of the development proposed.

Whilst the submitted Daylight/Sunlight Assessment concludes that the impact from the development on the adjacent Dylon site would be within the guidelines set out by BRE, as stated in these guidance notes " these should be interpreted flexibly because natural lighting is only one of many factors in site layout design" and there are concerns that the proposed development, particularly given its height over and above that of the Dylon development and elongated design would have an overbearing visual impact on adjacent occupiers of this site, appearing as a continuous frontage of built development. The impact would be particularly harmful for occupiers of those flats which are single aspect and east facing.

While the applicant asserts that the separation distances between the Dylon development and the proposed building would be sufficient and that no undue overlooking would result between sites, as set out above, the scale and massing of the proposal together with its relationship to the Dylon development is likely to have a harmful impact on the amenities of adjacent occupiers.

Concerns have also been raised by local residents over the impact on the privacy of rear gardens at properties opposite the site in Montana Gardens. These concerns have not been addressed by the applicant.

Concerns have also been raised from local residents regarding highways and road safety impacts and the pressure that the development would put on local services and infrastructure. The highways impacts of the proposal are discussed below. Furthermore, a development of this scale would give rise to developer contributions being sought to offset the impact on local infrastructure, should the development be considered acceptable in all other respects. This is discussed further below.

For the reasons set out the development, as proposed, is considered likely to have a significant negative impact on the amenities of occupiers of existing and planned residential dwellings in the vicinity of the site.

Housing Issues

Unit type/size:

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms.

The London Plan at policy 3.29 says that higher density housing for smaller households should normally be focused on areas with good public transport accessibility (measured by PTALs). The site although in a low PTAL location is within close walking distance to the Lower Sydenham train station with very making it potentially suitable for higher density housing. It also has good access to open space making it well suited to the provision of family accommodation. The breakdown of proposed unit sizes is as follows:

1 bed:	76 (48%)
2 bed:	55 (35%)
3 bed:	28 (18%)
TOTAL	159

Overall the proposed unit mix is considered acceptable.

Affordable Housing:

Affordable housing will be sought on sites capable of providing 11 dwellings or more, a site area of 0.4ha or on sites providing over 1000 square metres of residential floorspace. The London Plan, at policy 3.8, states that Londoner's should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought on schemes having regard to current and future requirements at local and regional levels and the London Plan's target of an average of at least 17,000 more affordable homes per year in London. Development proposals are required to create mixed and balanced communities with the size and type of affordable housing being determined by the specific circumstances of individual sites.

The development is considered liable for the provision of affordable housing on site as set out in the Policy H2 and contributions by way of planning obligations under Policy IMP1. Policy H2 requires 35% affordable housing (on a habitable room basis) to be provided with policy 3.11 of the London Plan requiring 60% affordable rented and 40% intermediate provision. 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.

The scheme is proposing a tenure split of 74% affordable rented and 26% intermediate units (based on habitable room). No information has been provided by the applicant to account for how rental levels will support strategic and local need. If the application were to be considered acceptable in principle these particular issues would have been discussed further with the applicant and GLA in order to arrive at an agreement.

Standard of Residential Accommodation:

Policies BE1 and H7 of the UDP require that proposals for residential development provide a satisfactory form of living accommodation to serve the needs of the particular occupants and provide adequate private or communal amenity spaces.

Policy 3.5 of the London Plan, which was amended by the Minor Alterations in 2016, sets out the Mayor's aspirations for the quality and design of housing developments. The Housing SPG sets out further guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. New housing should promote and enhance the quality and character of local places and should meet the needs of all Londoners at different stages of life, particularly those of children and older people. Housing should be designed so that people can use it safely, easily and with dignity regardless of their age, disability, gender or ethnicity. It should meet inclusive design principles by being responsive, flexible, convenient, accommodating, and welcoming (para.2.1.4).

The 2016 Minor Alterations to the Plan adopted the nationally described space standard. This standard is set by Government and clearly set out in the Technical housing standards -nationally described space standard document (March 2015). The standards apply to all tenures.

The applicant submitted additional plans on 31/03/17 showing the proposed internal layouts of all the flats at 1:50 scale. However, it appears that a number of the proposed units would fail to meet the minimum space standards for bedrooms and storage space as set out in the DCLG Technical Housing Standards - nationally described space standard (March 2015).

Furthermore, there are a number of single aspect dwellings proposed, including north facing onto Worsley Bridge Road. Single aspect dwellings that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided. Given the site's location within an Air Quality Management Area there are concerns that this would result in difficulties ventilating the flats. Furthermore, the noise assessment accompanying the application finds high levels of noise for the balconies fronting onto Worsley Bridge Road. There are additional concerns that single aspect units along the western side of the site in blocks B and C will have limited views of the surroundings facing predominantly onto the adjacent Dylon development.

The applicant asserts that only 4 units in total in block B will have single aspect north-east facing aspects where the "inclusion of a projecting balcony will ensure the potential of the aspect is maximised". Furthermore, they state that the majority

of other single aspect units will benefit from views of the high quality landscaped areas within the development. However, Officers consider that the inability of the development to provide high quality living accommodation for all potential future occupiers is a further indication that the development, as proposed, would amount to an overdevelopment of this site.

Amenity Space:

All units must benefit from private amenity space which must comply with the requirements set out in the SPG. A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. Dwellings on upper floors should all have access to a terrace, roof garden, winter garden, courtyard garden or balcony.

Wheelchair user dwellings:

In accordance with the London Plan Policy 3.8, 10% of all new dwellings should meet building regulation M4(3) 'wheelchair user dwellings'. The Council will expect the provision of wheelchair units across all tenures, and in the case of affordable rented wheelchair units (where the Council has nomination rights) the Housing SPG advises that these should be provided as wheelchair accessible homes (that are readily usable by a wheelchair user at the point of completion) in accordance with the South East London Housing Partnership (SELHP) standards. In addition, 90% of all of the new dwellings should meet building regulation M4(2) 'accessible and adaptable dwellings'.

In accordance with the Technical Housing Standards, the minimum gross internal areas specified for new dwellings will not be adequate for wheelchair housing (Category 3 homes in Part M), where additional area is required to accommodate increased circulation and functionality to meet the needs of wheelchair users.

16 adaptable and accessible units are to be provided over an equal split between blocks B and C with those in block B being affordable rented units and those in block C being private units.

As set out in approved document part M of the Building Regulations - Volume 1: Dwellings, to comply with requirement M4 (3), step free access must be provided. Generally this will require a lift where a dwelling is accessed above or below the entrance storey. The South East London Housing Partnership's SELHP standards generally exceed Part M of the Building Regulations, requiring 2 wheelchair accessible lifts for units above ground floor.

The detailed layouts for the wheelchair units confirm that the proposed wheelchair user dwellings in block B will each have an internal area of either 84.9 square metres or 88 square metres which is just below the (SELHP) standard of 85 sq m for a 2 bed four person unit in the case of flat type B04. However type B10 exceeds the SELHP standards. For the private wheelchair adaptable and accessible units, the layouts provided indicate a 2 bed three person unit with a GIA of 73.4 sq m. This falls just short of the 75 sq m required by SELHP however the

layouts indicate that the units could be successfully adapted to meet Part M(3) requirements. On balance this is considered acceptable.

Blocks B and C will each have 2 lifts both suitable for wheelchair users however the internal arrangements for these blocks appear tight and do not provide a level space with a min width of 1500mm for passing or turning at each end of the approach routes at maximum intervals of 10m. Furthermore, the landing areas in front of the communal lifts appear to be below the min area of 1500mm x 1500mm required by Part M4(3). It is noted that a number of the flats with wheelchair accessible and adaptable layouts would be positioned on the upper floors of the buildings, which is not ideal. If this application were considered to be acceptable in principle these particular issues would have been discussed further with the applicant in order to find a more appropriate layout.

Planning obligations

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

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

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

Policy IMP1 (Planning Obligations) and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

If this application were to be considered acceptable in all other respects it would be necessary to secure financial contributions towards health, education, Affordable housing provision, Wheelchair units, Traffic Safety and Parking Scheme, Car Club and Travel Plan and Carbon offsetting. These would be considered necessary to make the application acceptable in planning terms and a legally binding planning obligation would be required.

The scheme would also be subject to Mayoral CIL.

Highways impacts

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; and improvements can be undertaken within the transport network that cost effectively limits 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 (Para.32).

Plans and decisions should also ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised while at the same time taking into account policies set out elsewhere in the Framework. Therefore developments should be located and designed to, among other things: accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians; incorporate facilities for charging plug-in and other ultra-low emission vehicles; and consider the needs of people with disabilities by all modes of transport (Paras.34-35, NPPF).

London Plan and UDP Policies also encourage sustainable transport modes whilst recognising the need for appropriate parking provision. In accordance with paragraph 39 of the NPPF, if setting local parking standards for residential development, local planning authorities should take into account the accessibility of the development, its accessibility in relation to public transport, the type, mix and use of development, local car ownership levels and the overall need to reduce the use of high-emission vehicles. Car parking standards within the UDP and the London Plan should therefore be used as a basis for assessment.

The parking provision has been revised to provide 158 parking spaces including 16 accessible spaces and 5 spaces for the commercial units. While this is above the maximum parking standards set out in the London Plan the minor alterations do state at paragraph 6.42j that "In outer London a more flexible approach for applications may also be acceptable in some limited parts of areas within PTAL 2, in locations where the orientation or levels of public transport mean that a development is particularly dependent on car travel".

The applicant has also submitted supporting information to demonstrate that there are additional spaces in surrounding roads within walking distance of the proposal. Furthermore, the transport assessment finds that only a minor increase in vehicle trips would arise from the proposals. On balance, the development is considered acceptable from a parking and road safety perspective.

Should this application have been considered acceptable in all other respects additional information relating to the level and type of cycle parking proposed for the commercial units would conform to London plan policy. Highways conditions would have also been recommended including construction management, service and delivery plans and refuse storage.

Flooding and Drainage

The application is within Flood Zones 2 and 3 where the NPPF at paragraph 100 requires a Sequential Test to be undertaken. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. 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. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Both elements of the test will have to be passed for development to be allocated or permitted (Para.102, NPPF)

The applicant has undertaken a sequential test to try and identify other more suitable sites for the development. They have also submitted a Flood Risk Assessment (updated version received 11.04.17) in support of the Exceptions Test undertaken.

The development, as proposed, locates all residential accommodation above ground floor level with less vulnerable commercial uses on the ground floor. The FRA also outlines a range of flood resilience measures, emergency planning measures and means of access/egress to safe area in the event of a flood. Furthermore, the proposal has been designed to achieve at least a 50% reduction in the rate of surface water discharge from the site by utilising a range of SUDS techniques.

Subject to the recommendations made in the reports, the development is considered acceptable, in principle, from a flooding and drainage perspective. If this development were to be considered acceptable overall, flooding and drainage conditions would be recommended.

Trees and ecology

The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, and minimising impacts on biodiversity and providing net gains in biodiversity where possible (Para 109, NPPF).

Policy NE7 of the UDP requires proposals for new development to take particular account of existing trees on the site and on adjoining land, which, in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. Policy NE9 seeks the retention of existing hedgerows and replacement planting; where appropriate, recognising the important role they can play in softening and screening new development.

Policy NE2 of the UDP will only allow development proposals which may significantly affect a Site of Interest for Nature Conservation (SINC) to be permitted where the benefits of the development demonstrably outweigh the interest or value of the site or where harm can be mitigated through conditions or planning obligations. Policy NE5 prohibits development which would have an adverse effect on protected species. The presence of protected species is a material planning consideration.

There are no trees subject to a preservation order in place on or adjacent to the site and the trees around the site edges are of limited amenity value. The landscaping Masterplan proposes soft planting and new tree planting across the site and it is considered that an attractive scheme of landscaping could be secured if the development were to be considered acceptable in principle.

The ecological appraisal makes a number of recommendations in respect of protected species and habitat linkages including enhancement of existing 'green corridors' along the River Pool.

If this application were to be considered acceptable overall it would be appropriate to attach landscaping, tree and ecology conditions to any subsequent grant of planning permission.

Energy and Sustainability

London Plan Policies 5.1 - 5.7 refer to energy requirements to achieve climate change mitigation including reduction in carbon emissions and renewable energy. The applicant has submitted a Sustainable Energy report setting out a range of options which they consider would meet policy requirements for the development to provide at least a 35% reduction in carbon emissions above that of the 2013 Building Regulations. Furthermore, they have offered a cash in lieu payment to offset the remaining regulated carbon emissions up to 100% to the Council.

If the application were to be considered acceptable overall this would need to be secured through the section 106 legal agreement. Additional details of the appearance of on-site energy equipment would also be required.

Pollution and Contamination

The planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (Para.109, NPPF).

The site lies within an Air Quality Management Area (AQMA) where increased exposure to existing poor air quality should be minimised by avoiding introduction of potentially new sensitive receptors in such locations: particular attention should be paid to development proposals such as housing in this respect (para.7.51, London Plan).

If the development were considered acceptable overall it would be appropriate to attach conditions requiring compliance with the proposed mitigation and remedial measures set out in the reports accompanying the application.

Archaeological impacts

A desktop archaeological study was submitted with the application. No further archaeological work is recommended in respect of this application. This is agreed.

Conclusions

This site continues to be designated as a Locally Significant Industrial Site (LSIS) in the Draft Local Plan. The development as proposed would be contrary to both the saved employment policies of the UDP and the emerging policies as well as to the strategic objectives of the London plan. The release of such land from its designation would be a matter for the Local Plan process. Furthermore, it is not considered that the additional housing units which this development would provide would outweigh the harm which would result to Bromley's supply of industrial land, should this application be permitted.

There are also concerns over the scale and form which the development would take and the impact this would have on the character of the area and the setting of the adjacent Metropolitan Open Land. The development would also fail to provide satisfactory living accommodation for all of its occupiers.

Additional concerns are with the impact that the development would have on the amenities of nearby residents. These are all major factors weighing against the proposal. The negative impacts of the development are therefore of sufficient weight to refuse the application even having regard to the presumption in favour of sustainable development to increase housing supply.

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 1A- development which comprises or includes the provision of more than 150 houses, flats, or houses and flats).

Background papers referred to during production of this report comprise all correspondence on the file refs 16/05897 and those set out in the Planning History section above, excluding exempt information.

**as amended by documents received on 09.01.2017 29.03.2017 31.03.2017
06.04.2017 11.04.2017**

**RECOMMENDATION: APPLICATION BE REFUSED (SUBJECT TO ANY
DIRECTION BY THE MAYOR OF LONDON)**

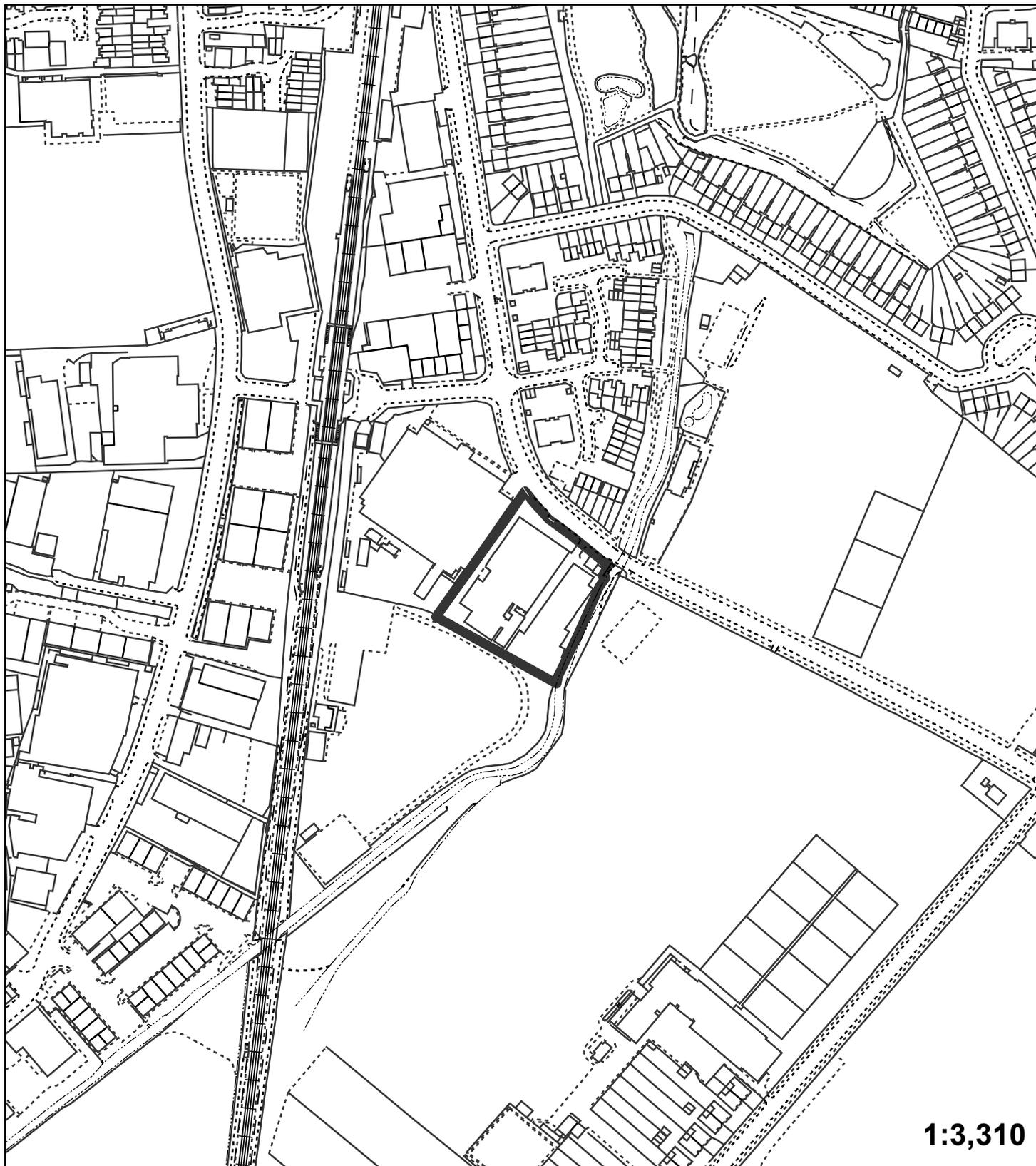
The reasons for refusal are:

- 1 The site is located in a Business Area in the Unitary Development Plan (UDP) and a Locally Significant Industrial Site in the Proposed Submission Draft Local Plan and the proposal would be contrary to Policy EMP4 of the UDP, draft policy 82 of the Local Plan and London Plan policy 4.4 which seek to safeguard sufficient supply of land in the Borough for industrial purposes.**
- 2 The proposal, by virtue of its height, scale, siting and design, would have a harmful impact on the visual amenities of the adjacent Metropolitan Open Land which, in London, is afforded the same level of protection as Green Belt and would therefore be contrary to policy G6 of the Unitary Development Plan, policy 53 of the Proposed Submission Draft Local Plan and London Plan policy 7.17.**
- 3 The development, as proposed, would result in a cramped overdevelopment of the site, which would fail to provide a satisfactory form of living accommodation for future occupants and due to its height, scale, siting and design would be detrimental to the visual amenities and character of the area, contrary to Policies BE1 and H7 of the Unitary Development Plan, policies 4 and 37 of the Proposed Submission Draft Local Plan and policies 7.4 and 7.6 of the London Plan.**
- 4 The proposal would have an unacceptable visual impact for occupiers of adjacent sites, seriously prejudicing the amenities of the occupiers of those dwellings, contrary to policy BE1 of the Unitary Development Plan and policy 37 of the Proposed Submission Draft Local Plan.**

Application:16/05897/FULL1

Address: Maybrey Business Park Worsley Bridge Road London SE26 5AZ

Proposal: Demolition of existing buildings and comprehensive redevelopment of the site to provide new buildings ranging from five to nine storeys in height comprising 159 residential units (Use Class C3), 1,099 sq m commercial floorspace (Use Class B1a-c), residents gym (Use



1:3,310

"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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