



THE LONDON BOROUGH
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DATE: 19 March 2019

To: Members of the
PLANS SUB-COMMITTEE NO. 2

Councillor Peter Dean (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Nicky Dykes, Simon Fawthrop, Colin Hitchins, Josh King, Russell Mellor,
Angela Page and Richard Scoates

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 28 MARCH 2019 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

Members of the public can speak at Plans Sub-Committee meetings on planning reports, contravention reports or tree preservation orders. To do so, you must have

- already written to the Council expressing your view on the particular matter, and
- indicated your wish to speak by contacting the Democratic Services team by no later than 10.00am on the working day before the date of the meeting.

These public contributions will be at the discretion of the Chairman. They will normally be limited to two speakers per proposal (one for and one against), each with three minutes to put their view across.

To register to speak please telephone Democratic Services on 020 8313 4745

If you have further enquiries or need further information on the content of any of the applications being considered at this meeting, please contact our Planning Division on 020 8313 4956 or e-mail planning@bromley.gov.uk

Information on the outline decisions taken will usually be available on our website (see below) within a day of the meeting.

*Copies of the documents referred to below can be obtained from
<http://cds.bromley.gov.uk/>*

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 31 JANUARY 2019**
(Pages 1 - 10)
- 4 **PLANNING APPLICATIONS**

SECTION 1

(Applications submitted by the London Borough of Bromley)

Report No.	Ward	Page No.	Application Number and Address
NO REPORTS			

SECTION 2

(Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	Chelsfield and Pratts Bottom	11 - 60	(18/00142/FULL1) - Borkwood Court, Sevenoaks Road, Orpington BR6 9L
4.2	Hayes and Coney Hall Conservation Area	61 - 82	(19/00127/FULL1) - Baston School, Baston Road, Hayes, Bromley, BR2 7AB.

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.3	Shortlands Conservation Area	83 - 100	(18/05277/FULL1) - 2 Styles Way, Beckenham BR3 3AJ
4.4	Orpington	101 - 110	(18/05317/FULL6) - 5 The Drive, Orpington, BR6 9AR
4.5	Biggin Hill	111 - 130	(18/05461/FULL1) - Site of Former 41 Sunningvale Avenue, Sunningvale Close, Biggin Hill
4.6	Petts Wood and Knoll	131 - 140	(18/05592/FULL6) - 10 Derwent Drive, Petts Wood, Orpington, BR5 1EW

4.7	Shortlands Conservation Area	141 - 166	(19/00230/FULL1) - 54 Shortlands Road, Shortlands, Bromley, BR2 0JP.
4.8	Petts Wood and Knoll	167 - 176	(19/00426/FULL6) - 61 Towncourt Crescent, Petts Wood, Orpington
4.9	Shortlands Conservation Area	177 - 184	(19/00756/TELCOM) - Land rear of 109 Hayes Way, Hayes Lane, Beckenham.

SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.10	Petts Wood and Knoll	185 - 196	(18/04612/FULL1) - 34 Hollingworth Road, Petts Wood, Orpington, BR5 1AQ

5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page No.	Application Number and Address
	NO REPORTS		

6 TREE PRESERVATION ORDERS

Report No.	Ward	Page No.	Application Number and Address
	NO REPORTS		

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PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 31 January 2019

Present:

Councillor Peter Dean (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Mike Botting, Nicky Dykes, Simon Fawthrop,
Colin Hitchins, Josh King, Russell Mellor and Richard Scoates

Also Present:

Councillors David Cartwright QFSM and Alexa Michael

18 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Angela Page and Councillor Mike Botting attended as her substitute.

19 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

20 CONFIRMATION OF MINUTES OF MEETING HELD ON 29 NOVEMBER 2018

RESOLVED that the Minutes of the meeting held on 29 November 2018 be confirmed and signed as a correct record.

21 STATEMENT FROM THE CHIEF PLANNER

“On 16th January 2019, the London Borough of Bromley adopted its new Bromley Local Plan (BLP). This means that the Local Plan now carries full weight as part of Bromley’s Development Plan, along with the adopted London Plan and parts of the Bromley Town Centre Area Action Plan (some policies in the latter are replaced in Local Plan).

Members will need to therefore ignore references to Unitary Development Plan (UDP) policies in the agenda this evening, as the UDP is no longer a development plan document, and give full weight to the Local Plan policies set out in each report. Although these are cited as draft policies, the Policy numbers and content is the same as when the reports were published.

We would also ask that Members agree to allow Officers delegated authority to update the Policy references in conditions and reasons for refusal prior to issuing any decisions from tonight's meeting to ensure that they are up to date."

MEMBERS AUTHORISED OFFICERS TO UPDATE THE POLICY REFERENCES UNDER THE CHIEF PLANNER'S DELEGATED AUTHORITY.

22 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

**22.1
KELSEY AND EDEN PARK**

(18/00187/FULL1) - Beckenham Town Football Club, Eden Park Avenue, Beckenham BR3 3JL

Description of application – Use of existing car parking spaces along the accessway 18 spaces (not on match days) and 36 spaces to the West of the pavilion at Beckenham Town Football Club for storage of cars for Masters of Beckenham. (Retrospective Application).

Oral representations in support of the application were received at the meeting. An email from a local resident dated 31 January 2019 had been received and circulated to Members. It was reported that the application had been amended by documents received on 9 October 2018 and 18 January 2019.

Members raised concern over the potentially adverse effects arising from this proposal and wished to re-evaluate its impact after the course of one year. Members resolved to approve this application in accordance with the Chief Planner's recommendation on the condition that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area in accordance after the period of one year.

Members having considered the report, objections and representations, RESOLVED that PERMISSION be GRANTED FOR A TEMPORARY PERIOD OF ONE YEAR, subject to the conditions set out in the report of the Chief Planner with a further condition to read:-

"3. The use hereby permitted shall be discontinued and the land reinstated to its former condition no later than 12 months from the date of this permission.

REASON: In order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area in

accordance with Policy 37 of the Bromley Local Plan.”

**22.2
MOTTINGHAM AND
CHISLEHURST NORTH**

(18/02786/FULL1) - Eltham College, Grove Park Road, Mottingham, London, SE9 4QF

Description of application – Temporary planning permission until June 2019 for the construction and use of a temporary spectator stand accommodating up to 366 seated spectators on land at College Meadows, Eltham College, Grove Park Road, Mottingham to provide weatherproof seating for visitors and members of the existing sporting fixtures and clubs held at Eltham College.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor David Cartwright in support of the application were also received at the meeting. Comments from Councillor Suzannah Clarke, Ward Member for Grove Park, London Borough of Lewisham had been received and circulated to Members together with a statement from the agent.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**22.3
DARWIN**

(18/03895/FULL1) - Glen Haven, Berrys Hill, Berrys Green, Westerham, TN16 3AG.

Description of application – Demolition of existing bungalow and partial demolition of outbuildings and the erection of a 2 storey four bedroom chalet bungalow.

Members having considered the report, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner.

**22.4
BROMLEY COMMON AND
KESTON**

(18/04265/FULL1) - Potters Farm, Turpington Lane, BR2 8JN.

Description of application - Demolition of existing buildings and removal of existing yard area. Erection of 3 detached bungalows with car parking, landscaping and tree planting and provision of boundary fencing/railings.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Alexa Michael, in objection to the application were received at the meeting.

Comments from Ward Member, Councillor Robert Mcilveen in support of the application had been received and circulated to Members.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner.

**22.5
SHORTLANDS
CONSERVATION AREA**

(18/04489/TPO) - The Mews, Royden, Kingswood Road, Shortlands, Bromley, BR2 0HL

Description of application – T1 Oak - Reduce height to 12m and spread to 8m.

T2 Oak - Fell. SUBJECT TO TPO 1373

Members having considered the report, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner.

**22.6
COPERS COPE**

(18/04591/TPO) - 19 West Oak, Beckenham, BR3 5EZ

Description of application – Oak (T3 on Arb Report) - Fell. SUBJECT TO TPO Be 1 1961 (A1)

Members having considered the report and objections, **RESOLVED that THE APPLICATION BE DEFERRED**, without prejudice to any future consideration, **CONTRARY TO THE CHIEF PLANNER'S RECOMMENDATION PENDING THE SUBMISSION OF FURTHER INFORMATION INCLUDING AN APPRAISAL OF AN ALTERNATIVE SOLUTION TO THE REMOVAL OF THE TREE SUCH AS ALTERNATIVE REPAIRS; WITH A FOCUS ON A RESIN INJECTION SOLUTION TO ENABLE ITS RETENTION, IN THE INTEREST OF THE PUBLIC VISUAL AMENITIES OF THE AREA AND FOR THE MATTER TO BE CONSIDERED AT A FUTURE MEETING OF PLANS SUB-COMMITTEE.**

**22.7
PETTS WOOD AND KNOLL**

(18/04671/FULL6) - 44 Wood Ride, Petts Wood, Orpington, BR5 1PY

Description of application - Two storey rear extension and alterations to roof to form loft conversion with side and rear dormers. New rear patio and steps.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**22.8
BICKLEY**

(18/04769/TPO) - 5 Northumberland Gardens, Bickley, Bromley, BR1 2XD

Description of application – Deodar (T1) – Fell and treat. SUBJECT TO TPO 639.

An Engineering Appraisal Report dated 29 January 2019 had been received and circulated to Members.

Members having considered the report, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner.

SECTION 3

(Applications recommended for permission, approval or consent)

**22.9
WEST WICKHAM**

(18/03178/FULL6) - 13 Hayes Chase, West Wickham BR4 0HU

Description of application – Part one/two storey side and rear extension with roof alterations.

Members having considered the report and objections, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**22.10
PLAISTOW AND
SUNDRIDGE**

(18/03191/RECON) - Imani Court, 49 Park Avenue, Bromley, BR1 4EG.

Description of application – Removal of condition 13 (relating to Drawing No. PA-655-PD-SITE PLAN) of permission 17/01846/RECON allowed on appeal for the variation of conditions 3, 6, 8 and 9 (relating to soft landscaping, hard landscaping, waste and recycling facilities and cycle storage respectively) of permission 14/02727 allowed on appeal for the demolition of existing dwelling and erection of two/three storey building containing 3 no. 1 bed flats and 5 no. 2 bed flats with associated parking and landscaping.

Ward Member, Councillor Michael Turner, referred to the considerable history of the site as set out in the Chief Planner's report and to the Planning Inspector's decision (17/01846/RECON). He was concerned that details of lighting and hard and soft landscaping had not been specified and that it would be out of character in the area and he objected to the application.

Councillor Simon Fawthrop's view was that the Inspector had imposed Condition 13 for a reason and this application would breach that material consideration and he objected to the application.

The Chairman's opinion was that the proposed application was minor.

Members considered to refuse this application contrary to the chief planner's recommendation on the grounds that the proposal would differ from the allowed appeal scheme 17/01846/recon and as it had not been demonstrated that it would be in keeping with the character and appearance of the area (with particular regard to the external lighting and the hard and soft landscaping).

Members having considered the report and objections, **RESOLVED that PERMISSION BE REFUSED**, for the following reason:-

1. The proposal fails to demonstrate that the resulting development would positively contribute to the existing street scene, landmarks or landscape features and would be detrimental to residential amenity of nearby residential properties and is therefore contrary to Policy 37 of the Bromley Local Plan.

**22.11
CHISLEHURST**

**(18/04700/FULL1) - The Hurns, Southill Road,
Chislehurst, BR7 5EE**

Description of application – Demolition of existing dwelling and erection of a three storey building to provide 6 flats.

Oral representations in support of the application were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION**

be GRANTED as recommended, subject to the conditions and informative set out in the report of the Chief Planner.

**22.12
KELSEY AND EDEN PARK**

**(18/04782/FULL6) - 16 Crossways Road,
Beckenham, BR3 3JP**

Description of application – First floor side and single storey rear extensions.

Oral representations in support of the application were received at the meeting. It was reported that a further objection had been received from a neighbour.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**22.13
CHISLEHURST**

**(18/05087/FULL6) - 12 Beechwood Rise,
Chislehurst, BR7 6TJ.**

Description of application – Proposed loft conversion with rear roof dormer extension and conversion of existing front garage door into a window.

Oral representations in support of the application were received at the meeting. An email with attachment from the applicant dated 30 January 2019 had been received and circulated to Members.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**22.14
BICKLEY**

**(18/05127/FULL6) - 24A Claremont Road, Bickley,
Bromley, BR1 2JL**

Description of application – Demolition of existing conservatory and construction of single storey rear extension.

Oral representations in objection to the application were received at the meeting. Comments from Ward Member, Councillor Kira Gabbert in objection to the application had been received and circulated to Members.

Councillor Fawthrop referred to pages 165 and 166 of

the Chief Planner's report with regard to Conditions 12 and 14 attached to the original permission (03/03957/OUT) that had been put in place to prevent an overdevelopment of the site and he objected to the application. Councillor Michael Turner agreed with Councillor Fawthrop and also objected to the application.

Members expressed concern over the further enlargement of the dwelling over and above the size stated in the original outline permission. Members resolved to refuse this application contrary to the chief planner's recommendation on the grounds that the proposed windows in the extension would result in significantly harmful overlooking to the neighbouring property.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED**, for the following reason:-

1. The development would fail to respect the privacy amenity of occupiers of neighbouring buildings by reason of overlooking contrary to Policy 37 of the Bromley Local Plan.

SECTION 4

(Applications recommended for refusal or disapproval of details)

22.15 HAYES AND CONEY HALL

(18/00747/PLUD) - 101 Birch Tree Avenue, West Wickham, BR4 9EQ.

Description of application – Proposed outbuilding. (Lawful Development Certificate - Proposed).

Oral representations in objection to the application were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that a CERTIFICATE OF LAWFUL DEVELOPMENT BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner.

22.16 CHISLEHURST

(18/04744/FULL1) - Silver Leaves, Southill Road, Chislehurst, BR7 5EE.

Description of application – Demolition of existing dwelling and erection of three storey block comprising 6 no. two bedroom flats, 6 no. car parking spaces, refuse and cycle storage and hard and soft

landscaping.

It was reported that a further objection had been received from a neighbour.

Members having considered the report and objections, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner.

The Meeting ended at 8.44 pm

Chairman

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SECTION '2' – Applications meriting special consideration

Application No : 18/00142/FULL1

Ward:
Chelsfield And Pratts
Bottom

Address : Borkwood Court Sevenoaks Road
Orpington BR6 9LA

Objections: Yes

OS Grid Ref: E: 545660 N: 164762

Applicant : Deco Design and Build Co Ltd

Description of Development:

Demolition of existing dwellings and outbuildings and erection of 5x4 bedroom houses and 6x2 bedroom flats, car and cycle parking, raised walkway with pedestrian access to Dryland Avenue and Sevenoaks Road, landscaping and associated works.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 14
Smoke Control SCA 28

Proposal

Planning permission is sought for the demolition of the existing buildings on this 0.23ha site and the erection of a block of 6 x 2 bedroom flats on the frontage of the site with a row of 3 x 4 bedroom terraced houses behind the flats in the middle of the site and 2 x 4 bedroom detached houses at the rear of the site. This provides a total of 11 residential units.

All of the houses will be 3 storeys high with pitched roofs above and accommodation in the roofspace. The block of flats will be 3 storeys to Sevenoaks Road and 4 storeys at the rear. The central 3 houses will be perpendicular to the boundary with the front elevation facing Kings Road and the rear facing Lichlade Close. The houses to the rear will face forwards to Sevenoaks Road. In all cases there are no habitable rooms provided at lower ground floor level which will be used for entrance halls, refuse and recycling storage and car and cycle parking.

Private rear gardens are provided for each house and each flat has a private balcony.

Vehicle access to the site will be via the existing access to Sevenoaks Road with an improved junction layout.

A total of 16 car parking spaces will be provided for 12 units; 1 each for the 6 flats and 2 each for the 5 houses. For the houses, the parking spaces will be provided within the curtilage and for the flats there are 2 spaces at lower ground floor level of the building and 5 spaces in a small courtyard at the rear of the block. One extra space is provided in the courtyard as the second space for one of the houses.

Cycle parking spaces for the flats will be provided at lower ground floor level and for the houses within the curtilage. Refuse and recycling facilities for the flats and houses are also provided at this level.

A total of 25 trees and groups of trees have been identified both on the site and in adjacent properties. None of the trees on adjacent land are shown to be adversely affected by the development. Five groups of trees and 5 individual trees are shown to be removed.

Due to the unusual topography of this site, the site sits in a 'hollow' which is prone to groundwater and surface water flooding events. This is likely to recur in the future. In order to provide continuous access for residents in the event of a flood event, a 'dry escape' first floor access to and from the houses to their closest, accessible boundary is proposed. This is provided in the form of a shallow balcony at the rear which leads to a walkway that takes residents to either Dryland Avenue or Lichlade Close. For the flats, a slightly elevated walkway is provided from the front entrance door to the back edge of pavement on Sevenoaks Road.

To provide free flow of any future flood water, the front and rear of the undercroft parking spaces for both the flats and houses will be enclosed with fixed railings or gates made of railings rather than solid walls.

The following documents have been submitted by the applicant in support of the application:

- Report on Inspection of Trees and Arboricultural Implications Assessment by Broad Oak Tree Consultants

This report includes a detailed survey of existing trees on site and considers the impact of the proposed development upon those trees. Tree protection measures and construction methods are identified.

A total of 25 trees or groups of trees have been identified on the site and on adjacent land; 3 individual trees are Category B where retention is desirable and the remaining 22 trees and groups of trees are Category C or U which are low quality trees or dead, dying or dangerous trees.

On the site, 2 trees will be removed due to their poor condition and 5 trees and 5 groups of Category C trees are shown to be removed to enable development.

The report concludes that a limited number of trees are to be removed but replacement planting will mitigate the impact of this. A Tree Protection Plan is recommended with measures to protect trees during construction

- Daylight, Sunlight and Overshadowing report by RSK dated 11.1.2018

The applicant has submitted a Daylight, Sunlight and Overshadowing report which assesses the impact of the development on identified sensitive receptors in Dryland Avenue, Adcock Walk and Sevenoaks Road which are closest to the proposed buildings.

The report shows that the development will have minimal impact on existing potential receptors in the surrounding area in terms of the daylight and sunlight and overshadowing and the development meets the guidelines set out in the BRE Guidance

- Design and Access Statement by db architects (as amended)

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

- Extended Phase 1 Habitat Survey and Bat Building Survey and Badger Survey Report by Corylus Ecology

The Habitat and Bat Building Survey report undertakes a site investigation which reveals the following:

- Badgers snuffle holes were noted across the north western half of the rear lawn.
- Signs of badger exploratory paths recorded through this part of the garden pushing through the hedge to gardens to the south.
- 2 badger holes were recorded in the rear garden area.
- There is no evidence or suitable habitat for reptiles, amphibians, dormice or breeding birds
- No rare or nationally scarce botanical species were identified on the site.
- The Bat Building survey concluded that the houses and garages have 'Negligible' potential to support bat roosts and no evidence of bats was found.

In the light of the finding of badger activity on the site a separate Badger Survey Report by Corylus Ecology has been carried out, including badger activity recording, and finds that the 2 badger holes are actively used by at least 2 badgers, They did not enter and leave the holes but they did investigate them. No cubs were recorded and no latrine was recorded. The report considers that the holes are used by a small population and are likely to be part of a main or outlier urban sett. There is a mammal path between the NW and SW boundaries across the lawned area at the rear of the sit which could cause tunnels and chambers to collapse. A licence will be required to close the sett which can be applied for once planning permission has been granted.

Regular monitoring of the site will be required up to commencement of development to assess whether there are any changes in the use of the badger

holes and a condition requiring the submission of a follow up badger report prior to the commencement of development is recommended. This information will inform the detailed mitigation strategy which will be required for the licensing process.

- Energy and Sustainability Assessment

This application was accompanied an Energy Strategy Statement which follows the Mayor of London's 'Energy Hierarchy' set out in the London Plan. The development achieves:

- 4.6% reduction in residential regulated CO2 emissions through high thermal performance with a u-value exceeding minimum Building Regulation targets.
- The use of CHP is not considered feasible for the development and heating and hot water will be supplied through individual gas systems
- 32.6% reduction in residential regulated CO2 emission through the installation of solar PV panels on flat roofs.
- 35.8% reduction in residential regulated CO2 emission from combined energy hierarchy
- A carbon offset estimated at 14.3 tonnes of residual CO2 emissions
- Financial Viability Assessment (FVA) by Turner Morum

The applicant has submitted a FVA which concludes that the proposed development is not able to support S106 contributions usually required to mitigate the impact of a scheme of 11 units.

- Flood Risk Assessment by Water Environment

This Flood Risk Assessment dated November 2017 confirms that the site is located within Flood Zone 1 (an area with low probability of fluvial flooding) but identifies high probability of flood events from rising surface water and ground water.

Two further reports namely FRA Addendum 1 dated 04th May 2018 and FRA Addendum 2 dated October 2018 provide additional information relating to the impact of the flood events on the site and adjacent residential properties and identifies a range of mitigation measures to minimise this impact and enable the water to be removed from the site. Details of these conclusions and mitigation measures are discussed in the Drainage Section below.

- Noise Assessment by Grant Acoustics

The report assesses the noise levels affecting the proposed residential units. The main noise source is found to be road traffic along Sevenoaks Road with intermittent aircraft noise at altitude.

The assessment finds that dwellings directly facing Sevenoaks Road will require acoustic ventilation and enhanced glazing to daytime habitable rooms. The proposed layout shows bedrooms located at the rear of these units and therefore are screened from the road with quieter noise levels predicted.

The plots in the centre of the site are side on to the road and will need to have windows closed to achieve internal criteria and standard glazing and trickle ventilation will be adequate for all habitable rooms. The plots at the rear will also be adequate with standard glazing and trickle ventilation for all habitable rooms.

- Phase 1 Desk Study by Lustre Consulting

This report comprises a Phase 1 Desk Study the purpose of which is to identify potentially current or historic contaminative activities on site and any sensitive receptors in the vicinity. A ground investigation report has been undertaken to guide the design of foundations for the new buildings. The report concludes that the site has a moderate/low risk of contamination for future residents and for groundwater contamination. The contamination status is not considered to be prohibitive to the development of the site. However further work in a Stage 2 submission is required to fully understand the contamination risk and develop measures to mitigate and impact of human health and groundwater. It is considered that this work can be carried out as part of a pre-commencement conditions attached to any permission granted.

- Transport Statement by dha transport

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

- Planning Statement by dha planning

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

Location and Key Constraints

The site is located on the western side of Sevenoaks Road between Kings Road to the north and Borkwood Park to the south.

The area is predominantly residential in character with a mix of dwelling types. To the south of the site are 3 storey blocks of flats fronting Sevenoaks Road with 2 storey detached houses behind. This area is at a higher level than the application site.

To the north and west there are 2 storey terraced houses fronting Sevenoaks Road, in Kings Road and in Dryland Avenue respectively. Opposite the site to the east, there are terraced townhouses and semi-detached houses behind a wide landscaped verge. All of the houses are on land higher than the site.

The site lies within Flood Zone 1 for the purposes of fluvial flooding and in a Localised Flooding Area 21 in the Bromley Strategic Flood Risk Assessment (equivalent to Flood Zone 3) due to surface water and ground water history of flooding with flooding events in 2001 and 2014. The site is also within a Groundwater Protection Zone.

The site does not contain any statutory or locally listed buildings and is not in a conservation area and there are no other such designations in the locality. The site is not subject to any tree preservation orders.

Sevenoaks Road (A223) is a classified road and a London Distributor Road and has a Public Transport Accessibility Level (PTAL) of 2 (where 1 is the lowest and 6b is the highest).

Consultations

Comments from Local Residents

Nearby properties were notified of the development in January 2018 and again in December 2018 following the receipt of revised plans and 12 representations in total objecting to the proposal have been received at the time of writing this report. The comments received are summarised below:

- Severe impact of car parking displaced from the site during flood risk events on local roads that are already congested. Pedestrian access via the 'dry escape route' will make this worse.
- Insufficient car parking spaces to avoid overspill - number of spaces on site should be doubled.
- Provide permit only parking in surrounding roads for residents of those roads only.
- Congestion on local roads from construction workers vehicles.
- Additional cars will add to congestion from drop off/pick up parking for Warren Road Primary School.
- Need more details on flood risk. No details of how future flood water will be dispersed.
- Flooding will be made worse by increasing impermeable surfaces on the site.
- Impact on existing waste and sewage systems.
- Need confirmation that the flood risk to adjacent properties will not be adversely affected by the development.
- Revised details of flood risk do not reassure residents that their properties will not be at risk of flooding.
- Design appearance and height of proposed houses is out of keeping with the surrounding houses and an overdevelopment of the site.
- Adverse impact on residents especially in Kings Road by reason of loss of privacy, overlooking, daylight and sunlight, shadowing and outlook and detract from enjoyment of homes and amenity space.
- No demolition plan provided.
- Impact on local schools from additional children on the site.
- Impact of construction dirt and dust on local school pupils.
- Appears to be no community gains from the development.
- Loss of wildlife habitat provided in the rear garden area.
- Loss of up to 20 trees is unacceptable and will add to problems of surface water flooding.

- Impact of badgers displaced from the allotment site that became Dryland Avenue in the past has caused local gardens to be damaged. Development of the site will make this worse.
- Responsibility for maintenance of fence at rear of Kings Road properties is unclear.
- Loss of property values

Comments from Consultees

- Highways Officer

Comments received 12.12.2018

- There are existing 6 x houses in Borkwood Court, Sevenoaks Road in Orpington, which are prone to flooding as a result of high groundwater levels. The proposal is to demolish the existing houses and construct new, flood-resilient dwellings, with floodable, sacrificial garages at ground floor.
- The application is to erect 5 x 4 bedroom houses and 6 x 2 bedroom flats so the number of residential units on the site will increase to 11 in total.
- Sevenoaks Road is a classified road, a London Distributor Route, and part of the A223. The site has a Public Transport Accessibility Level (PTAL) of 2 and is therefore considered to have a "Poor" level of accessibility to local public transport links (out of a possible 6, where 6 represents very high levels of public transport accessibility).
- The applicant is now providing 16 spaces in total for the development which is acceptable.
- The site is at high risk of flooding from surface water according to the latest long-term flood risk mapping. There is a history of flooding at the site, believed to result from high groundwater levels. The site was flooded in 2001 from February to July which lasted 6 months and again in 8th February to 25th April 2014 lasting 11 weeks. On the recent flood the Council ended up spending tens of thousands pounds to drain the water. The Council has now resolved not to intervene in subsequent ground water flooding events. My concern is where the residents will park in the event of a flood for a period of 3 to 6 months.
- I have now seen drawing number T-03 Rev P5 for (DB32 Pantehnicon) and Drawing No. T-04 Rev P2 for vehicle used for refuse collection in the Borough (10.3m) in length. The refuse vehicle is not touching the corner of the flats or running over the parking bay. So this is now satisfactory.

Please include the following with any permission:

- OC03 (Satisfactory Parking)
- OC11 (Sight lines of 43m x 2.4m x 43m)
- H12 Pedestrian Visibility....3.3 x 2.4 x 3.3m visibility splays and no obstruction to visibility in access of 1m in height...
- ND16 (Hardstanding for wash-down facilities)
- AG11 (Refuse storage)
- AG12 (Cycle parking)
- H28 Car Park Management

- AG13 (Lighting scheme for access/parking)
- PC17 (Construction Management Plan)
- AG24 (Highway Drainage)
- Non Standard Condition: No loose materials shall be used for surfacing of the parking and turning area hereby permitted
- Informative: DI16 (Crossover)
- Non standard informative
- Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant."
- The London Plan policy 6.13 also requests that 20% active and a further 20% passive Electric Vehicle Charging Points (EVCP) is provided for all spaces.
- Additional Comments received 26.2.2019

Further to my comments dated 12 December 2018

- Transport Assessment: I agree to the conclusion on trip generation in para 6.4.3 of the Transport Assessment.
- Road Safety Audit: I have seen the Road Safety Audit on page 13 and Appendix F of Transport Assessment; however I would still like to see an RSA Stage 2 to cover the information required in the Designers response.
- Sight Lines: The sight lines shown on the plan in Appendix E of the Transport Assessment is acceptable. Please include a condition saying the development should be in accordance with this plan.
- Flooding: The revised upper ground floor plan shows 2 gates for residents to leave/enter the site if there is a flood event - one to Dryland Avenue and the other to Lichlade Close. Residents from the flats will walk to the front of the site on a raised walkway from the front door. There should be a condition within the Car Parking Management to trigger when the Dryland Avenue gate can be opened and at what level when water recede it has to be closed i.e a Flood Water Depth Sensor. Details of the location, design, operation and management of a monitoring borehole for ground water and a Flood Water Depth Sensor for surface water shall be submitted to and approved by the Local Planning Authority prior to the first use of the site and shall be permanently maintained in good operational working order in accordance with the manufactures instruction at all times.
- In case of a flood around 12 cars will need to be accommodated off site. There is no room to accommodate these many cars on Dryland Avenue or Kings Road but as other roads such as Cloonmore Avenue or Gleeson Drive have space so I don't see we can support a reason for refusal on this particular matter.
- Drainage Officer

Comments dated 2.3.2018 –

The main outstanding issues are:

- Design Flood Levels for mitigation - The use of only surface water mapping to set finish floor levels is not sufficient because flooding, groundwater and surface water happened at the same time and by proposing 67.3 m AOD as a dry level during past events is not correct because pumping kept the level down.
- It is not clear from the submitted plans/cross-sections whether the floodable area is all open or garages with doors will be constructed.
- Ask to demonstrate that the new foundations won't have an adverse effect (water displacement) onto neighbouring properties.
- The need to take the full responsibility of pumping during flood events and provide consent from TW to use their assets to discharge the water.
- Flood resilience measures.
- Surface Water run-off disposal.
- Monitoring borehole to trigger levels.

Additional Comments dated 4.2.2018

It has been agreed that in order to ensure that the development does not increase risk elsewhere, it is proposed not to increase the built footprint on the development site compared to the existing scenario, reduce the size of buried foundations and allow garages at lower level to store flood water.

Reviewing your comments and considering the constraints presented, we accept in principle the proposed openings at the front and rear on the terraced units as well as the openings at the front and rear walls for the detached units.

Please note that we won't accept any further reduction to the floodable areas in the lower level.

Additional comments dated 31.7.2018

The main outstanding issues are

- Further assessment/modelling required into flooding interactions (groundwater, surface water) and its impact to neighbouring properties. We are asking for an accurate representation of the flood risk in relation to the site and third party during extreme event.
- Constant pumping during the two big flooding events (2001 & 2014) proved to be crucial to maintain water levels at a level that does not cause internal flooding, so a written agreement should be in place between the developer and Thames Water to allow overpumping.
- We asked for a detailed surface water strategy to be carried out at this stage to demonstrate that sufficient storage is provided to restrict surface water run-off to greenfield rate for all events including the 1 in 100 year plus climate change event. The proposed combination of green roof and blue roof to provide storage is in principle acceptable.

Additional comments dated 7.1.2019

I am confident to say that the layout of the proposed development with the associated proposed mitigations will be more resilient to the existing and won't increase flood risk to the neighbouring properties.

- Environmental Health Officer

Noise: I have looked at this application and in principle would have no objections to permission being granted. I would however recommend that the following Condition be imposed:

- (a) No development shall commence until full written details, including relevant drawings and specifications of the proposed glazing and ventilation to the standard recommended in the Grant Acoustics Noise Assessment (ref GA-2017-0025-R1) have been submitted to and approved in writing by the local planning authority.
- (b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.
- (c) The soundproofing shall be retained permanently in accordance with the approved details.

Contamination: I have looked at the Phase 1 Desk Study (contamination) prepared by Lustre Consulting (ref 2120_FP01.0- 2018) which concludes that due to the past use of the site a number of pollution linkages may exist. I would therefore recommend that the following Conditions be imposed:

Standard Condition for contamination (omit Part A)

Before demolition work commences the Applicant shall carry out a full intrusive predemolition asbestos survey and a Report of the findings shall be submitted to the Local Planning Authority for written approval. Should the Report conclude that asbestos removal is required prior to demolition an Application shall be made to the Health & Safety Executive (the enforcing authority) and a copy of the application, together with details of environmental monitoring shall also be provided to the Local Planning Authority at least seven days before asbestos removal commences.

I would further recommend that the following Informatives be attached:

1. Before works commence, the Applicant is advised to contact the Pollution Team Of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
2. If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

- Tree Officer

A site visit was made to assess the trees across the site and the impact of the proposal on retained trees. Trees surrounding the site should not act as a constraint to the proposals. These trees are comprised of self-seed trees amongst conifer hedging. The trees are seen as replaceable, however, I note that only trees immediately affected by the proposals will be removed. The proposed footpath to the south of the site will result in the removal of boundary vegetation. There would be no arboricultural grounds to oppose such actions, but if screening is considered vital, this element of the proposal could be reviewed.

The protected sycamore to the rear of the site was assessed to confirm the tree survey comments. The tree was found with multiple defects that would justify the removal as prudent management.

The landscaping scheme is considered the focus and should be submitted to reflect more detailed proposals that have been outlined in the Design and Access Statement. Replacement tree planting should form part of the landscape plan along the western boundary.

I would recommend the following condition be applied:

- Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.
- Prior to the commencement of the development hereby approved (including demolition and all preparatory work), tree protection measures in accordance with the Tree Protection Plan (J54.46/02) hereby approved, shall be installed. Such measures shall not be moved or removed, but shall be retained in situ until completion of the development and all materials and machinery have been removed from the site, unless otherwise agreed in writing by the LPA. The development shall thereafter be carried out in accordance with the approved details and recommendations within the submitted Arboricultural Method Statement (J54.46 27th November 2017) or any variation as may subsequently be agreed in writing by the LPA.
- West Kent Badger Group

A site visit was made on Wednesday 5th September 2018 to Borkwood Court. The two badger setts in question on the north west end of the site are both disused. The setts show no sign of current or recent use.

If planning permission is granted, a further survey should be carried out prior to development taking place.

- Environment Agency (EA)

We have reviewed the 'Phase 1 Desk Study' report by Lustre Consulting (reference 2120_FP01.0-2018 dated March 2018). The report states that the site does not appear to have been subject to significant historic contaminative uses. Historic mapping is reported to show the site has been excavated for mineral extraction, however, the current topography would not indicate any significant subsequent backfilling/landfilling. We consider that planning permission could be granted to the proposed development as submitted if the following planning condition is included as set out below.

Condition 1: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Condition 2: No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Condition 3: Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

- Thames Water (TW) dated 14.6.2018

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Supplementary Comments

Waste: With regards to the item 'Pumping', Thames Water review every request for a groundwater discharge permit on its own merits, however, it is considered very unlikely that a groundwater discharge to the foul sewer(s) in Sevenoaks Road would be accepted on the basis that the likely proposed pumping/discharge rates

required to have any significant impact on the flood levels on site would exceed the capacity of the foul sewer(s).

During the previous groundwater flood event in 2013/14, the pumping carried out by Bromley Borough Council and Thames Water was discharged to the surface water sewer located in Sevenoaks Road. We do not formally accept groundwater discharge permits for discharge to a surface water sewer, only discharge to foul sewers would be considered. Should the developer wish to pursue a request to discharge groundwater to the surface water sewer, this would likely require joint agreement with the LLFA, Environment Agency and Thames Water to agree acceptability (need to balance risk of pollution to downstream watercourse vs flood alleviation).

With regards to the item 'Surface and foul water disposal', we acknowledge acceptance of a 'sealed' foul private network on site. We would like to draw attention to our previous response which stated that "A detailed investigation into the private sewer network should be carried out to confirm if it is combined or foul only". Thames Water is not in possession of any information on the private sewer network at Borkwood Court and cannot confirm if it is a combined or foul only sewer. We would expect any proposed connection to the public surface water sewer network to be restricted to a discharge rate agreed with both Thames Water and the LLFA. Discharges shall be attenuated to reduce the likelihood of flooding downstream of the point of connection as required by London Plan policy and to prevent (during periods of groundwater flooding) the unattenuated discharge of flood water from the site into the surface water network.

- Secure by Design

The Metropolitan Police Crime Prevention Design Adviser provides the following comments:

I have viewed the online plans and documentation and was pleased to note section 14 of the design and access statement with proposed security measures according to Secured By Design standards.

However on inspection two statements do not correspond with the supplied plans. I am therefore concerned that the proposed development may have a number of security areas which I feel should to be clarified with consultation between a design out crime officer and the architects, primarily: flood escape way gating, stair core access control, the use of tested and accredited doors is stated, but no mention of windows, secure cycle and waste storage and the mail and visitor strategies, and the associated security problems which these can present.

I believe that it is imperative that a residential premises such as this, in a moderately high crime area should be built according to the principles and measures of Secured By Design.

I have reviewed the reported crime figures for the previous four months within a mile radius of the proposed development which I present below:

Crime type	Dec	Nov	Oct	Sept 2017
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Anti-social behaviour	17	15	20	30
Burglary	22	32	13	13
Robbery	1	3	1	2
Vehicle crime	5	14	12	8
Violence and sexual Assaults	29	27	13	33

NPPF paragraphs 58 and 69 state:- Paragraph 58 of National Planning Policy Framework clearly states that local and neighbourhood policy should 'create safe and accessible environments where the fear of crime does not undermine quality of life or community cohesion.'

Paragraph 69 of this document 'promoting Healthy Communities' underlines this statement by encouraging the planning system to play an important part in facilitating 'safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.'

I feel that should this application proceed, it should be able to achieve the security requirements of Secured by Design with the assistance of the south-east Design out crime officers and Secured by Design document "New Homes 2016".

The adoption of these standards will help to reduce the opportunity for crime, creating a safer, more secure and sustainable environment.

To assist the development in achieving Secured by Design accreditation, I would seek to have a 'Secured by Design' condition attached to any permission that may be granted in connection with this application and that the wording is such that the development will follow the principles and physical security requirements of Secured by Design and be awarded as such.

- Site-Wide Energy Policy comments

The site-wide energy statement is considered to be acceptable. A Carbon Offsetting payment-in-lieu has been calculated and amounts to £25,830.

Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the determination of these applications must be made in accordance with the plan unless material considerations indicate otherwise.

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in for this proposal includes the Bromley Local Plan (2019) 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 list below is not an exhaustive list of policies, it contains some of the most relevant policies to the application:

1. The Bromley Local Plan (BLP)

Current Policies relevant to this application include:

Policy 1 Housing Supply
Policy 2 Affordable Housing
Policy 4 Housing Design
Policy 30 Parking
Policy 31 Relieving Congestion
Policy 32 Road Safety
Policy 33 Access for all
Policy 34 Highway Infrastructure Provision
Policy 37 General Design of Development
Policy 72 Protected Species
Policy 73 Development and Trees
Policy 74 Conservation and Management of Trees and Woodlands
Policy 77 Landscape Quality and Character
Policy 79 Biodiversity and Access to Nature
Policy 113 Waste Management in New Development
Policy 115 Reducing Flood Risk
Policy 116 Sustainable Urban Drainage Systems
Policy 118 Contaminated Land
Policy 119 Noise Pollution
Policy 122 Light Pollution
Policy 123 Sustainable Design and Construction
Policy 124 Carbon reduction, decentralised energy networks and renewable energy
Policy 125 Delivery and Implementation of the Local Plan

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

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

2. In strategic terms the most relevant London Plan 2015 policies include:

Policy 1.1 Delivering the strategic vision and objectives for London
Policy 2.6 Outer London: vision and strategy
Policy 3.1 Ensuring equal life chances for all
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.6 Children and young people's play and informal recreation facilities
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets
 Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
 Policy 3.13 Affordable housing thresholds
 Policy 5.1 Climate change mitigation
 Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 5.5 Decentralised energy networks
 Policy 5.6 Decentralised energy in development proposals
 Policy 5.7 Renewable energy
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.14 Water quality and wastewater Infrastructure
 Policy 5.15 Water use and supplies
 Policy 5.16 Waste self-sufficiency
 Policy 5.17 Waste capacity
 Policy 5.18 Construction, excavation and demolition waste
 Policy 5.21 Contaminated land
 Policy 6.3 Assessing effects of development on transport capacity
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.1 Building London's neighbourhoods and communities
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.6 Architecture
 Policy 7.15 Reducing noise and enhancing soundscapes
 Policy 7.19 Biodiversity and access to nature
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy

The relevant London Plan SPG's are:

- Accessible London: Achieving an Inclusive Environment (2014)
- Sustainable Design and Construction (2014)
- Housing Supplement Planning Guidance (2016)
- Energy GLA Energy Guidance 2018
- Mayors Affordable Housing and Viability Supplementary Guidance SPG 2017
- Shaping Neighbourhoods: Character and Context (2014)
- Shaping Neighbourhoods: Play and Informal Recreation (2012)

Please note that the Draft London Plan has been issued for consultation. The policies are subject to examination and the weight attached to the draft policies increases as the Local Plan process advances as set out in the NPPF paragraph 216.

3. National Policy

The National Planning Policy Framework 2018 (NPPF) is relevant, particularly the paragraphs listed below

Paras 7-14: Achieving sustainable development

Paras 59-77: Delivering a wide choice of high quality homes

Paras 91-95: Promoting healthy and safe communities

Paras 102-111: Promoting sustainable transport

Paras 117-123: Making effective use of land

Paras 124-132: Requiring Good Design

Paras 148-165: Meeting the challenge of climate change & flooding

Paras 170-183: Conserving and enhancing the natural environment

Paras 212-217 Annex 1: Implementation

4. National Planning Practice Guidance (NPPG) is also relevant

Planning History

There is no relevant planning history for this site.

Conclusions

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

- Principle of Development including land use, density, affordable housing
- Surface Water and Ground Water Drainage
- Design - layout, scale, massing and appearance.
- Standard of Accommodation and Amenity Space.
- Impact on Neighbour Amenity.
- Highways and Traffic Matters ((including Cycle Parking and Refuse).
- Trees, Landscaping and Ecology
- Other technical matters including planning obligations.

Principle of Development

The NPPF Paragraph 11 identifies the presumption in favour of sustainable development and that planning permission should be granted if in accordance with the development plan. Paragraph 38 of the NPPF states that decision makers should seek to approve applications for sustainable development where possible. In terms of housing provision, BLP Policy 1 requires the Borough to make provision for at least 641 additional dwellings over the plan period acknowledging a requirement to make the most efficient use of sites in accordance with the density/location matrix.

BLP Policy 2 states that Boroughs should seek 35% affordable housing provision on housing development capable of providing 10 or more units, 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 income thresholds, a report approved at Development Control Committee on 21.6.2018 sets out the local housing income thresholds for shared ownership housing.

London Plan Policies 3.10, 3.11 and 3.12 also states 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.

Additional detailed guidance regarding housing development is provided in the Mayors Housing Supplementary Planning Guidance.

BLP Policy 4 requires the Borough to make provision for at least 11,450 additional dwellings over the plan period acknowledging a requirement to make the most efficient use of sites in accordance with the density/location matrix.

The site is located in a primarily residential area and is currently occupied by 6 dwellings. The provision of housing on site is acceptable in principle as this will accord with the prevailing development in the surrounding area.

The site is considered to fall within the small windfall allowance in the Council's 5 Year Housing Land Supply so the additional 5 units will make a positive contribution to meeting the Council's current housing of 641 units per year over the plan period.

In addition, the site is prone to flooding events and the details of this are discussed elsewhere in this report. Whilst it is clear that it is not possible to prevent future flooding events, the current proposal does present an opportunity to introduce building design techniques and mitigation measures that could improve the quality of residential occupation of the site and continue to use the land for beneficial purposes.

Taking account of the above it is considered that the principle of development of the site for residential purposes is acceptable.

- Density

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. It is noted that this proposal could potentially represent a contribution of the Council's required Housing Land Supply. Density standards based on the number of habitable rooms, the Public Transport Accessibility Level of the site and the setting of the site are set out in London Plan Policy 3.4.

The density of the proposed development is 208 habitable rooms per hectare and 48 units per hectare. The London Plan standard for a suburban development with a PTAL of 2 is between 150-250 habitable rooms per hectare and 48-80 units per hectare. This development sits comfortably within this range and, as such, the density of the development is acceptable.

- Viability and Affordable Housing

Bromley Local Plan Policy 2 states that the Council should seek the provision of 35% affordable housing units on development capable of providing 11 or more units; 60% of provision should be for affordable rent housing and 40% should be for intermediate/shared ownership provision where priority should be accorded to the provision of affordable family housing. The policy that where the proposed level is less than 35% the Council will require evidence within a Financial Viability Assessment (FVA) that will be independently assessed.

In this case, the planning application has been accompanied by a FVA which advises as follows;

"You will note from the table above and the appraisal included as Appendix 2 that the 0% affordable housing scenario that I have modelled shows a deficit of some 380,000.

Where certain deficits are incurred in viability, the developer can take the 'commercial decision' to proceed with the scheme provided that the deficit does not increase any further.

In this instance, the applicant has confirmed that they are committed to delivering the scheme but will only be able to do so through removing the requirement to provide affordable housing contribution on this site.

The deficit incurred at this level is effectively the amount of developer profit that the developer is prepared to forego (in this instance) simply in order to see the scheme proceed. I believe that any requirements to provide additional affordable housing or additional S106 contributions would worsen the viability and place doubt over it proceeding."

In accordance with BLP Policy 2, the Council appointed an independent consultant to assess and verify the content of the applicants submission. The conclusion of this report is set out below.

"We have carried out a residual land valuation based on the assumptions above which includes the "benchmark land value" and profit as outlined above. The residual land appraisal we have carried out is on a scheme with 35% affordable housing. This appraisal shows a deficit of £877,666.

The approach taken in this study follows the well-recognised methodology of residual land valuation (RLV). Put simply the residual land value produced by a potential development is calculated by subtracting the costs of achieving that development from the revenue generated by the completed scheme.

It is our opinion that this appraisal demonstrates that the scheme cannot provide 35% affordable housing on site. We then carried out a further appraisal with 100% open market units. This appraisal shows a deficit of £331,778

Should the Council be minded to grant planning approval it is our opinion the

applicant should be not be required to provide an off-site affordable housing contribution."

Based on the advice of the Council's consultant it is concluded that the development cannot support the payment of S106 contributions to mitigate the impact of the development.

Surface Water and Ground Water Drainage

Unusually this site is the subject of ground water flooding and the future redevelopment of the site relies heavily on the approach to dealing with these events in the future. This is a separate section relating to this aspect of the scheme and it is brought forward in the report due to its impact on all other following aspects of the acceptability of the scheme.

In terms of policy context the relevant BLP policies relating to drainage include Policy 115 Flood Risk, Policy 116 Sustainable Urban Drainage Systems (SUDS) and Policy 117 Water and Wastewater Infrastructure Capacity. The policies seek to address existing flood risk and reduce the impact of new developments by working with the Environment Agency, landowners and developers to manage and reduce flood from all sources flooding, apply sequential and exception test to avoid inappropriate development in relation to flooding, implement sustainable drainage systems , engage with flood risk emergency planning as required, and implement measures to mitigate flood risk that are effective, viable, attractive and enhance the public realm and ensure residual risk can be managed. All development should seek to implement Sustainable Urban Drainage Systems (SUDS) to manage surface water and development should be within the existing capacity for water and waste infrastructure.

The site lies within Flood Zone 1 for the purposes of fluvial flooding and in a Localised Flooding Area 21 in the Bromley Strategic Flood Risk Assessment (equivalent to Flood Zone 3) due to surface water and ground water history of flooding. The site is also within a Groundwater Protection Zone.

In terms of supporting documentation the applicant has submitted a Flood Risk Assessment dated November 2017, a further supporting statement dated 4.5.2018 and an Addendum to the original FRA dated October 2018. The content of the reports is summarised below.

The initial FRA submitted with the application reviewed the risks and implications of flooding from the known groundwater and surface water flooding and implication from future flooding events, compiled a sustainable drainage system for the site taking account of climate change and provided advice on the site layout and design that will ensure safe operation in an extreme flood event.

The sources of flooding are identified as geological conditions that are present on the site that allow groundwater to easily rise to the surface combined with the topographical conditions where the surrounding land is higher than the site which create a 'hollow' in the centre and rear of the site. This can also lead to surface

water flooding that cannot easily dissipate during intense rainfall events (if these coincide with rising ground water).

The dominant risk of flooding is from groundwater. The site has flooded in February 2001 and February 2014 and required constant pumping for several months until the ground water abated. Flooding from ground water is likely to recur so management of flooding must focus on site design and building resilience. Flooding from surface water can be sudden and, given the topography of the site, can lead to higher depths of water.

The report considers the acceptability of redeveloping the site and concludes that the proposed development would improve the safety of residents and reduce the consequences of flooding at the site. The site already accommodates 6 flats which are at risk of future flooding. The provision of new dwellings will allow the introduction of measures to mitigate against future flood events including providing habitable accommodation above the expected flood levels, provision of sacrificial garages and services at the lower level of the buildings, provision of a permanent dry access to and from the site for residents in the event of a flood. In addition the redevelopment of the site will allow the provision of man-made impermeable surfaces on the site and a beam form of foundation which will reduce the amount of impermeable material on the site.

The Council's Drainage Officer raised concerns about the FRA to include: Further modelling into flooding interactions (Groundwater, Surface Water) to assess its impact on neighbouring properties, design of new foundations, the need for future owners of the site to take responsibility for the pumping of water off the site during future flood events (this had previously fallen to the local authority at considerable expense), flood resilience measures, surface water run-off disposal and monitoring boreholes to trigger levels.

As a result a further response was received from the applicant in May 2018 setting out the following:

- details of design flood levels that would be above the predicted flood levels,
- removal of garage doors to ensure that the floodable built footprint is not greater than the existing,
- details of new foundations showing ground beams that are significantly less volume than the existing foundation construction,
- details of pumping including provision of a permanent pump on site that will be maintained by a management company,
- confirmation from Thames Water that in the event of a flooding incident on the site, consent for pumping of groundwater to the surface water sewer would not be unreasonably withheld and a permit would be required to pump groundwater into a public sewer.
- Other flood resilience measures referred to above including sacrificial garages,
- Surface and foul water disposal will be separated and the provision of a 'sealed' foul water network to reduce surface and ground water infiltration,
- A monitoring borehole on the site installed with a remote trigger setting to alert future occupants that groundwater levels are high and rising.

The Council's Drainage Officer reviewed this document and continued to raise concerns regarding specific local modelling of flooding and its impact on neighbouring properties, written agreement from TW to pumping and detailed surface water strategy.

In addition Thames Water advise that every request for a permit for pumping ground water will be considered on its merits. Pumping into the foul sewer is unlikely to be acceptable as this is likely to exceed the capacity of the sewer in Sevenoaks Road. Permits to discharge into the surface water sewer are not formally accepted by TW but during the last event water was pumped off the site into the surface water sewer and any request from the developer to repeat this procedure will need to be agreed by TW, the Environment Agency and the Local Flood Authority (LB Bromley) (need to balance risk of pollution downstream watercourse vs flood alleviation).

In October 2018 the Council received a Flood Risk Addendum which provided further information in response to the concerns raised above.

The Council's Drainage Officer is able to advise that the layout of the proposed development with the associated proposed mitigations will be more resilient than the existing position and won't increase flood risk to the neighbouring properties. He recommends a condition requiring the development to be carried out in accordance with the original FRA dated November 2017, letter dated 4.5.2018 and the Addendum dated October 2018 (all from Water Environment Ltd) and associated mitigation measures and the submission of a Flood Response and Resilience Plan which requires details of the implementation of the mitigation measures.

In summary, the Council's Drainage Officer finds the submission documents acceptable in terms of the modelling of future surface and ground water flood water events and its impact on future residents on the site and the occupants of adjacent properties. This is subject to a list of mitigation factors which are summarised in the list below. It should be noted that in the likely event of a future flood on the site, the current resilience of the site to deal with the event and the impact on existing residents is unchanged.

On this basis it is considered that the development is acceptable from a drainage point of view subject to the following mitigation measures:

- Raising finished floor levels for the first floor to 67.3AOD
- No sleeping accommodation at ground floor level.
- A continuous safe & dry access to be provided in a form of walkways from each unit to dry land outside the site in Dryland Avenue, Lichlade Close and Sevenoaks Way - these walkways and adjacent gates will only be used in the event of rising water and a trigger restricting the operation of the emergency gates will be recommended to ensure their use only for emergency purposes.
- The provision of ground beam foundations to replace the existing mass concrete strip foundation reducing the volume of the foundation material

from 1700 m³ to 275 m³. This reduces the impact of the foundations on the flow of water in the event of rising groundwater.

- Sacrificial garages - 2 sides would be open at the front and rear and this will allow water to flow across the site. This will also increase the site storage of water (compared to the existing). The front entrance for the houses and porch will remain enclosed. These will be enclosed with railings only and a condition to secure this is recommended.
- Installation of permeable surfaces with a 300mm deep porous sub-base for the access road and garage spaces propose to provide a total of 843 m³ of attenuation storage.
- Supplementary crated storage will be added beneath the porous sub-base of the road to provide a total of 46.6 m³ of attenuation storage.
- A 160sqm green roof on top of the flats is proposed.
- Surface water runoff will be attenuated and stored on site to limited rate of 5 litres/second for all events up to the 100 year event including an allowance of 40% for climate change.
- Surface and foul water runoff from the site will be disposed of separately which is an improvement on the current position where they are combined and discharge into the foul water sewer.
- The foul water network will be 'sealed' to reduce ground water and surface water infiltration into the foul sewer network.
- Monitoring borehole to be installed that has a remote trigger to alert future occupants that groundwater levels are high and rising, which will supplement the EA Flood Warning Service. The alert level on this and visible groundwater on site could be a trigger for using the pump and the emergency exit/entrance gates.
- Management Plan for future maintenance of all SUDS to be secured by S106 agreement.
- A pump will be installed and retained on the site - details of specification, location and physical enclosing structure, maintenance plan to be submitted.
- TW advise that temporary connections to discharge flood water into the public sewer may be acceptable and will be subject to a permit application at the time of the next flood event. This will need to be agreed in discussion with the LLFA.
- A management company, JL Managing Agents, has already been set up and will be tasked with maintaining the buildings and grounds and the proposed pump and a clause will be proposed in the s106 to secure the continued provision of a management company for the site in perpetuity. They should be linked to the FRRP and SUDS Maintenance Plan above.
- A Flood Response and Resilience Plan (FRRP) to be submitted to secure the above and will be secured by S106 agreement

Design - layout, scale, massing 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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

BLP Policy 4 requires that new development is of a high standard of design and layout whilst enhancing the quality of local places. It should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas and should respect the amenity of the occupiers of neighbouring buildings.

London Plan Policy 7.1 requires developments to be designed so that the layout, tenure and mix of uses interface with the surrounding land and improve people's access to infrastructure, commercial services and public transport. The design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood.

Policy 7.6 states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape and should incorporate the highest quality materials and design appropriate to its context.

The application site is an unusually narrow, deep, linear site measuring 98m in length by 23.5m in width.

In addition the majority of the site is set below the ground level of the adjoining properties. The height difference is greatest where the southern boundary abuts Lichlade Close and Adcot Walk and where the western boundary abuts Dryland Avenue. In addition the site rises from the centre point up towards Sevenoaks Road and Kings Road. The central 'hollow' configuration proves to be a constraint for the layout of any development as it makes the site prone to flooding. There have been 2 flood events in the past 18 years due to rising groundwater. It is likely that there will be future events.

At present the site accommodates 3x2 storey linked structures in the centre of the site which provide 6 flats. There are also 6 garages on the site. These will be demolished.

Due to the narrow frontage of the site, the most prominent part of this development in terms of its impact on the streetscene is the frontage building. The remainder of the buildings will be mostly hidden from view and passers by will only catch a glimpse of the rear buildings from the highway and footpath.

The proposed layout provides a part 3/part 4 storey frontage building which will accommodate 6 flats. The rear of the building will be 4 storeys due to the lower land level within the site. The front of the block is placed on a strong building line that reflects the frontage of 92 Sevenoaks Road and more southerly buildings but sits forward of 88 Sevenoaks Road although there are buildings set in similar proximity to Sevenoaks Road at no 78 and further north that moderate the visual impact of the more forward setting of this building than at present.

In terms of its bulk and massing in the streetscene, the section plans show that the building is similar in height to the building at 92 Sevenoaks Road but it would be higher than No 88. However the new building and No 88 will be separated by the width of the driveway which provides a significant space around the new building at this point and mitigates the impact of the building in the street scene. To the south, the internal boundary separation is 3m and the buildings at 92 and 94 are set back a significant distance from the boundary with the site.

To help further mitigate the visual impact of the building a contemporary design for the building is proposed with a mansard roof partly set back from the front elevation. There is a mix of dwelling types in the area so this more modern building design would not be out of keeping with the area. The materials palette in the Design and Access Statement indicates the use of a red brick for the façade with zinc roof cladding and dark grey window frames. This would emphasise the modern design but the use of brick picks up on other local materials in the area.

As such it is considered that the positioning of the frontage block on the site and the bulk and massing of the building itself will not result in an overbearing structure that would be out of place in the street scene or have a significantly detrimental impact on the buildings on the adjoining sites.

The change in levels moving back into the site results in a lower ground floor for the rest of the buildings on the site.

The central building is set perpendicular to the front of the site and the front and rear elevations face Kings Road and Lichlade Close respectively and comprises 3 houses. This building will be a storey taller than the existing adjacent building at 6 Adcot Walk and will be set back 8m from the boundary. The building sits adjacent to the flank wall of No 6 and will extend forward towards Sevenoaks Road and will be visible from the front windows of this property.

In terms of bulk and massing the applicant has to tried to minimise the bulk of the building from the original submission by reducing the height of the roof and setting it behind a short parapet. The separation between the flank elevations of the existing and proposed buildings is a minimum of 10.3m. The extent of the proposed building will be prominent in this part of the site but the separation between the existing and proposed buildings and the position of the building along the gable of No 6 and not adjacent to the rear garden area will contribute significantly to minimising the impact of the bulk of the building on this neighbour.

The rear buildings are a similar height and bulk to the central buildings and the adjacent buildings are set back approximately 5.4m from the southern adjacent boundary and 3m from the northern adjacent boundary. To properties in Dryland Avenue the separation is approximately 30m.

In this case, the configuration is flank wall to flank wall. The new buildings are taller than the adjacent house at 5 Adcot Walk but the rear elevation does not project behind their existing rear elevation. In terms of the impact of the bulk and massing it is considered that, while the buildings are taller than adjacent houses, the separation to the north and south boundaries is sufficient to accommodate these buildings without them appearing over dominant on the site or to nearest neighbours.

The separation between the central and rear buildings and the houses in Kings Road is a minimum of 25m. It is considered that the bulk and scale of the new buildings from these properties will not appear so substantial as to have a significantly adverse impact of the setting of these buildings.

In summary, the proposed development will introduce buildings to the site that are larger than the existing buildings and the immediately adjacent neighbouring houses. Measures have been undertaken by the applicant to reduce the height and bulk of the buildings but they will be taller than existing local buildings. However it is considered that the design of the development in terms of height, scale, mass and appearance will not have a significant adverse impact on the streetscene, the character of the area or the amenities of existing and future residents.

Standard of Accommodation and Amenity Space

In terms of the provision of housing, BLP Policy 4 requires development to meet minimum standards for dwellings set out in London Plan Policy 3.5, Table 3.3 and the London Plan Housing SPG.

The London Plan Policy 3.9 seeks communities that are be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment. Policy 3.4 encourages the optimising of housing potential and provides guidance as to the density of development through the density matrix. Policies 3.5 seeks to achieve the highest quality of design internally, externally and in relation to the context of the site to protect and enhance the residential environment and attractiveness as a place to live while Policy 3.8 seeks to provide a genuine choice of homes that they can afford and meet their requirements in terms of size and type of dwelling of the highest quality.

Part 2 of the London Plan Housing SPD (March 2016) sets out detailed guidance for achieving a high quality design for all new development that will ensure that the needs of all Londoners are met at different stages of life. The standards that development must meet relate to unit size and layout, private and communal open space, designing out crime, circulation within the building and within individual units, wheelchair units, car parking, cycle parking, refuse and recycling facilities, privacy and dual aspect units. Other London Plan policies also provide guidance on noise, daylight and sunlight, floor to ceiling heights, air quality, climate change and mitigation, water supply, flooding and ecology.

- Mix and Unit Size

New developments should provide a range of housing choices in terms of mix of housing sizes and types. The development proposes the provision of units with a mix of sizes namely 2 bed flats and 4 bed houses and this reflects the local mix of units and is acceptable for this site.

In terms of the size of the units Policy 3.5 of the London Plan requires 2 bed/4 person units to exceed 70 sqm. The accommodation schedule set out in the Design and Access Statement shows units ranging from 70 sqm to 86 sqm. The minimum standard for 4 bedroom houses is 112 sqm for 6 person and 103 for 8 person units; the schedule for accommodation shows units of 143sqm for 6 person and 176 sqm for 8 person units.

On this basis, it is considered that the unit sizes are acceptable.

- Dual Aspect

All of the units are dual aspect. This is particularly important for the flats facing Sevenoaks Road which a busy distributor road. In order to safeguard the amenities of the future residents the Council's Environmental Health Officer has recommended a condition requiring the submission of glazing and ventilation measures.

- Private outdoor space

Private outdoor space is provided for each of the houses with gardens measuring approximately 8m in length which is similar to other houses in the locality.

For the flats, each unit has a balcony and the submitted information shows that the size of the balcony meets the minimum size expected by the Mayors Housing SPD for 2 bed/4 person units.

- Accessible housing

All new housing will be required to meet the standards set out in Policy 3.8 which seeks 90% of all new housing to meet Building Regulations 2010 M4(2) and 10% to achieve Building Regulations 2010 M4(3)(2)(a) for wheelchair adaptable dwellings.

The floor plans show that 1 ground floor unit will be provided out of a total of 11 units. The unit is 86sqm and it is considered that this is of sufficient size to meet Part M (3) and a condition requiring the provision of unit 2 for a wheelchair adaptable unit is recommended. This meets the 10% threshold for wheelchair adapted units. There is also a lift in close proximity to the unit.

One dedicated disabled car parking space will be provided on the lower ground floor level of the building.

- Waste and recycling provision

BLP Policy 113 requires new development to provide adequate space to support recycling and efficient waste collection level of provision and access for collections.

The submitted plans show waste and recycling storage space in the garages of the houses. For the flats a binstore is provided on the lower ground floor of the building with sufficient storage space for bins to exceed the Council's requirements in this respect.

In addition a plan has been submitted showing that the internal road layout can accommodate a refuse vehicle with sufficient space for it to enter and exit the site forwards. The Council's Highways Officer advises that the layout is acceptable.

- Impact on noise sources on future residents

A Noise Assessment has been carried out and is summarised in the Proposals section above.

The assessment finds that the predicted internal noise levels for facades facing Sevenoaks Road and side on to the road in the centre of the site exceeds the relevant British Standards and WHO Guidelines for living rooms and windows will need to remain closed to enable the internal noise levels to be met. Mitigation measures including specialist external glazing and ventilation are recommended for these rooms. The bedrooms for the flats will not be adversely affected as they face away from Sevenoaks Road and will only require standard glazing and ventilation.

Plots to the rear of the site will be adequately protected with standard glazing and ventilation and can meet the required standard.

The Council's Environmental Health Officer has reviewed the report and accepts its findings and recommends a condition requiring the submission of a detailed sound insulation scheme prior to the commencement of development.

Impact on Neighbour Amenity

BLP 4 relates to the impact of development on the amenity of the residents of adjoining residential properties. In addition to the site coverage, height and massing, which have been discussed previously in this report, it is necessary to assess the impact of overlooking that may result in the loss of privacy, the potential

loss of daylight and sunlight and noise related issues to fully understand the impact of the proposed development on the amenity of occupants of adjoining residential properties.

In this case it is considered that the potential loss of privacy to neighbours from habitable rooms in the central terraced units and the proposed 'dry access' walkways and the impact on daylight and sunlight are relevant.

Loss of privacy for neighbours and future residents

The existing buildings on site are 2 storeys in height and the new buildings that form the central terrace of 3 houses will be positioned in a similar location on the site. The rear elevation of the closest existing dwelling is approximately 7m from the site elevation of 6 Adcot Walk (which is closer than the proposed separation) and there are first floor habitable rooms overlooking the flank of No 5 and the front elevation and garden area.

The proposed elevations of the terraced houses show habitable rooms at the first and second floor level and dormer windows in the roof slope facing south. As previously mentioned these rooms will be facing either the flank of 6 Adcot or will be in a position forward of the front elevation. It is not possible to completely avoid any overlooking of this property but it is considered that the proposed situation is not so significantly different to the current position in this respect to warrant refusal of permission on loss of privacy.

In terms of the walkway that will be provided to these particular properties, the purpose of the structure is to provide a 'dry access' route for future residents to Lichlade Close. The walkway shown on the original plans has been significantly reduced to minimise the visual impact of this necessary feature and to minimise the dimensions of the structure thereby restricting its use for amenity purposes. Juliette balconies to the patio doors are proposed for the central and eastern house as the walkway does not now extend to service these doors. A condition is recommended that requires details of the extent, design, appearance and materials of all of the dry route balconies and staircases to be submitted for detailed consideration to ensure that all steps are taken to provide safe access during flood events and minimise the impact of neighbouring residents.

Habitable rooms facing Kings Road are more than 25m away from the rear elevation of the existing properties and it is considered that this separation is acceptable, particularly given the current position where there is overlooking to rooms and gardens from the existing flats.

On this basis it is considered that there will be measures in place to deal with concerns of local residents in respect of loss of privacy from overlooking.

Loss of Daylight and Sunlight for existing neighbours

The applicant has submitted a Daylight, Sunlight and Overshadowing report which assesses the impact of the development on identified sensitive receptors in

Dryland Avenue, Adcock Walk and Sevenoaks Road which are closest to the proposed buildings.

In terms of daylight the report concludes that the vertical sky component with the development is reduced with the development in place but the new calculated values are still greater than 27% and so reduction in daylight should not be noticed.

For sunlight the report concludes that all receptors still meet the guidelines with the development in place, calculations show that there will be a slight reduction in probable sunlight hours but the reduction is negligible.

For overshadowing the report shows that none of the surrounding properties will experience any significant overshadowing and all areas will still receive 2 hrs of sunlight. The shadow falls on the site for most of the day and then over the gardens to the east causing no significant overshadowing to adjacent properties.

In conclusion the report shows that the development will have minimal impact on existing potential receptors in the surrounding area in terms of the daylight and sunlight and overshadowing and the development meets the guidelines set out in the BRE Guidance.

Highways and Traffic Matters (including Cycle Parking and Refuse)

In policy terms, the relevant BLP policies include 31 (relieving congestion) and 32 (road safety). BLP Policy 30 sets out car parking standards for residential development and all other development is required to be provided at levels set out in London Plan Tables 6.2 and 6.3. One in 5 spaces should have provision (both active and passive) for electric vehicle charging points and provision should be made for a car club if the development is above the minimum Transport for London thresholds.

London Plan policy 6.13 seeks provision for car parking and charging electric vehicles and policy 6.9 seeks suitable provision for cyclists. These policies seek to ensure that the projected level of traffic generation will not have an adverse impact on the surrounding road network, that the level of proposed car parking is sufficient to minimise any impact on nearby streets from off-site parking, that the provision of cycle parking is sufficient to meet the London Plan and that the layout of the vehicle access provides safe access to and from the site.

Sevenoaks Road (A223) is a classified road and a London Distributor Road and has a Public Transport Accessibility Level (PTAL) of 2 (where 1 is the lowest and 6b is the highest) and is considered to have a 'poor' level of accessibility to public transport.

Vehicle access to the site is via Sevenoaks Road and the existing pedestrian crossing will be upgraded to a priority junction. The revised layout is set out in Appendix E of the Transport Assessment and the Council's Highway Officer finds this acceptable in terms of visibility splays and access for refuse and delivery vehicles.

- Impact of the highway network

As assessment of the trip generation from the development has been undertaken and uses national TRICS database to demonstrate the existing and proposed trip generation for the site.

It is noted that the existing 6 maisonettes have the capacity to generate up to 2 vehicle movements in each of the peak hours with a total of 18 trips over a 12 hour weekday period. As there are 6 flats replacing 6 maisonettes it is considered that the proposed trip generation is the same as the existing.

For the houses the data finds that it could be expected that 4 vehicle trips could be expected in the AM peak with 5 in the PM peak which equates to 42 trips over a 12 hour weekday period.

Given the proximity of the site to the wider strategic network, the implications of this uplift in vehicles are unlikely to be significant or severe and the Council's Highways Officer agrees with this conclusion. In addition the site lies within walking distance of everyday service and facilities and there are bus and rail facilities nearby.

- Car Parking

A total of 16 car parking spaces are provided for the development which equates to 1 space for each flat and 2 spaces for each house. The Bromley Local Plan requires a minimum of 1 space be 2 bed unit and 2 spaces for a 4 bedroom house so it is considered that the provision of car parking spaces meets the BLP requirements.

- Impact of flood events on car parking on the site.

As previously discussed the site lies within an area prone to groundwater floor events. Previous events were in 2001 and 2014 and it is not possible to predict when the events will occur in the future. During these events and while there is flood water on the site it is unlikely that it will be possible for car parking for residents on the site.

The technical aspects of this unusual situation have been discussed in the section relating to drainage above and in this section the impact on the local highway network is considered in more detail.

To enable residents to be able to access their properties during these events, a series of first floor walkways will take residents from their upper floor levels to the nearest adjacent part of the site boundary where they will access the public highway on foot only. There will be no direct vehicle access.

For the 2 houses at the rear of the site, residents will leave the site into Dryland Avenue. Residents will leave the 3 centrally located houses via Lichlade Close. Residents of the flats will be able to use the front entrance to the building to access Sevenoaks Way.

It should be noted that the pedestrian access to these surrounding roads will be via a gate which will be locked and available for emergency use only. Residents have raised concerns that the gates will be used in non-flood event situations to access off-site car parking on a regular basis. The applicant has offered the following position to help mitigate against these concerns.

- The use of the gates will be managed by the management company for the site that is already in place and the S106 legal agreement will require the submission of details of a management plan to administer the use of the gates.
- A monitoring borehole that will show levels of groundwater on the site at any time. This will be installed as part of the drainage system for the site and will be a clear indicator of rising groundwater levels. Once the levels reach an agreed level and there is water visible on the site, this can be the trigger for the use of the emergency gates by residents.
- In addition a planning condition restricting the use of the gate to the time of flood events only is recommended.

It is considered that the proposed measures are reasonable, enforceable and directly relate to the development and will meet tests for enforcement of the measures in the future should the need arise.

The outcome of not being able to park on site is the displacement of potentially 12 vehicles, assuming that all of the houses have 2 cars and all of the flats have 1 car. This figure has been discounted from 18 cars by 6 vehicles to take account of the existing 6 units on the site that would be currently displaced by an event.

In terms of the length of time that the site would be unavailable for parking the most recent flood event involved pumping from the site for a period of 3 - 6 months.

The impact of this on the local road network will mean that an additional 12 cars could require off-site car parking for a period of 3 - 6 months once every 14 years, if the current pattern of events is repeated.

It is most likely that the closest roads will be affected by this demand, namely Borkwood Park, Lichlade Close, Dryland Avenue, Kings Road on the same side of Sevenoaks Road and the slip road of Gleeson Drive and Cloonmare Avenue opposite the site. Residents have raised significant concerns about the impact of the displaced parking on their access to on-street parking.

On this matter the Council's Highways Officer advises that in the case of a flood around 12 cars will need to be accommodated off site. There is no room to accommodate these many cars on Dryland Avenue or Kings Road but as other roads such as Cloonmore Avenue or Gleeson Drive have space it is considered that we (Highways) can support a reason for refusal on this particular matter.

It should be noted that with the exception of properties in Kings Road and the houses at Nos 82-88 Sevenoaks Road inclusive, the significant majority of

properties in the surrounding roads mentioned above have the opportunity to park 2 cars within their curtilage.

In summary, it is recognised that there is likely to be demand for infrequent and intermittent on-street parking for up to 12 additional vehicles resulting from a flood event. It is not possible to predict where residents will choose to park at these times but it appears that there is capacity within the local highways network to accommodate vehicles in the future. It is anticipated that residents with on-site car parking spaces will not choose to park off-site other than during flood events.

A condition restricting the use of the emergency gates to times of flood events only and a further condition requiring monitoring equipment on the site to establish the height of rising groundwater is recommended.

In addition it is recommended that a car park management plan is secured by S106 legal agreement to set out all of the necessary measures to provide parking for future residents and measures to protect existing residents.

On this basis, it is considered that the impact of overspill car parking in the event of a flood and access to off-site dry land can be reasonably provided without a significantly detrimental impact of the amenity of existing residents.

- Cycle parking

A total of 12 cycle parking spaces are provided for the flats within a secure facility which meets the requirements of Policy 6.9 of the London Plan. Cycles will be parked within the curtilage of the houses.

- Road Safety Audit

A Stage 1 Road Safety Audit of the existing proposed site access design and traffic calming scheme has been carried out which raised 5 issues relating to details of the construction of the proposed access, visibility splays, location of bollards and pedestrian crossing facilities. The applicant has provided an initial response that the Council's Highways Officer finds acceptable in principle and the submission of a Stage 2 Audit is recommended.

- Electric Vehicle Charging Points

A condition requiring 20% active and 20% passive electric vehicle charging points in accordance with the requirements of the London Plan is recommended .

- Construction Management

A condition requiring details of a Construction Management Plan and Dust Management Plan are recommended to minimise the impact of the works relating to demolition of the existing building and during the construction period.

In summary, the proposed development meets requirements for car and cycle parking and refuse and recycling facilities and will not have an adverse impact on the local highway network in terms of trip generation.

In addition it is considered that the impact of overspill car parking in the event of a flood and access to off-site dry land can be reasonably mitigated without a significantly detrimental impact of the amenity of existing residents by the use of appropriate conditions and measures secured by S106 agreement as discussed above.

Trees, Landscaping and Ecology

- Trees

BLP Policy 73 requires new development to take particular account of existing trees on the site and on adjoining land which, in the interest of visual amenity and/or wildlife habitat, are considered desirable to be retained. Tree Preservation Orders will be used to protect trees of environmental importance and visual amenity. When trees have to be felled, the Council will seek suitable replanting of native species.

The Arboricultural Impact Assessment (AIA) submitted with the application advises that there are a total of 25 trees or groups of trees have been identified on the site and on adjacent land; 3 individual trees are Category B where retention is desirable and the remaining 22 trees and groups of trees are Category C or U which are low quality trees or dead, dying or dangerous trees.

On the site, 2 trees will be removed due to their poor condition and 5 trees and 5 groups of Category C trees are shown to be removed to enable development.

The report concludes that a limited number of trees are to be removed but replacement planting will mitigate the impact of this. A Tree Protection Plan is recommended with measures to protect trees during construction

The Council's Tree Officer raises no objection to the removal of the trees and groups of trees advising that there are no arboricultural grounds to oppose such actions. The sycamore to the rear of the site was assessed to confirm the tree survey comments. The tree was found with multiple defects that would justify the removal as prudent management. The removal of trees at the front of the site give an opportunity to consider more mature planting which would be more inkeeping with planting in this road.

A Site Layout Landscaping Plan has been submitted showing proposed shrub and tree planting and hard surface proposals. However this could be improved with more consultation so a condition is recommend requiring the submission of a landscaping and planting scheme.

On this basis the recommendations of the AIA are accepted and conditions relating to the submission of a conditions relating to landscaping and tree planting and protection are recommended.

- Ecology and Wildlife

BLP Policy 72 relates to Protected Species and advises that planning permission will not be granted for development or change of use of land that will have an adverse effect on protected species, unless mitigating measures can be secured to facilitate survival, reduce disturbance or provide alternative habitats.

BLP Policy 79 requires the Council to enhance biodiversity across the borough, assist ecological restoration and address spatial deficiencies by using procedures in the Mayor's Biodiversity Strategy.

London Plan Policy 7.9 (Biodiversity and access to nature) states development proposal should wherever possible make a positive contribution to the protection, enhancement creation and management of biodiversity. When considering proposal that would affect a site of recognised nature conservation interest, the proposal should avoid adverse impact to the biodiversity interest; minimised impact and seek mitigation; only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts seek appropriate compensation.

The 3 reports relating to Habitat, Bat activity and badger activity that were submitted with the application have been summarised elsewhere in this report. In brief the report finds evidence of badger activity on the site but no evidence that the badger holes in the garden of the site are in use as a sett. There is no evidence or suitable habitat for reptiles, amphibians, dormice or breeding birds and No rare or nationally scarce botanical species were identified on the site. The Bat Building survey concluded that the houses and garages have 'Negligible' potential to support bat roosts and no evidence of bats was found

At the Council's request, the West Kent Badger Group visited the site and found that there was no evidence of use of badger setts.

The land occupied by houses in Dryland Avenue used to be allotments and when that site was redeveloped land at the rear of the gardens was retained for a known badger population. Residents report significant damage to local gardens from foraging badgers and concerns that this will worsen if the application site is redeveloped.

The applicants report advises that regular monitoring of the site will be required up to commencement of development to assess whether there are any changes in the use of the badger holes and a condition requiring the submission of a follow up badger report prior to the commencement of development is recommended. This information will inform the detailed mitigation strategy which will be required for the licensing process. A licence will be required to close the sett which can be applied for once planning permission has been granted.

On the basis of the above advice, it is concluded that the site is not inhabited by badgers but they do use the site to access other gardens in the locality for foraging. A condition is recommended to carry out further survey work to ensure that the findings of the original report remain accurate. If this is found to be the

case it is expected that a licence permit to close the setts will be sought. The submitted plans show that a lawn area will remain at the rear of the site which will enable badgers to continue to move through the site.

Other Technical Matters

- Planning Obligations

As previously discussed in the Principle of Development section above, the applicant has submitted a FVA, which has been independently checked, and found that the site will generate a deficit and cannot support the payment of any financial contributions to mitigate against the impact of the development.

As discussed in the Highways Section, it is proposed to secure a Car Park Management Plan and Flood Resource and Resilience Management Plan to ensure that the impact of displaced cars during a flood event is minimised.

- Sustainability and Energy

The applicant has submitted an Energy Statement which sets out measures to meet BLP Policy 124 and London Plan policies 5.2: Minimising carbon dioxide emissions and Policy 5.7: Renewable energy.

The report advises that the building can be constructed to exceed minimum Building Regulations for thermal performance and meet the requirements for the use of renewable energy by the provision of solar PV panels on the flat roof of the development.

In terms of carbon offset, the Mayors Energy Policies requires 'zero carbon' emissions for new development. The proposed scheme cannot meet this target through the design of the building alone and a financial contribution of £25,830 is required to make up the shortfall. This would be used to secure the delivery of carbon dioxide savings elsewhere.

However the applicant has submitted a Financial Viability Assessment that states that the proposed scheme is not able to support any financial contributions to mitigate against the development, including the carbon offset payment. As discussed above, the FVA has been independently assessed for the Council and found to that the development would result in a deficit and, as such, the carbon offset payment will not be sought.

- Contaminated Land

BLP Policy 118 requires the submission of desktop and detailed site investigation reports to include a proposed remediation strategy and closure report. Land should be remediated to a standard such that there is no appreciable risk to end users or other receptors once the development is complete. London Plan Policy 5.21 reiterates the requirements of the BLP.

A Phase 1 Desk Study to identify potentially current or historic contaminative activities on site and any sensitive receptors in the vicinity has been carried out and concludes that the site has a moderate/low risk of contamination for future residents and for groundwater contamination. The contamination status is not considered to be prohibitive to the development of the site. However further work in a Stage 2 submission is required to fully understand the contamination risk and develop measures to mitigate and impact of human health and groundwater. The report considers that this work can be carried out as part of pre-commencement conditions attached to any permission granted.

The Environment Agency initially objected to the proposed development because there is insufficient information to demonstrate that the risk of pollution to Controlled Waters is acceptable.

By letter dated 22.1.2019, the EA have raised their objection and advised that they have reviewed the 'Phase 1 Desk Study' report by Lustre Consulting (reference 2120_FP01.0-2018 dated March 2018). The report states that the site does not appear to have been subject to significant historic contaminative uses. Historic mapping is reported to show the site has been excavated for mineral extraction, however, the current topography would not indicate any significant subsequent backfilling/landfilling. We consider that planning permission could be granted to the proposed development as submitted subject to relevant planning conditions.

In addition the Council's Environmental Health Officer (EHO) has reviewed the Phase 1 Desk Study prepared by Lustre Consulting (ref 2120_FP01.0- 2018) and he also concludes that due to the past use of the site a number of pollution linkages may exist. He recommends conditions requiring the submission of further information prior to the commencement of development.

The conditions recommended by the EHO and the EA are included in the list of recommended conditions.

- Secured by Design

The Metropolitan Police Designing Out Crime Officer has viewed the application and notes the unusual proposals for providing future residents access and egress from the site in the case of a flood event. He has advised that from the information submitted it will be possible for the development to achieve a Designing Out Crime Accreditation and recommends a condition seeking this accreditation should permission be granted. He has also requested to be consulted on the final design of the proposed dry access walkways to ensure that they are robust from a security point of view.

- Community Infrastructure Levy

The Council does not have its own CIL but consultation of the boroughs proposed CIL Preliminary Draft Charging Schedule is underway and responses are being invited by 6.3.2018.

- Mayoral Community Infrastructure Levy

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

Conclusion

As discussed in detail above, this site is unique with an unusual topography creating a 'hollow' in the centre of the site in an area that is geologically prone to ground water flooding. Due to this combination the site has been subject to 2 flood events in the last 18 years which have resulted in properties that have been uninhabitable for several months on each occasion.

In designing a redevelopment scheme for this site, the developer has taken into consideration the need to improve the current position for future residents on the site and to mitigate against a situation that could be made worse for existing residents.

In drainage terms sufficient information and a list of mitigation measures have been submitted over a lengthy period of time to accommodate both these requirements and the scheme presented to members is considered to meet the requirements in this respect. In addition the impact of the displaced cars into the surrounding streets during the flood events is likely to be dissipated around the local streets and not have an undue impact on the ability of existing residents to conveniently park their own cars.

The principle of development for residential purposes is considered to be acceptable. The design of the individual buildings mean that they relate well to each other and surrounding buildings, taking account of the impact of the existing buildings on the site. The scheme meets policy requirements in terms of the technical standard of the development, density, car and cycle parking and refuse and recycling provision, the impact on trees and wildlife and contamination

The scheme does not deliver affordable housing or other financial contributions relating to health and education and the lack of contributions has been verified by independently appointed consultants.

In conclusion it is considered that, subject to the recommended conditions and clauses in a S106 to secure a Car Park Management Plan and Flood Response and Flood Response and Resilience Plan, the proposed development is acceptable.

Background papers referred to during the production of this report comprise all correspondence on file ref: 18/00142/FULL1, excluding exempt information.

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT (relating to the provision of a Car Park Management Plan and Flood Response and Flood Response and Resilience Plan)

and 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 permitted shall only be carried out in complete accordance with the details shown on the submitted plans and documents, as follows:

Plans

- Plan 0330 001 Rev 5 Site Location Plan
- Plan 0330 002 Rev 1 Existing Site Plan
- Plan 0330 025 Rev 1 Demolition Plan
- Plan 0330-010 Rev 6 Site Layout - Proposed Lower Ground Floor Plan
- Plan 0330-011 Rev 6 Site Layout - Proposed Upper Ground Floor Plan
- Plan 0330-030 Rev 5 Site Layout - Proposed Sections A-A, 1-1 and 2-2
- Plan 0330-031 Rev 6 Site Layout - Proposed Sections B-B and 3-3
- Plan 0330-032 Rev 2 Site Layout - Proposed Sections 1-1 and 2-2
- Plan 0330-050 Rev 4 Front Block - Proposed Plans
- Plan 0330-051 Rev 5 Site Layout - Front Block - Proposed Elevations and Sections
- Plan 0330-060 Rev 7 Terraced House - Proposals change to Rev 7
- Plan 0330-070 Rev 6 Type B (Detached) - Proposals

Documents

- Design and Access Statement (as amended)
- Planning Statement (as amended)
- FRA carried out by Water Environment Limited with Project Number 15034 dated November 2017
- FRA Addendum 1 with Reference No. 15034/GL dated 04th May 2018
- FRA Addendum 2 with Project Number 15034 dated October 2018
- Transport Assessment by dha transport dated January 2018 (as amended)
- Revised Appendix G plans of Transport Assessment
- 12560 -T- 01 Rev P4 Proposed Site Access
- 12560 -T- 02 Rev P5 Estate Tracking
- 12560 -T- 03 Rev P5 Fire Tender and Pantehnicon Tracking
- 12560 -T- 04 Rev P5 Refuse Tracking
- Noise Assessment for Proposed Residential Development by Grant Acoustics dated 16.10.2017 Ref GA-2017-0025-R1
- Daylight and Sunlight and Overshadowing Report by Deco Design and build Co Ltd dated 11.1.2018 Ref 712713R(01)
- Report on Inspection of Trees dated 20.10.2017 Ref J54.46 and Arboricultural Implications Assessment dated 27.11.2017 Ref J54.46 by Broad Oak Tree Consultants
- Extended Phase 1 Habitat Survey and Bat Building Survey and Badger Survey Report by Corylus Ecology dated November 2017
- Badger Survey Report by Corylus Ecology dated 30.7.2018 Ref 17149
- Energy and Sustainability Assessment by SRS Partnership dated Jan 2018 vs01 ref 17-087-01-ES
- Viability Study by Turner Morum dated January 2018

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with Policy 37 of the Bromley Local Plan.

- 3** No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:-
- (a) Dust mitigation and management measures.
 - (b) The location and operation of plant and wheel washing facilities
 - (c) Measure to reduce demolition and construction noise
 - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site as well as within the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
 - (iv) Full contact details of the site and project manager responsible for day-to-day management of the works
 - (v) Parking for operatives during construction period
 - (vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.
 - (e) Hours of operation
 - (f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis
 - (g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies, 30, 31, 32 and 37 of the Bromley Local Plan and in the interest of the amenities of the adjacent properties.

- 4** No part of the development hereby permitted shall be commenced prior to the submission and approval in writing by the Local Planning Authority of a contaminated land assessment and associated remedial strategy, together with a timetable of works including the following:
- a) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.
 - b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

c) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

d) Upon completion of the works, a closure report shall be submitted to and approved in writing by the Authority. The closure report shall include details of the remediation works carried out, (including of waste materials removed from the site), the quality assurance certificates and details of post-remediation sampling.

e) The contaminated land assessment, site investigation (including report), remediation works and closure report shall all be carried out by contractor(s) approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy 118 of the Bromley Local Plan and to prevent harm to human health and pollution of the environment.

- 5 In accordance with the recommendations of the Badger Survey Report by Corylus Ecology, a follow up badger survey to assess any changes to the finding of the previous report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. A detailed mitigation strategy to deal with the badger holes on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved documents.

Reason: In order to comply with Policy 79 of the Bromley Local Plan and in order to preserve and enhance the biodiversity value of the site.

- 6 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), tree protection measures in accordance with the Tree Protection Plan (J54.46/02) hereby approved, shall be installed. Such measures shall not be moved or removed, but shall be retained in situ until completion of the development and all materials and machinery have been removed from the site, unless otherwise agreed in writing by the LPA. The development shall thereafter be carried out in accordance with the approved details and recommendations within the submitted Arboricultural Method Statement (J54.46 27th November 2017) or any variation as may subsequently be agreed in writing by the LPA.

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policies 37, 73 and 74 of the Bromley Local Plan

- 7 Prior to the commencement of above ground works a Stage 2 Road Safety Audit shall be submitted to and approved in writing by the Local Planning authority and development shall be carried out in accordance with the approved document Prior to first occupation of any of the units and associated works permanently retained thereafter.

Reason: In order to comply with Policy 32 of the Bromley Local Plan and in the interests of highway and pedestrian safety.

- 8**
- (a)** Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works.
 - (b)** The approved scheme shall be self-certified to accord with BS 5489 - 1:2003
 - (c)** The lighting scheme shall be implemented in full accordance with details submitted under Part (a) before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policy 32 and 37 of the Bromley Local Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

- 9**
- (a)** Details of an emergency pump, including technical details relating to the capacity, operation and maintenance of the pump, the location of the pump and any necessary means of enclosure, shall be submitted to and approved in writing by the local planning authority in conjunction with the Environment Agency, Thames Water and the Lead Local Flood Authority prior to the commencement of above ground works and implemented in accordance with the approved details prior to the occupation of any of the units hereby approved and shall be permanently maintained in good operational working order in accordance with the manufactures instruction at all times.
 - (b)** Details of the all aspects of a monitoring borehole for ground water and surface water levels including location, design, means of enclosure, operation, management and maintenance shall be submitted to and approved by the Local Planning Authority prior to the commencement of above ground works and implemented in accordance with the approved details prior to the occupation of any of the units hereby approved and shall be permanently maintained in good operational working order in accordance with the manufactures instruction at all times.

Reason: To provide an early monitoring system for rising ground and/or surface water in the interests of the amenities of existing and future residents and in accordance with Policies 37, 115, 116 and 117 of the Bromley Local Plan.

- 10**
- (a)** The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAmax (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.
 - (b)** Development shall not commence until details of a sound insulation scheme complying with paragraph (a) of this condition have been submitted to an approved in writing by the local planning authority.

(c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.

Reason: In order to comply with Policies 37 and 119 of the Bromley Local Plan and to prevent harm to human health and pollution of the environment.

- 11 Details of a scheme of landscaping, which shall include details of replacement tree planting, the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of above ground works hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.**

Reason: In order to comply with Policies 37 and 73 of the Bromley Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

- 12 Prior to commencement of above ground works details of biodiversity enhancements shall be submitted to and approved in writing by the Local Planning authority and shall be included within construction works and permanently retained at the site thereafter.**

Reason: In order to comply with Policy 79 of the Bromley Local Plan and in order to preserve and enhance the biodiversity value of the site.

- 13 Details of the proposed boundary treatment including gates, walls or fences shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of above ground works. The submitted plans shall take into consideration the impact of future flood events in the design of the boundary treatments, The approved treatments shall be implemented prior to the first occupation of the buildings and retained in perpetuity.**

Reason: In the interest of visual appearance of the development and the flow of flood waterer and the amenities of adjacent neighbours and to comply with Policies 27 and 11 and 116 of the Bromley Local Plan.

- 14 a) The proposed emergency gates to provide 'dry access' between the site and Lichlade Close and Dryland Avenue shown on plan 0330/011 Rev 6 hereby approved shall be used for emergency use only in the event of a flood event on the site and shall not be used at any other time. The flood event will be determined by the monitoring borehole secured by a separate condition elsewhere in this decision notice.**
b) Details of the extent, design, appearance and materials for the dry route staircases and associated balconies identified on Plan 0330/011 Rev 6 shall be submitted to and approved by the Local Planning Authority, in conjunction with the Metropolitan Police Design Out Crime Officer, prior to

the commencement of above ground works and they shall be erected in accordance with the approved details and permanently retained in good order thereafter.

Reason: In order to provide safe access for residents to and from approved dwellings in the event of a flood event and to minimise the impact on the privacy of occupants of existing properties and to comply with Policy 37 and 115 and 116 of the Bromley Local Plan.

- 15 Details of the design and materials for the proposed balconies, to minimise overlooking and loss of privacy, shall be submitted to and approved by the Local Planning Authority prior to the commencement of above ground works and the development shall be carried out in accordance with the approved plans.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area and to protect the privacy of existing neighbours.

- 16 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.
(b) The development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 17 (a) The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and development. No above ground construction works shall take place until details of such measures have been submitted to and approved in writing by the Local Planning Authority.
(b) The approved measures shall be implemented before the development is occupied and the security measures to be implemented in compliance with this condition shall achieve the Secured by Design accreditation awarded by the Metropolitan Police.

Reason: To ensure In the interest of security and crime prevention and to accord with Policy 37 of the Bromley Local Plan.

- 18 Prior to first occupation of any of the units hereby permitted a minimum of 20% of car parking spaces will be provided with active electric vehicle charging points and a minimum of 20% car parking spaces will be provided with passive electric vehicle charging points and these shall be permanently retained thereafter. Details of the location of the spaces fitted with EVCP shall be submitted to and approved prior to the installation of the EVCP units.

Reason: To minimise the effect of the development on local air quality in the vicinity of an Air Quality Management Area and to accord with National

Planning Policy Framework paragraph 124 and Policies 6.13 and 7.14 of the London Plan 2015.

- 19** Prior to first occupation of any of the units hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the details as set out in this planning permission 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 30 of the Bromley Local 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.

- 20** Before any part of the development hereby permitted is first occupied that part of a sight line of 43m which can be accommodated within the site shall be provided in both directions at 2.4m; and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed 1m; in height in advance of this sight line, which shall be permanently retained as such.

Reason: In order to comply with Policy 32 of the Bromley Local Plan and to ensure that the proposal does not prejudice the free flow of traffic and conditions of general safety along the adjoining highway

- 21** Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3m x 2.4m pedestrian visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

Reason: In order to comply with Policy 32 of the Bromley Local Plan and in the interest of pedestrian and vehicular safety.

- 22** The refuse and recycling facilities hereby approved shall be completed in accordance with the approved drawings prior to the first use of the dwellings and permanently retained thereafter.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects

- 23** The bicycle parking (including covered storage facilities where appropriate) shall be completed in accordance with the approved drawings prior to the first use of the dwellings and permanently retained thereafter.

Reason: In order to comply with 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.

- 24** 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 32 of the Bromley Local Plan.

- 25** No loose materials shall be used for the surfacing of the parking and turning areas hereby permitted.

Reason: In the interests of highways safety and to accord with Policy 32 of the Bromley Local Plan.

- 26** (a) The development shall be completed in accordance with the submitted FRA carried out by Water Environment Limited with Project Number 15034 dated November 2017, FRA Addendum 1 with Reference No. 15034/GL dated 04th May 2018 and FRA Addendum 2 with Project Number 15034 dated October 2018 and the following mitigating measures set out below shall be implemented prior to the first use of any part of the approved development and subsequently permanently retained in operational working order.

- o Finished Floor Levels to be no lower than 67.3m AOD.
- o Surface water strategy to be implemented at the detailed stage to limit discharge rate to 5litres/second for all events up to the 1 in 100 plus 40% climate change.

(b) The front and rear elevation of the garages for the proposed houses and the side elevation adjacent to the 2 car parking spaces in the proposed front block of flats shall remain open and unencumbered from solid enclosure measures at all times in accordance with the approved plans and permanently retained as such thereafter.

Reason: To ensure the free flow of water through the site during flood events and to minimise the impact of flood water on the site and the surrounding areas and to comply with Policies 37, 115 116 and 117 of the Bromley Local Plan.

- 27** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

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

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

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

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

30 The development shall be carried out in accordance with the details set out in the Energy Statement by SRS Partnership dated Jan 2018 Ref 17-087-01-ES and the approved plant and equipment shall be installed in accordance with the manufacturer's instruction and permanently maintained in operational working order to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2015 and 124 of the Bromley Local Plan.

31 (a) The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations 2010 M4(2): Accessible and Adaptable Dwellings for the residential phase (with the exception of wheelchair units for market, social rented and affordable rent properties) and shall be permanently retained thereafter.

(b) The market wheelchair unit identified as Flat 2 on Plan 0330/050 Rev 4 hereby approved shall be built in accordance with the criteria set out in Building Regulations M4(3)(2a): Wheelchair user dwellings.

Reason: To comply with Policy 37 of the Bromley Local Plan, 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.

32 (a). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s)

of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

(b) No windows or doors other than those shown on elevation plans hereby approved shall at any time be inserted in the south-west and north-east elevations of the block of flats and the south-west and north-east elevations of the houses at the rear of the site and the south east and north west elevations of the houses in the centre of the site and hereby permitted

(c) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Order) 2015, or any future re-enactment of that Order, no satellite dishes, telecommunications masts or equipment or associated structures, shall be installed on the building without the prior written approval of the local planning authority.

Reason: In the interests of protecting the character of the area and residential amenity of neighbouring properties and to minimise the impact of flood water events on the site in accordance with Policies 37 and 116 of the Bromley Local Plan.

Application:18/00142/FULL1

Address: Borkwood Court Sevenoaks Road Orpington BR6 9LA

Proposal: Demolition of existing dwellings and outbuildings and erection of 5x4 bedroom houses and 6x2 bedroom flats, car and cycle parking, raised walkway with pedestrian access to Dryland Avenue and Sevenoaks Road, landscaping and associated works.



"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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SECTION '2' – Applications meriting special consideration

Application No : 19/00127/FULL1

Ward:
Hayes And Coney Hall

Address : Baston School Baston Road Hayes
Bromley BR2 7AB

Objections: Yes

OS Grid Ref: E: 540912 N: 165589

Applicant : Mr Tim Brown

Description of Development:

Demolition of 2 sheds and removal of portacabins, relocation of former grain store and extension to existing specialist school comprising erection of 8 single storey classrooms arranged in groups of 2, alterations to vehicular access, circulation and parking including formation of 16 no. additional car parking spaces and additional cycle parking with replacement tree planting.

Key designations:

Conservation Area: Bromley Hayes And Keston Commons
Smoke Control SCA 51

Proposal

Planning permission is sought for the extension of the existing specialist school through the construction of 8 no. interlinked single storey classrooms. Two existing storage structures would be demolished and a granary store would be relocated. The existing vehicular access would be altered and the parking arrangements amended to include the formation of additional car parking spaces. The enlargement of the school buildings would allow the separation of the senior and junior sections of the school and would provide space for an additional 30 pupils to join the school from the waiting list. 2 existing portacabins would be removed from the site.

Classroom blocks

The proposed school extension would be sited between the main building and the tarmacked games courts/car park which are adjacent to the eastern boundary of the site. The classrooms would be arranged in a distinct group of 8 classrooms in 4 interlinked blocks with a central canopied access corridor parallel with the car parking area and to the side of the extended main building, with two classrooms within one block at a right angle and to the rear of the main building.

The structures would be single storey with a monopitch roof above the building as well as the individual patios associated with each classroom. The buildings would be approx. 2.5m high at eaves level and 4.3m high at the top of the monopitch. The external elevations of the buildings would be finished in fibre cement weatherboard painted in French Green.

Each individual building of two classrooms (Block A type) would have a footprint of approx. 98.2m² (excluding breakout space at each end). Block type B includes a larger classroom to provide food tech facilities and has a footprint of approx. 115.93m² (excluding canopied break out space at one end). Block type B includes a food technology classroom. Block type C would have an identical floor area to Block B and would include a science classroom.

The arrangement of Classrooms 1-8 would have, if the space between structures is taken into account, a total footprint including breakout space of 36m long by 17m wide (612m²) although the bulk of the buildings is separated by the open space between the separate blocks.

Car park arrangement

The proposal includes the formation of additional car parking spaces to be sited to the north and west of the proposed classroom blocks, perpendicular to the existing car park and between the proposed classroom blocks and the open playing field beyond. A hedge would be removed to provide space for the additional car parking spaces (15 in total). The existing car parking area would be modified to provide a ramped access from the upper to the lower car park. The existing number of parking spaces on site is quoted at 50 spaces. As a result of the modification of the existing hardstanding and the provision of additional parking, a total of 66 spaces would be provided.

Vehicular access

Where the existing parking and circulation requirements on the site include the use of a vehicular access from the site to the eastern side of the site where there access drive relating to the adjacent sports site lies, the amendments would see the formation of a roundabout/gyration in in front of the widened existing access onto the dead end head of Barnet Wood Road with the widened access providing in-out passage for vehicles. 3 no. trees would be removed. A feature specimen tree would be planted upon the roundabout.

The application was supported by the following documents:

- Design and Access Statement
- Travel Plan
- Transport Statement
- Flood risk data

Location and Key Constraints

The application site lies at the junction of Baston Road and Barnet Wood Road, and comprises a large site with school building positioned towards the southern/western boundaries of the site. The land and buildings within the site have been used for educational purposes since 1949, formerly as an independent girl's school and, since 2010, as a specialist school providing education for children on the autistic spectrum. As a consequence of the specialist nature of the

education provided, there is no defined catchment for the school which accommodates pupils travelling from a wide area. The current capacity of 85 pupils would be expanded by 30 places.

The school is arranged in a number of buildings including the main Baston House three storey 19th century building along with a number of single storey classrooms to the north and north west of the extended main building. The application site has an area of approx. 2.04ha and the land to the north of the classroom/main building cluster is open in nature. To the east of the site is a garden area with adjacent sports courts and it is within this area that the proposed classrooms would be sited.

Vehicular access/egress to/from the site can be achieved from an in-out access on Baston Road, adjacent to Nos. 131/133 and also to the south, from Barnet Wood Road, as well as an informal arrangement from the vehicular access track leading from Barnet Wood Road to the neighbouring sports club and playing fields.

The site lies within the designated Green Belt and also within the Bromley, Hayes and Keston Commons conservation area.

Comments from Local Residents and Groups

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

Objections

- Objections to previous application still stand. The proposal does not address the problem of increased traffic down Barnet Wood Road
- The road is often blocked when there are too many cars trying to use it or when large lorries pass along the road
- Increase traffic onto Oakley Road, Five Elms Road and Baston Road
- Property is on green belt land and lies within a conservation area and as such should be preserved rather than built upon
- Proposals would not compliment or blend in with the school
- Intensification of the site not consistent with green belt policy and significant special circumstances have not been demonstrated.

Support

The latest application addresses concerns regarding the previous applications. Additional specialist accommodation for pupils on the autistic spectrum is badly needed. The proposal will enhance the view from Baston and Five Elms Roads towards the entrance of the school and the buildings will barely be seen from those roads.

Comments from Consultees

APCA:

The Advisory Panel for Conservation Areas did not comment on the application. Comments were received in respect of the withdrawn application for 10 classrooms, raising no objections in principle.

Conservation Officer:

The existing buildings to be demolished are of no particular interest. The granary structure they propose to relocate has some minor interest but only because of the stone mushrooms it sits on with the building itself being largely modern in its cladding and windows etc. If they are suggesting retaining it though in another position then this is welcomed. The replacement structure is modest in height compared to the main house and overall I see no harm to the CA.

Designing Out Crime officer:

Due to the complex nature of the requirements for schools generally, the vulnerability of pupils, and with this application in particular the proposed class room design and layout, the boundary treatment and gating, and noting the size of the prospective development and the periodic criminality on the borough, I would recommend the principles of 'Secured By Design New Schools 2014 are adopted as a minimum standard for this development and would kindly request my details are passed to the architect to discuss the design further.

Details can be found on the secured by Design website, www.securedbydesign.com

To assist the development in achieving Secured by Design accreditation, I would seek to have a 'Secured by Design' condition attached to any permission that may be granted in connection with this application and that the wording is such that the development will follow the principles and physical security requirements of Secured by Design.

Drainage Engineer:

There is no public surface water sewer near the site. The use of soakaways and water butts to accommodate surface water run-off is acceptable. A pre-commencement condition relating to drainage is recommended.

Highways:

The site is located in an area with a PTAL rate of 1b. The reduction in the number of classrooms from 10 (previous proposal) to 8 will mean that the school will have to review anticipated pupil and staffing levels to match. The proposals will result in an extra 30 pupils at the school, consequently a total student capacity of 115.

The expansion of the site is anticipated to generate an additional 57 vehicle trips in the peak periods and 114 trips across a 12 hour day, equating to an additional trip on the local road network approximately every 60 seconds in the peak periods and every 6 minutes across a 12 hour day.

Access

With regards to the access, the site is currently accessed via an in/out arrangement, with the in access provided via a small bell mouth arrangement, only wide enough to accommodate one vehicle at a time. A secondary informal access is provided to the east of the main access which operates as the out arrangement, but this leads onto a private drive and consequently third party land. The proposal would result in an improvement over the existing arrangement for the site with a formalised and controlled access arrangement provided. A wider drop off area will be provided at the front of the school which the implementation of an on-site circulation system enabling the existing out access to be locked. The proposed access arrangement would reduce the potential for conflict at the school entrance.

Car parking

At present the school has the equivalent of 58 full-time staff members. The increase in student numbers would require the equivalent of 10 FTE staff. The total number of staff would therefore be 68 when the expansion is complete. The proposed development would provide a total of 66 car parking spaces on site, therefore maintaining the existing approximate provision of 1 space per 1 full time member of staff, which is acceptable.

Cycle Parking

A total of 4% of staff identified cycling as their primary mode of transport to and from school. At present there is no cycle parking provided on site but as part of the proposals cycle parking will be provided for staff with a new covered cycle rack provided in the car parking area, with up to 16 bicycle spaces. This is considered acceptable and should help to encourage staff to cycle into work.

Servicing

It is anticipated that refuse collection currently occurs on-site, with the refuse vehicle entering the site through the main gate, turning and exiting in a forward gear back onto Barnet Wood Road. The proposed improvements to the access would result in improvement to the servicing arrangement.

Conclusion: No objections are raised and should permission be granted a number of conditions are recommended, including a pre-commencement condition relating to Construction Management and Highway Drainage.

Trees and Landscaping:

In accordance with previous comments on the related applications for this site, there are no objections to the proposed tree removals and there appears to be no impact on any retained trees. It is recommended that details of replacement tree planting should be required by condition.

Environmental Health (Pollution):

No objections.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24th July 2018.

According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The development plan for Bromley comprises the Bromley Local Plan (January 2019) and the London Plan (March 2016). The NPPF does not change the legal status of the development plan.

London Plan Policies

- 3.18 Education Facilities
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.16 Green Belt

Bromley Local Plan

- 27 Education
- 30 Parking
- 31 Relieving Congestion
- 32 Road Safety
- 33 Access for All

37 General Design of Development
 41 Conservation Areas
 49 The Green Belt
 73 Development and Trees
 113 Waste Management in New Development
 116 Sustainable Urban Drainage Systems

Supplementary Planning Guidance

SPG1 General Design Principles
 SPG for the Bromley, Hayes and Keston Commons Conservation Area

Planning History

The relevant planning history relating to the application site is summarised as follows:

83/01064/FUL	Retention of mobile classroom	PERMISSION
83/01065/FUL	Retention of mobile classroom	PERMISSION
83/01145/FUL	One detached house and garage	REFUSED
88/03160/FUL as library	Single storey rear extension to existing art block for use as library	PERMISSION
89/02062/FUL	Single storey side extension	PERMISSION
90/02992/FUL	Formation of vehicular access and additional 10 car parking spaces and access road from the pavilion and No. 133 Baston Road.	PERMISSION
92/01164/OTH	Revised parking layout in respect of 90/02992	PERMISSION
93/00338/FUL	Single storey extension for kitchen staff	PERMISSION
93/01784/FUL	Retention of mobile classroom (renewal 83/01064)	PERMISSION
97/00122/FUL	Detached single storey building for 4 classrooms for music practice rooms, store and toilets	PERMISSION
03/01643/FULL1	6 floodlighting columns for tennis/netball court	PERMISSION
10/02646/FULL1	Pedestrian access ramp with balustrade and handrail	PERMISSION
10/02696/FULL1 frontage	Replacement 2m high boundary fence on Baston Road	PERMISSION

11/02808/FULL1 Replacement single storey modular building containing 3 classrooms with access ramp PERMISSION

13/04142/FULL1 Creation of car park to provide 23 additional spaces to replace existing tennis court, and new on-site one way system. PERMISSION

14/00558/FULL1 Conversion of existing dwelling (fronting Baston Road) into five self-contained flats, with associated elevational alterations and balcony screening; provision of associated parking and refuse facility and amenity area. Formation of allocated parking in connection with existing pre-school. REFUSED

14/02802/FULL1 Construction of new single storey classroom block to provide 3 no. classrooms, w.c.s and staff kitchen. (Revisions to planning approval ref. DC/11/02808/FULL1 to include 2 no. covered decked break out areas and alternative roof covering of Marley Eternit Birkdale fibre cement slates). PERMISSION

17/05772/FULL1 Demolition of 3 sheds and extension to existing specialist school comprising erection of 10 single storey classrooms, alterations to vehicular access, circulation and parking including formation of 11 no. additional car parking spaces and additional cycle parking. WITHDRAWN

18/03025/FULL1 Extension and alteration to existing specialist school for the teaching of students on the autistic spectrum comprising the demolition of 2 redundant sheds, relocation of granary store, felling of 3 no. trees and the construction of 10 linked single storey classrooms, alterations to vehicular access, circulation and parking arrangements including formation of 20 additional car parking spaces and the planting of replacement trees. WITHDRAWN

Considerations

The main issues to be considered in respect of this application are:

- Green Belt
- Design and impact on character and appearance of the conservation area
- Highways
- Neighbouring amenity
- Sustainability
- Trees
- CIL

Green Belt

Paragraphs 133 - 147 of the NPPF sets out the Government's intention for Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The Green Belt is intended to serve five purposes:

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

Paragraphs 143 - 147 deal specifically with development proposals in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, with defined exceptions, including at (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development nor cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The NPPF (within Annex 2) defines previously developed land as follows:

- Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings.
- Land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures.
- Land in built-up areas such as private residential gardens, parks, recreation grounds and allotments.
- Land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

Policy 7.16 of the London Plan gives the strongest protection to London's Green Belt in accordance with national guidance. Inappropriate development should be refused except in very special circumstances and development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance; such improvements are likely to help human health, biodiversity and improve overall quality of life.

Bromley Local Plan Policies provide the same level of protection to Green Belt as the NPPF.

Policy 49 of the Bromley Local Plan states that within the Green Belt permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. The construction of new buildings on land falling within the Green Belt will be inappropriate, unless it is for the following purposes:

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

Therefore, the main Green Belt issues for consideration are: the appropriateness of this development in the context of the Green Belt; its impact on the openness of the Green Belt and the purpose of including land within it; and whether, if the development is inappropriate in the Green Belt, the harm by reason of inappropriateness or any other harm, would be outweighed by other considerations so as to amount to very special circumstances.

As previously developed land, the main issue is whether the proposal would have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development. This aligns with paragraph 145 of the NPPF and the Bromley Local Plan Policy 49.

Openness is an essential characteristic of the Green Belt and is different from visual impact with a clear conceptual distinction between the two. Openness is about freedom from built form. However the openness of the Green Belt has a spatial aspect as well as a visual aspect, and the absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result of the location of a new or materially larger building there. The Green Belt may also be impacted by the cumulative effect of small or modest visual intrusions such that its essential quality of openness is impacted.

The existing development adjacent to the larger dominant school building is small in scale with the existing structures which are proposed to be replaced comprising modest storage sheds. The proposal also includes the removal of 2 portacabins which are sited to the north of the existing building.

The proposed structure would be of modest height and has been designed to limit its visual impact. The footprint of the buildings in relation to each other would exceed that of the existing structures it is proposed to remove (2 sheds and 2 portacabins which have been in-situ for a significant period of time). However, it is acknowledged that the proposed classrooms would be low level and would be sited largely to the side of the main significantly higher school building. As such, the footprint of development would not significantly encroach into the open land/playing fields to the rear of the site.

The proposed parking spaces to the north of the existing building would be largely sited upon an existing driveway, while the reconfiguration of the lower car park would not enlarge physically the extent of the existing hardstanding, and the parking of vehicles would be broadly limited to the existing location.

The applicant has referred to very special circumstances which are argued would support the application and the proposed development within the Green Belt.

Very special circumstances referred to in the application submission are:

- The site has been used for education since 1933 and this proposal seeks to safeguard this continued use
- The school supplies very specialist educational services for students on the autistic spectrum and currently works with eight south London local authorities, being much in demand and providing a very important service for the local and wider community
- The school is in a good strategic location to serve its catchment which is much wider than that of a standard school due to the specialist services that it provides
- The semi-rural location of the school provides a relatively quiet and calm environment away from noise pollution and distraction, allowing the students to be taught in a relaxed environment appropriate for the delivery of their special educational needs
- The single storey classrooms are proposed to be built on land currently occupied by storage buildings that are structurally unsound, redundant and an eye-sore - therefore buildings would be in the perimeter of the developed part of the site, which has more than 60% open parkland and playing fields
- The new classrooms are individually approx. half the size of a standard classroom and therefore relatively speaking the development represents the volume of 3 to 4 normal classrooms when including the additional access facilities.
- The existing original school building is three storeys high (plus semi-basement) and is a prominent building within the conservation area and it is therefore considered that the new buildings would not represent

disproportionate additions over and above the size of the original building or current building stock

- The proposed classrooms with their low pitched roofs would have very little effect on the built volume of existing development at the school, as seen from outside the school, and would therefore have little bearing on the openness of the Green Belt as it currently exists in the area
- The application no longer includes the use of the open tennis court (in contrast to the previously withdrawn application 17/05772), reducing the impact of the proposal on the Green Belt.

Policy 27 of the Bromley Local Plan relates to education and states that the Council is committed to education choice, and to ensuring provision of an appropriate range of educational facilities "including specialist provision." Under Policy 27(c) it is stated that the commitment to this aim will be achieved by permitting extensions to existing schools which seek to address local need unless there are demonstrably negative local impacts which outweigh the need for additional education provision. Development should be "sensitively designed to minimise the footprint of buildings and the impact on open space, particularly playing fields, as well as seeking to ensure, as far as is possible the privacy and amenities of any adjoining properties..."

On balance it is considered that very special circumstances exist which would outweigh the limited harm that the proposal would have on the openness of the Green Belt and the purposes of green belt designation. As a specialist school site, the proposed enhanced provision/pupil roll would serve an educational need. In the context of the buildings on the site the height would not be significant in relation to the existing three storey school building and the structures would be sited beside rather than to the rear of existing development, so as to limit encroachment into the open space and playing fields to the rear.

The highways impact of the development is discussed in greater detail below, but it is noted that technical highways comments have referred to the general improvement in circulation of vehicles within the site and the future lack of reliance upon third party agreement for the informal in-out access/exit that currently exists. This is an additional consideration considered to be of public benefit.

Design and impact on the character and appearance of the conservation area

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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not

just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy 37 of the Bromley Local Plan relates to the design of development and reinforces the principles of the NPPF.

With regards to heritage impact, the NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply. Paragraph 196/197 state 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, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

Policy 41 of the Bromley Local Plan states that development should preserve and enhance the character and appearance of a CA by respecting or complementing the layout, scale, form and materials of existing buildings and spaces and by using high quality materials.

The proposed development would be sited adjacent to the existing dominant building on the site which is of some visual interest and historic value. However,

the proposed structures are low level and would not appear uncharacteristic or unrecognisable as school buildings, with the development reflecting the long-term use of the site. The planned classroom cluster would replace existing timber clad outbuildings as well as temporary portacabins, and while the materials used and appearance of the structures would not replicate the imposing main school building, they would complement the timber clad extension at the rear of the main building and would not appear alien or incongruous in the context of existing/retained development on the site.

Views from outside of the school site to the area where the buildings would be positioned are limited, screened to some extent by the front boundary treatment and the bulk of Baston School Cottage which lies immediately adjacent to the front boundary of the site. In view of the siting and scale of the development proposed it is considered that the proposal would preserve the character and appearance of the conservation area.

Highways

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. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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

It is noted that representations received from local residents have expressed concern regarding the potential for increased congestion in neighbouring roads, including Barnet Wood Road, particularly at peak times.

There are no technical highways objections to the proposals, and it is noted that the highways comments refer to the improvement to the circulation of vehicles through the site, the closing of the access onto third party land and the widening of the vehicle access to the road as positive impacts of the reconfiguration of the parking and access arrangements to the site. The car parking proposed on site would be adequate for the increased pupil/staff numbers and the proposal includes the fresh provision of cycle parking. It is therefore considered that the proposal would not have a significant impact on conditions of highways safety and the freeflow of traffic in the neighbouring road network. In view of the 1:1 level of

parking on site and the provision of cycle parking it is not considered that the proposal will result in increased levels of on-street car parking locally.

It is acknowledged that concerns have been expressed by local residents regarding the traffic impact of the development on the locality, including reference to other school sites in the area and the narrowness of nearby roads.

However, in view of the lack of technical objection from the Council's highways officer and taking into account the detail provided regarding the pupil/staff numbers, anticipated trip generation, cycle storage and the improved circulation within the site, it is considered that the proposal would not have an unacceptable impact on highways safety, congestion and the free flow of traffic.

Neighbouring amenity

Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposed development would be positioned to the eastern side of the main school building and there would be significant separation between the classrooms and the nearest neighbouring residential dwellings. While the proposal would result in an increase in the pupil and staff numbers at the school, in the context of the overall size and spaciousness of the site it is not considered that this increased intensity in the use of the site would be readily appreciable from outside of the site. It is not therefore considered that the proposed development would have a significant impact on the residential amenities of neighbouring properties.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

Trees

No objections are raised to the proposed development on the basis of impact on trees. The proposal would include the planting of replacement trees and this would

be capable of being secured by way of a suitably worded planning condition, should permission be granted.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

Conclusion

In view of the siting, height and design of the development it is not considered that the proposal would have a significantly harmful impact on the openness of the Green Belt and the purposes of its designation. The proposal would allow the expansion of an existing specialist school facility and the enlargement of existing schools which serve a local need.

While the footprint of the building would exceed that of the existing structures it is proposed to replace, the structure would be set back significantly from the main front elevation of the imposing host building and would be of limited height. As a consequence the visual impact of the proposal would on balance be acceptable.

No technical highways objections are raised to the proposals, and while the pupil roll would increase by 30 children (along with associated staffing increase) it is considered that the proposal would include improvements to the circulation of vehicles within the site and to the access/exit arrangements, and an appropriate number of car parking spaces would be provided.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: 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: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and supporting documents approved under this planning permission unless previously agreed in writing by the Local Planning Authority and the development shall be retained as such thereafter.**

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the visual and residential amenities of the area.

3 (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan

4 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

5 Prior to commencement of above ground works, details of soft landscaping to include the planting of trees shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the size, number, species and a scaled planting plan. The trees shall be planted in accordance with approved plans in the first planting season after completion or prior to first occupation of the development, whichever is the sooner.

Any new tree that dies, is removed or becomes severely damaged or diseased within 5 years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details

Reason: In order to comply with policy 37, 73 and 74 of the Bromley Local Plan to provide replacement for the trees proposed for removal and to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

6 (i) The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and development. No above ground construction shall take place until details of such measures have been submitted to and approved in writing by the Local Planning Authority.

(ii) The approved measures shall be implemented before the development is occupied and the security measures to be implemented in compliance with this condition shall achieve the Secured by Design accreditation awarded by the Metropolitan Police.

Reason: In the interest of security and crime prevention and to accord with Policies 4 and 37 of the Bromley Local Plan

7 (a) Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects

8 (a) Details of arrangements for bicycle parking (including covered storage facilities where appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with 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 (a) Prior to the construction of above ground works, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include as a minimum:

- Measures to promote and encourage the use of alternative modes of transport to the car**
- A timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating.**

(b) 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 31 of the Bromley Local Plan

10 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 details as set out in this planning permission 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 30 of the Bromley Local 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.

- 11 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.

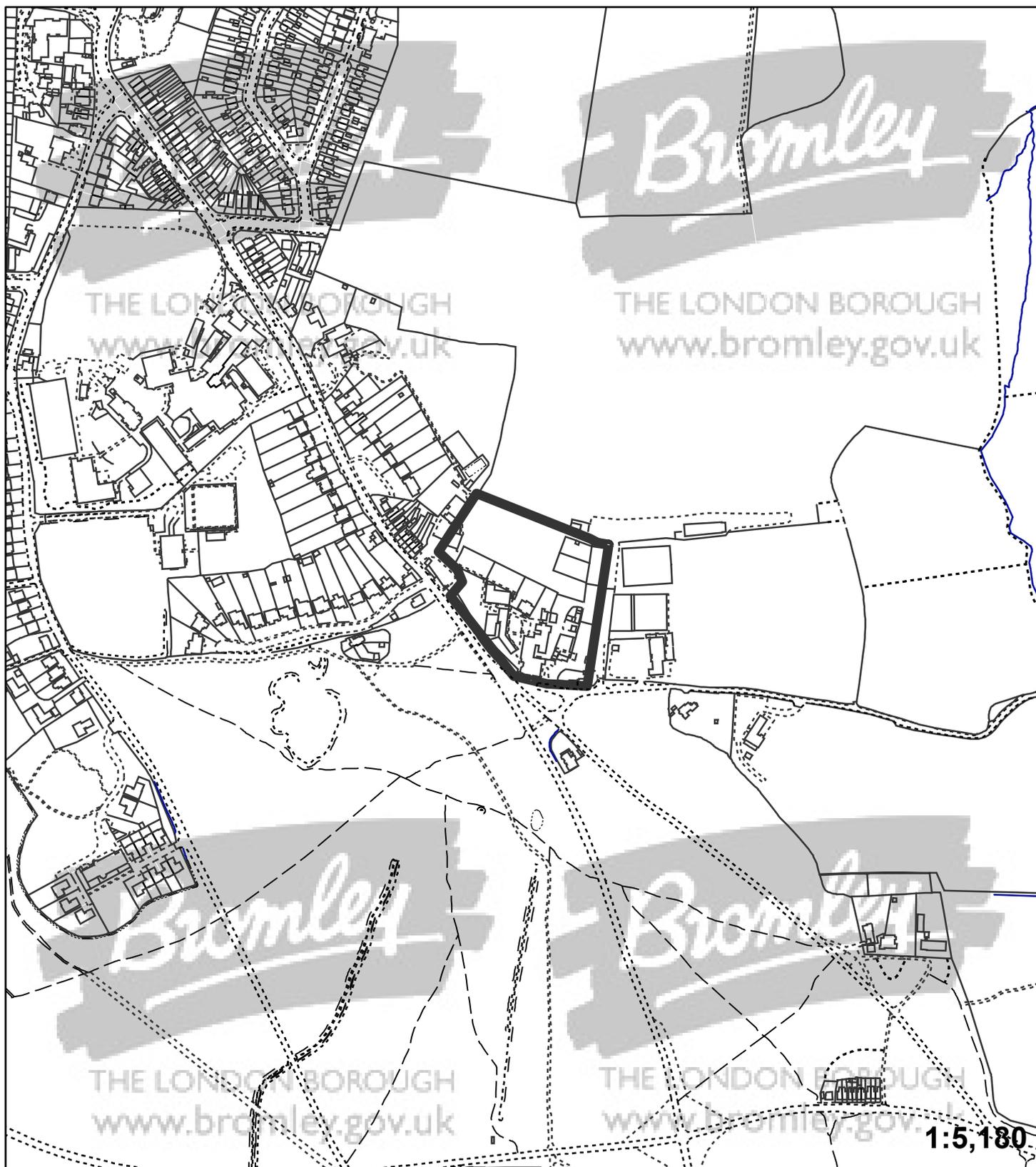
- 12 The extension hereby approved shall only be used as classroom accommodation in connection with the Class D1 school use of the site, as detailed in the application drawings and documents, and for no other purpose. There shall be no change of use whether allowed by the Town and Country Planning (Use Classes) Order 1987, the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order amending, revoking and re-enacting these Orders.**

Reason: In order to comply with Policies 10, 27 and 37 of the Bromley Local Plan and in order that the Council can consider any proposed change of use with regard to current planning policies to prevent any inappropriate use.

Application:19/00127/FULL1

Address: Baston School Baston Road Hayes Bromley BR2 7AB

Proposal: Demolition of 2 sheds and removal of portacabins, relocation of former grain store and extension to existing specialist school comprising erection of 8 single storey classrooms arranged in groups of 2, alterations to vehicular access, circulation and parking including formation of 16 no.



"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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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 18/05277/FULL1

Ward:
Shortlands

Address : 2 Styles Way Beckenham BR3 3AJ

Objections: Yes

OS Grid Ref: E: 538337 N: 168060

Applicant : Mr & Mrs D Newman

Description of Development:

Demolition of existing house and garage and erection of detached house with integral double garage

Key designations:

Conservation Area: Park Langley

Smoke Control SCA 21

Smoke Control SCA 9

Proposal

The application seeks consent for the demolition of the existing house and garage, and the erection of a detached house with integral double garage.

Location and Key Constraints

The application relates to a detached residential dwelling, which is located on the south side of Styles Way. The property is located within a triangular shape plot close to the junction with Wickham Way. The site has a wide frontage which then tapers inwards towards the rear of the site. The property is situated within the Park Langley Conservation Area which is characterised by individual dwellings set within generous plots. There is off-street parking to the front and a small detached garage is situated to the western side of the property. There are two large Oak trees situated within the garden of Number 61 Wickham Way to the rear of the site and these are subject to a Tree Preservation Order (TPO).

Comments from Local Residents and Groups

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

- There are two TPO's trees at 61 Wickham Way. Should the application be permitted it is important that a condition is applied to the permission to retain these trees. The reason for this is in light of the statement in the Design and Access submission which states that approval for a replacement dwelling would enable the foundations to be suitably designed to factor in these protected trees. Which were granted permission for removal.

- When the planning committee met on the 3/1/19 this application should have been a material consideration and committee should have been informed as it was validated on the 24/12/18.
- Comments from Park Langley Residents Association - Neutral stance. Appreciate the existing dwelling has suffered substantial subsidence and that its replacement with a modern, energy efficient dwelling is local and a sensible way forward. We would normally be sceptical about demolition the Conservation Area without extremely good reason. But for the reasons above and our impression that the design of the house would complement the immediate area we do not oppose the proposals.
- Comments about the protected trees at the rear and that an application was permitted in early January on the assumption they contributed to the subsidence. Strongly urge council to insist that appropriate construction of the new build takes place to preserve the trees in question.
- Support proposals for the demolition and replacement which is sympathetic to its surroundings. Particular interest that the foundations are sufficiently robust to withstand any future ingress of tree roots. The oaks at Number 61 Wickham Way are vital to the visual scene of Park Langley, welcome to the proposal to have them felled.

Comments from Consultees

Highways - The applicant is going to use the same access and the proposed double garage is of good size. Also there is parking space for 2 cars within the site curtilage and the space to turn around and come out in forward gear. So I would have no objection to the application.

Tree Officer - The application site is located within the local conservation area and is subject to sensitive tree protection. Two oak trees to the rear of No. 61 Wickham Way are covered by Tree Preservation Order (TPO) 2222.

The proposal for a replacement dwelling is supported with an engineer's appraisal report detailing issues with the existing dwelling. A history of subsidence exists for this property and a number of considerations to the causes and solutions. The replacement dwelling is supported and can take place with consideration to surrounding vegetation influence. The influence of mature trees on the replacement dwelling is a key consideration and should inform the design. The foundation detail is a main point for the Council to assess. The depth and design of foundation should reflect the local soil conditions. Foundation detail has not been supplied in the supporting documents, but may be requested under condition. Building Control must be consulted on this aspect of the application.

The presence of mature trees in neighbouring gardens is a reason to warrant appropriate arboricultural mitigation efforts. I do not require a full Arboricultural Method Statement (AMS) to be considered for this application, but do require the employment of a consultant and consideration to Root Protection Area (RPA) impact and exclusion zones. The AMS should therefore focus on this aspect and be supported with general precautionary measures.

I would recommend planning permission be granted subject to the following conditions:

1. Excavation Details for Foundations (PC01)
2. Tree Protection (PC02)

Conservation Officer - The existing house has been heavily altered and does not make any contribution to the CA so demolition is acceptable. The replacement house is of an acceptable design and maintains sufficient side space. The overall height and bulk also appears well considered so if minded to recommend permission I suggest the materials are conditioned

APCA - Object. The proposal constitutes a cramped overdevelopment and could compromise the side space which is noted as an important feature of road frontages identified in para 3.27 of the SPG. The design is insufficiently distinctive for a CA ref: BLP 37 and 41.

Drainage - No objections please impose PC06 condition.

Environmental Health - I have looked at the above application and the following informative are required:

Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

I would also recommend the following condition as the site is within an Air Quality Management Area:

The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan).

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,

- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

London Plan Policies

- 3.5 Quality and Design of Housing Developments
- 6.9 Cycling
- 6.13 Parking
- 7.2 An Inclusive Environment
- 7.4 Local Character
- 7.8 Heritage Assets and archaeology
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.

Bromley Local Plan

- Policy 4 Housing Design
- Policy 8 Side Space
- Policy 30 Parking
- Policy 32 Road Safety
- Policy 37 General Design of Development
- Policy 41 Conservation Areas
- Policy 42 Trees in Conservation Areas
- Policy 113 Waste Management in Development
- Policy 116 Sustainable Urban Drainage Systems

Supplementary Planning Guidance

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

Planning History

The relevant planning history relating to the application site is summarised as follows date order:

89/02592/OUT Land adj 2 Styles Way Beckenham. Detached house and garage outline. Refused

12/02004/FULL6 - Replacement double garage. Permission

12/02004/AMD - AMENDMENT - Change of material from brick to timber. Approved.

18/01258/TPO - Fell two Oak trees in rear garden at 61 Wickham Way. SUBJECT TO TPO 2222 (T1 & T2). Consent

Considerations

The main issues to be considered in respect of this application are:

- Principle
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Trees
- CIL

Principle & Design

Policy 41 of the BLP states that proposals for new development within Conservation Areas will need to preserve and enhance its characteristics and appearance by:

- Respecting or complementing the layout, scale, form and materials of existing buildings and spaces;
- Respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and
- Using high quality materials.

It goes on to state that proposals that will involve the total or substantial demolition of an unlisted building within a Conservation Area that makes a positive contribution can be judged as causing substantial harm and will be assessed against the tests laid out in para 133 of the NPPF. Where the building makes a negative or neutral contribution to the Conservation Area the merit of the proposed replacement will be weighed against any loss or harm.

The site is located within the Park Langley estate which is designated as a Conservation Area. The estate was conceived as an interwar development based on the Garden City concept and comprises many individually designed houses. The applicant notes that the existing house has undergone extensive changes since originally being built and the supporting statement highlights that the original Edwardian house consisted of three storeys with the upper floor within the roof space. A photograph of the original property has also been supplied within the

design and access statement. However, at some point historically the property was modified and reduced to a single storey, but this was then altered again to provide extended to provide first floor accommodation within the roof, as what can be seen today. The Council's Conservation office notes that the existing dwelling has been heavily altered and does not make any contribution to the wider Conservation Area. Many of the original features have been removed and therefore no objections have been raised to the principle of demolition by the Council's Conservation Officer.

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.

Paragraph 124 of the NPPF (2019) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policy 37 states that all development proposals should be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas.

Styles Way comprises mainly two storey detached houses which are set back from the road behind landscaped gardens and driveways. The houses within the street vary significantly in terms of their design and general layout. There are also varying architectural details including prominent front gables, bay windows and front dormers. Many of these examples also differ in terms of materiality with evidence of tile hung frontages, render, brick and neo-Tudor detailing. The plots within the street and width of the dwellings also differ significantly.

The application property as built is of brick construction with a rendered first floor. There are a number of dormers within the roof slope and bay windows at ground floor level. The garden is set within a triangular plot with the front boundary having a very wide 38m frontage. The garden then tapers significantly inwards towards the rear of the site. The property is set close to the junction with Wickham Way and the west boundary of the site adjoins the rear gardens of 59-63 Wickham Way.

The proposed dwelling would be two storeys in height with additional accommodation in the roof space, being around 1m higher than the existing dwelling. It would have a width of around 22m but in the context of the surrounding development and width of the plot this is not considered to be inappropriate. In addition, there would be a sufficient degree of set back from each side boundary with 3.2m retained to the eastern elevation and 3.8m-7.5m retained to the west. The application property adjoins the rear gardens of 59-63 Wickham Way and this has resulted in a significant area of open space to the western side of the property. Due to the relationship between the dwellings and size of the gardens the space retained to the west side of the property would not be significantly harmed. The spatial qualities, appearance of openness and overall pleasant character of the streetscene would therefore be preserved.

The built form would continue to be set back sufficiently from the road frontage, and this space would be similar to the front elevation of the existing building and the adjoining building line at Number 4 Styles Way. Its depth within the plot would also respect the proportions of wider development and it would not extend any deeper into the rear garden than the existing property.

In terms of its architectural treatment the dwelling would incorporate details from many of the other properties within the street. This includes two feature bays one with a hipped roof and the other with a gable roof. These would include neo-Tudor detailing; tile hung elevational treatments and a mix of render and brick facing materials. The fenestration appears well considered and is in proportion with the house and wider development.

As such, it is considered the existing house makes little contribution to the character and appearance of the Conservation Area and its demolition is acceptable in principle. The new dwelling is considered to be of an acceptable individual design, which is still set within a generous plot and maintains the spatial character of the streetscene. It would therefore preserve the character and appearance of the Conservation Area.

Standard of residential accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building

Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Policy 4 sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Government's National Technical Housing Standards.

The London Plan makes clear 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. The relevant category of Building Control Compliance should be secured by planning conditions.

The proposal would be a single replacement dwelling. The proposed would provide an acceptable standard of accommodation and layout.

A significant amount amenity space would be retained to the rear.

The applicant has provided a Part M4 (2) statement within the design and access document demonstrating compliance with the relevant criteria.

Highways

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. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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

The proposal is for a replacement dwelling and a double garage would be provided within the development. Additionally, off-street parking would still be available on the front drive and the proposal would utilise the existing access point. The development would therefore provide an acceptable level of parking and no objections have been raised by the Council's highways team.

Details of refuse storage could be controlled by way of a condition should permission be granted.

Neighbouring amenity

Policy 37 the Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposed replacement dwelling would be larger in scale the existing property. However, it is set within a generous plot which tapers inwards towards the rear of the site. As noted above, the application site is situated to the rear of 59-63 Wickham Way. The bulk of the proposed dwelling would now be closer to this shared boundary line but there would still be ample degree of separation between the rear elevations of these dwellings and the new built form. The rear garden of Number 59 measures approximately 40m in depth and this degree of separation, together with the overall spatial characteristics of the site would prevent the development being overbearing. These neighbouring dwellings are located to the west and south west of the development and due to this orientation and spatial separation noted above, it is not considered there would be an unacceptable loss of light or overshadowing.

The rear facing windows would not result in a material loss of privacy or overlooking due to their position. One window is proposed within the upper level of the west elevation however this would serve an en suite and could be condition to be obscured glazed and non-opening below 1.7m in order or protect neighbouring privacy.

Number 4 Styles Way is located to the east of the application site. This neighbouring property is also detached and it also includes a single storey double garage block which sits adjacent to the common boundary. The proposed dwelling would be bulkier in appearance but it would not project significantly forward or beyond the rear of this neighbouring property. There would be approximately 9.4m between the side elevation of the new dwelling and the flank elevation of Number 4. The gardens are south facing and due to the orientation and arrangement of the dwelling it is not considered there would be a material loss of light significant overshadowing. In addition, due to the degree separation, generous plot sizes and position of the building it is not considered the development would be unacceptably overbearing or visually dominant in appearance. A number of windows are proposed within the east elevation at upper floor level but these would either be secondary windows or would serve non-habitable rooms. They could therefore be conditioned to be obscured glazed and non-opening below 1.7m.

Given the spatial characteristics of the plot, arrangement of the building and location of the development is not considered that the proposal would result in unacceptable harm to neighbouring residential amenities.

Trees

There are a number of trees within proximity of the development site. Including two large oak trees which are situated within the rear garden of Number 61 Wickham Way. These neighbouring trees are subject to a Tree Preservation Order. By way of background, an application was made on behalf of the applicant under ref: 18/01258/TPO in order to fell the trees. The application was subject to an independent investigation by the Council and it was concluded that these Oak Trees were, on the balance of probabilities, the cause of building subsidence at 2 Styles Way. At the time of that tree application officers visited the site and witnessed significant cracking and displacement within the rooms of the host property. Members therefore resolved to grant consent for the felling of these trees at Plans Sub Committee 4 on the 3rd of January 2018.

The design and access statement explains that the existing trees have resulted in extensive damage to the house and a structural report has been supplied in support of the application. The applicant states that 'Approval for a replacement dwelling would enable the foundations to be suitably designed to factor in these trees, and therefore their removal would not be necessitated.' However, as these trees fall outside of the development site it is not possible to condition their retention and the permission to fell the trees will remain for a period of two years from the date of the consent. In addition, as the trees fall within a separate garden their removal is outside of the applicant's control and subject to the agreement of the owners at Number 61 Wickham Way.

Therefore the current scheme must be considered on its own merits, but whilst the trees remain in situ they form a constraint to the development. The Council's tree officer has reviewed the scheme and notes that a replacement dwelling is supportable with consideration of surrounding vegetation, mostly notably the neighbouring protected trees with specific reference being given to the proposed foundation details. The above officer considers that details are required relating to the Root Protection Area (RPA) impact and exclusions zones, but that suitable conditions relating to their submission prior to commencement can be imposed. Such conditions would include the submission of foundation details and Tree Protection measures, which would include details of the protected trees. Given the protected nature of the trees it is considered that these details should be submitted prior to commencement of development.

Therefore, subject to the above conditions, it is considered that the proposal would not result in unacceptable harm to any on or off-site trees.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Conclusion

The proposed demolition of the unlisted building within the Conservation Area is considered to be acceptable in principle. The proposed dwelling would preserve the character and appearance of the conservation area and there would be no harm to neighbouring residential amenities. The impact on the adjoining trees is also considered to be acceptable subject to the conditions outlined above.

RECOMMENDATION: 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: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

- 3 Prior to commencement of development hereby approved (excluding demolition) details of the depth, extent and means of excavation of the foundations shall be submitted to and approved in writing by the Local Planning Authority, and the excavations and foundations shall be carried out in accordance with the approved details.**

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to ensure works are carried out according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained in accordance with Policy 73 of the Bromley Local Plan

- 4 (i) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.**

Specific issues to be dealt with in the TPP and AMS:

a) Location and installation of services/ utilities/ drainage.

b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.

c) Details of construction within the RPA or that may impact on the retained trees.

d) A full specification for the installation of boundary treatment works.

e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.

f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.

g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.

h) A specification for scaffolding and ground protection within tree protection zones.

i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.

j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires

k) Boundary treatments within the RPA

l) Methodology and detailed assessment of root pruning

m) Arboricultural supervision and inspection by a suitably qualified tree specialist

n) Reporting of inspection and supervision

o) Methods to improve the rooting environment for retained and proposed trees and landscaping

p) Veteran and ancient tree protection and management

(ii) The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy 37, 73 and 74 of the Bromley Local Plan and pursuant to section 197 of the Town and Country Planning Act 1990

5 (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan

6 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

7 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.

(b) The development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area

8 (a) Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects

9 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 details as set out in this planning permission 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 30 of the Bromley Local 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 Before the development hereby permitted is first occupied the proposed window(s) in upper floors of the east and west elevations shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.**

Reason: In the interests of the amenities of nearby residential properties and to accord with Policies 6 and 37 of the Bromley Local Plan

- 11 No loose materials shall be used for surfacing of the parking and turning area hereby permitted**

Reason: In the interest of highway safety and the amenities of the area and in order to Comply with Policy 37 of the Bromley Local Plan (2019).

You are further informed that :

- 1 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.**

If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

- 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**

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Application:18/05277/FULL1

Address: 2 Styles Way Beckenham BR3 3AJ

Proposal: Demolition of existing house and garage and erection of detached house with integral double garage



"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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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 18/05317/FULL6

Ward:
Orpington

Address : 5 The Drive Orpington BR6 9AR

Objections: Yes

OS Grid Ref: E: 545977 N: 165716

Applicant : Mrs Xian Hong

Description of Development:

Erection of part single storey/part two storey rear extension incorporating Juliet balcony to first floor, first floor side extension, front porch extension, loft conversion with rear dormer and roof lights to side elevations and elevational alterations.

Key designations:

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

Proposal

Planning permission is sought for erection of part single storey/part two storey rear extension; incorporating Juliet balcony, first floor side extension, front porch, rear dormer window and roof light windows; in connection with loft conversion and elevational alterations.

Location and Key Constraints

The application site is No. 5 The Drive, Orpington, a detached two storey inter-war dwelling located on the southern side of the highway close to the junction with Sevenoaks Road. The land is predominantly level with boundaries marked by a mixture of approximately 1.8m high close boarded fencing, trees, vegetation and the walls of neighbouring buildings. The dwelling comprises a main block with a front gable and a rear hipped roof. It has a rearward projecting two storey outrigger and a single storey attached tandem garage running the full depth and projecting to the rear of the main dwelling. There is a single storey conservatory infilling the gap between the two storey outrigger and the rear part of the garage.

The area is residential in nature; characterised mainly by detached two storey dwellings; generally set within relatively spacious plots. They generally have similar size and scale and degree of separation from one another; and have a relatively regular plot size and orientation and overall design, with either front, side or rear outriggers, although many have been altered or extended.

Comments from Local Residents and Groups

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

Objections

- The proposal is excessive in size,
- The additional 6m rearward depth would have an overbearing and overshadowing effect on the neighbouring property No. 3,
- The proposed ground floor and upper floor east facing windows would overlook bedroom windows and private amenity spaces at Nos. 1 and 3 The Drive and should be omitted or obscure glazed

Local Groups

Knoll Residents Association

- The resulting dwelling would be overly large,
- The two storey extension would be 6m in depth and would dominate the outlook and overshadow No. 3 in particular,
- The Juliet balcony and side flank windows would overlook neighbouring properties

Comments from Consultees

Tree Officer: No objection

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- (a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- (b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (January 2019).

The application shall be determined in accordance with the following policies:

London Plan Policies

7.4 Local character
7.6 Architecture

Bromley Local Plan

6 Residential Extensions
8 Side Space
30 Parking
37 General Design of Development
73 Development and Trees

Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance

Planning History

No relevant planning history.

Considerations

The main issues to be considered in respect of this application are:

- Principle and location of development
- Design and landscaping
- Residential amenity
- Highways
- CIL

Principle and location of development

The site lies within an urban area where there is no objection in principle to new residential extensions subject to an assessment of the impact of the proposal on the appearance/character of the building, the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications.

Design and landscaping

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.

London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

In this case Policy 8 of the London Borough of Bromley's Unitary Development Plan (2006) (UDP) is relevant. This Policy provides (*in part*): "*When considering applications for new residential development, including extensions, the Council will normally require the following:*

(a) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building;"

This policy seeks to ensure "*that the retention of space around residential buildings at first floor level and above is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas*". The proposed single storey side extension would be within 1m of the side boundary and as the upper floor/two storey element would be attached to the single storey element then by association it would also be within 1m of the side boundary and would technically conflict with the Policy 8 Side Space. It is noted that, the presence of the term '**normally**' in the body of Bromley Local Plan Policy 8 strongly implies, a need for discretion in the application of the having regard to several factors including the characteristics of the site and its surroundings, the precise nature of the proposal and the objectives of the policy as set out in the explanatory text.

The existing dwelling is relatively sizable with projecting side and rear elements. The proposed extensions would remain subservient in footprint, size, scale, height and overall form to the existing dwellinghouse. The main part of the proposal would be positioned to the rear and centre of the existing dwelling. The upper floor side extension would be visible from the front and the north western side of the dwelling; however it would be set back approximately 7m from the main front elevation and it would consequently be glimpsed along the side of the dwelling. It is noted that in this case the side of the dwelling is more exposed and prominent due to the staggered building line as compared with a more conventional/straighter building line.

The north west flank elevation of the upper floor side extension would be positioned away from the boundary with No. 7 by approximately 1m and in this context where all the dwellings have a staggered building line; following the contour of the road, and they are also all set away from the common boundaries and have various different side elements, roof formations, outriggers and varying external materials, the proposal would be sufficiently well separated from its neighbours; it would respect the spatial standards in the area and the single storey and upper floor elements would not lead to a terracing effect with the neighbouring properties which would continue to appear as a collection of detached dwellings. As such the proposal would not result in an overdevelopment of the site and it would not lead to a cramped form of development.

The proposal would complement the form, mass and the hipped and gable ended roof design of the existing dwelling and the proposed external materials and these could be managed by planning condition. The proposal would involve the removal of one (magnolia) tree directly to the rear of the dwelling (conservatory); it is not of particular merit and it is not especially prominent within the street scene and does not offer particular public amenity value. There is no objection to its loss and given the nature, scale and design of the proposal, in this instance it is not considered necessary to soften or enhance the development with additional/new planting.

Having regard to the form, scale, siting and proposed materials it is considered that the proposed extension(s) would complement the host property and would not appear out of character with surrounding development or the area generally.

Residential amenity

Policy 37 of the Bromley Local Plan 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.

As mentioned above, the majority of the development would be positioned to the rear and the north western side of the dwelling. Here it would be positioned slightly in front of but mostly along the blank flank side elevation of No. 7 where the additional building mass, combined with the plot orientation and path of the sun would not have a significantly more harmful impact on the amenities of the neighbouring occupiers by reason of overshadowing or overbearing effect. The main bulk of the proposed rear extension would be effectively screened from the outlook of the neighbouring property No. 3 by the existing two storey rear outrigger at the application site and as such this would minimise/mitigate any additional harm/impact to the outlook in this respect. On this basis the proposed development would be sufficiently well removed from the neighbouring properties that the size and scale of the building would not have a significantly more harmful impact on the amenities of the neighbouring property by reason of overshadowing or overbearing effect. Having regard to the scale, siting, separation distance, orientation, existing boundary treatment of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook and prospect would arise.

The main outlook from the proposed extension would continue to be to the front and rear where any additional overlooking would not be significantly more harmful than that which may already exist. An upper floor side flank window serving the new rear bedroom could lead to more significantly harmful overlooking to the neighbouring properties to the east it would be a secondary window which could be fitted with obscure glazing and restricted opening to preserve neighbouring privacy amenity without detracting from the living environment of the future occupiers (the Applicant has indicated that this would be acceptable) and this could be managed by planning condition. As such subject to the imposition conditions regarding the use and retention of obscure glazing to the upper floor side flank window(s) and

the insertion of new upper floor side flank windows it is not considered that an unacceptable loss of privacy to neighbouring dwellings would arise.

Highways

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. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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

The proposal would increase the bedroom accommodation and therefore the potential household size however the existing garage space and forecourt space in front of the dwelling would be retained and this would accommodate off-street parking and therefore it would be unlikely to lead to additional adverse on-street parking.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

Conclusion

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: 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: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

REASON: In the interests of visual and residential amenity and in order to comply with Policy 37 of the Bromley Local Plan.

- 3 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and/or drawings unless otherwise agreed in writing by the Local Planning Authority.**

REASON: In the interest of the appearance of the building and the visual amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan.

- 4 Before the development hereby permitted is first occupied the proposed upper floor east facing window serving Bedroom 5; shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained as such.**

REASON: In the interest of the appearance of the building and the visual amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan.

- 5 No windows (other than those shown on the plans hereby approved) shall at any time be inserted in the upper floor east and west facing elevation(s) of the extensions hereby permitted.**

REASON: In the interest of the appearance of the building and the visual amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan.

You are further informed that:

- 1 The Applicant is reminded of their requirements and responsibilities according to The Party Wall etc. Act 1996. Further details can be found at the following address:
https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/16**

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Application:18/05317/FULL6

Address: 5 The Drive Orpington BR6 9AR

Proposal: Erection of part single storey/part two storey rear extension incorporating Juliet balcony to first floor, first floor side extension, front porch extension, loft conversion with rear dormer and roof lights to side elevations and elevational alterations.



"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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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 18/05461/FULL1

Ward:
Biggin Hill

Address : Site Of Former 41 Sunningvale Avenue
Sunningvale Close Biggin Hill

Objections: Yes

OS Grid Ref: E: 541567 N: 159533

Applicant : Alder Design and Build Ltd

Description of Development:

Erection of 4 x part two/three storey semi-detached houses in two blocks with ancillary car parking and bin stores (revision to planning permission reference 17/02081/FULL1 granted for the erection of a total of 8 houses (comprising of 6 x semi-detached and 2 x detached dwellings) with associated access road. ancillary parking and bin stores to northern end of Sunningvale Close to enable change of approved units 1-2 to provide 4 x part two/three storey semi-detached houses in lieu of 2 x two/three storey detached houses)

Key designations:

Biggin Hill Noise Contours
Biggin Hill Noise Contours
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 24

Proposal

In effect, this application represents a revision to the scheme permitted under permission reference 17/02081/FULL1 involving the erection of a total of 8 houses (comprising of 6x semi- detached and 2x detached dwellings) with associated access road, ancillary parking and bin stores to northern end of Sunningvale Close. It is proposed to replace the two detached houses approved within plots 1 and 2 of the approved scheme with 4 x part two/three storey semi-detached houses in two blocks with ancillary car parking and bin stores. These houses would occupy a broadly similar footprint to the formerly approved houses at units 1 and 2.

The application is accompanied by a Design and Access Statement.

Location and Key Constraints

The site forms what would have comprised part of the curtilage associated with the former No 41 Sunningvale Avenue (which was occupied by a single house). The site is characterised by its sylvan setting, straddling the eastern slope of the valley

which encloses much of the Biggin Hill settlement. The valley slope provides an important visual intercept between existing development at Biggin Hill Airport to its eastern side and the underlying development within the valley. The site previously benefited from its own access drive to Sunningvale Avenue, but that land is now occupied by a detached house. Access to the site is now gained via Sunningvale Close under which the site address is listed.

The site is now in the process of being developed with six of the eight houses originally permitted under ref. 17/02081/FULL1 now substantially complete.

Comments from Local Residents and Groups

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

- Proposed houses will overlook neighbouring properties
- No trees to the rear of the proposed houses to restrict overlooking
- suitable planting of an appropriate height should be provided along rear boundaries of proposed houses to deal with overlooking
- This development is already in an insufficient parking crisis and requires additional parking, bin store and turning circle facilities.
- Substituting 4 semi-detached dwellings for 2 detached dwellings increases the amount of households and people considerably.
- There are existing access problems in entering Sunningvale Close from Sunningvale Avenue
- Poor street lighting. Two lights previously provided by the developers are inadequate and have not been in working order for a considerable time
- Sunningvale Close is narrow, steep and I think already well on the way to being over developed
- Overbearing 'terraced' design of the new properties, failing to connect them to their woodland surroundings and to the existing predominantly detached and semi-detached houses and bungalows in the vicinity
- Design and external appearance of the proposal are not sympathetic with the surrounding topography of the overall site
- Increased drainage issues where there is already some drainage issues in the Close
- Additional housing will lead to a further visual compression of the site
- An obvious lack of recreational facilities in the current and in-build properties, where little or no gardens exist, necessitating the road as a playground, which is already causing concerns for the current householders
- Increased development resulting in more traffic, light, noise and air pollution, impacting on security and the general well-being of established residents and their homes and gardens
- Increasing the number of units could potentially see 40 more cars using Sunningvale Close
- The road infrastructure of the Valley is already under strain

- Parking is already at crisis point in the street and leading to dangerous conflicts
- Good use of redundant land

Comments from Consultees

No technical Highways objections have been raised, subject to conditions.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Bromley comprises the London Plan (March 2016) and the Local Plan (2019). The NPPF does not change the legal status of the development plan.

London Plan (2016)

- 3.3 Increasing Housing Supply.
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 8.3 Community Infrastructure Levy

Local Plan

- Policy 1 – Housing Supply
- Policy 4 – Housing Design
- Policy 30 – Parking
- Policy 32 – Road Safety
- Policy 37 – General Design of Development

Policy 69 – Development and Nature Conservation Sites
Policy 72 – Protected Species
Policy 73 – Development and Trees

Supplementary Planning Guidance

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

The Mayor's Housing Supplementary Planning Guidance (March 2016)

DCLG Technical Housing Standards (March 2015)

Planning History

There is extensive planning history associated with this site, which has been the subject of previous planning applications and appeals.

Planning permission was refused under ref. 89/03583 for 2 detached houses with an access road at 37-41 Sunningvale Avenue. The subsequent appeal was dismissed. The Inspector considered that the site formed a prominent and attractive feature of great importance in the wider landscape and that the proposed development would be damaging to both character and appearance of the area. The Inspector also found that the degree of overlooking and loss of privacy would be unacceptable, given the sharply rising nature of the land.

04/00522/FULL1

An application for 23 houses with associated parking and access road at 41 and 49 Sunningvale Avenue (ref. 04/00522) was refused on the following grounds:

1. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy
2. The proposed development, would create an unacceptable amount of disturbance to a badgers sett, creating the risk of future abandonment,
3. The proposed development would necessitate an unacceptable loss of protected trees which contribute to the visual amenities and character of the surrounding area
4. The scale of the proposed development is considered to be excessive and would amount to overdevelopment within the context of the significant physical constraints of the site, including protected woodland, active badger setts and steep gradients.

A subsequent appeal was dismissed.

05/02385/FULL1

Planning permission was again refused under reference 05/02385 for 18 houses with associated parking and access road at 41 and 49 Sunningvale Avenue on the following grounds:

1. Detrimental to neighbouring amenities by reason of visual impact and overlooking
2. Unacceptable loss of protected trees
3. The proposed does not include on site provision of affordable housing units
4. Unacceptable amount of disturbance to badger sett
5. Development in the manner proposed will infringe Biggin Hill Airports protected surface and compromise conditions of safety contrary to the Civil Aviation Authority's guidelines for safeguarding the airport.

06/04524/FULL1

Under application ref. 06/04524 an application concerning the development of the sites at 41 and 49 Sunningvale Avenue with 18 houses (2 detached, 10 semi-detached, and 6 terraced houses) with associated parking and access from Sunningvale Close was refused on the grounds that:

1. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties including those in Sunningvale Close might reasonably expect to be able to continue to enjoy by reason of visual impact overlooking and disturbance associated with the access
2. The proposed development would necessitate an unacceptable loss of protected trees, which contribute to the visual amenities, and character of the surrounding area
3. The scale of the proposed development, particularly in respect of the terraced units, is considered to be excessive and would amount to overdevelopment within the context of the significant physical constraints of the site, including protected woodland and steep gradients.

The 2006 application was subsequently part allowed and part dismissed at appeal, the Planning Inspector dismissing the appeal in relation to plots 2 – 7 concerning the front of the site fronting Sunningvale Avenue. The Inspector allowed the appeal insofar as it related to plots 1 and 8 – 18.

2008 applications (withdrawn)

In 2008 three applications concerning the sites at Nos. 41 and 49 Sunningvale Avenue were submitted but subsequently withdrawn. There are set out in the following table:

08/00715 – site at 41 Sunningvale Avenue	Demolition of remains of dwelling and erection of part 3 part 2 storey four bedroom dwelling with integral garage
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08/01069 – sites at 41 and 49 Sunningvale Avenue Demolition of existing buildings and erection of nine 4 bedroom detached dwellings, 2 detached garages with associated parking and access road from Sunningvale Close

08/01946 – site at 41 Sunningvale Avenue Demolition of existing buildings and erection of nine 4 bedroom detached dwellings, 2 detached garages with associated parking and access road from Sunningvale Close

2010-11 applications

Under references 10/00909 and 10/02850 applications for 9 and 8 houses respectively, and the formation of a new access road from Sunningvale Close were refused by the Council and subsequently allowed at appeal. These were proposed on the part of the site which had formed the No 49 curtilage. Permission was granted by the Council under ref. 11/01412 for a modified scheme incorporating three pairs of semis (as opposed to one terrace), and a terrace of three houses. In regard to this latter application, the Council included the following informative:

“The applicant is advised that any increase in the number of units or an expansion of the development site may result in a requirement for the provision of affordable housing.”

12/01749/FULL1

Under ref. 12/01749 planning permission was sought for eight semi-detached 3 bedroom houses and one detached 3 bedroom house, provision of access road, ancillary car parking and bin stores. The application was refused by the Council for the following reasons:

1. Proposal, by reason of its excessive scale, amount to overdevelopment within the context of the significant physical constraints of the site, including protected woodland and steep gradients, and would be overdominant within its surroundings
2. Proposal constitutes an extension of the developments permitted under refs. 06/04524 and 11/01412 and would result in the development of 19 houses within the combined plot of Nos. 41 and 49 Sunningvale Avenue which is considered to form a single development site. In the absence of on site provision of affordable housing, the application fails to accord with the provisions of Policies H2 and H3 of the Unitary Development Plan and of the Council’s Adopted Supplementary Planning Document for Affordable Housing
3. In the absence of the making up of Sunningvale Close to an adoptable standard this proposal is likely to cause a deterioration of the road surface and conditions of general safety within the area.

The proposal was subsequently dismissed at Appeal. This was solely on the basis that the Inspector deemed it necessary for the appeal scheme to contribute to the supply of affordable housing.

14/00415/FULL1

Under reference 14/00415 an application concerning the erection of two detached houses (1 no 3 bedroom and 1 no 4 bedroom) and six 3 bedroom semi-detached house, and provision of access road, ancillary car parking and bin stores, was refused by the Council on the following ground:

“The proposal constitutes an extension of the developments permitted under refs. 06/04524 and 11/01412 and would result in the development of 18 houses within the combined plot of Nos. 41 and 49 Sunningvale Avenue which is considered to form a single development site; and in the absence of any provision of affordable housing, the application fails to accord with the provisions of Policies H2 and H3 of the Unitary Development Plan and of the Council's Adopted Supplementary Planning Document for Affordable Housing.”

A subsequent appeal was allowed in February 2015, the Planning Inspector concluding that the proposal did not fall within a threshold required to provide affordable housing. That permission has not been implemented but remains extant at the time of writing.

16/05754/FULL1

Under reference 16/05754/FULL1 an application for the erection of a total of 9 houses (comprising of 6 x semi-detached and 3 detached dwellings) with associated access road, ancillary parking and bin stores to the northern end of Sunningvale Close was refused by the Council in March 2017. The Council refused permission on the following ground:

“The proposal would result in the unacceptable loss of an important wildlife habitat and protected species and would be in conflict with the interests of nature conservation contrary to Policy NE5 of the Unitary Development Plan; Paragraph 118 of the National Planning Policy Framework; and Policy 7.19 of the London Plan.”

17/02081/FULL1

Under reference 17/02081/FULL1 planning permission was granted for the erection of a total of 8 houses (comprising of 6x semi- detached and 2x detached dwellings) with associated access road, ancillary parking and bin stores to northern end of Sunningvale Close.

17/02081/RECON

Under reference 17/02081/RECON the Council approved a variation of Condition 7 of planning permission reference 17/02081/FULL1 to enable the enlargement of units 3-8 to provide larger ground floor accommodation, internal reconfigurations, increase in the number of bedrooms per dwelling to four and the lowering of the

rear elevation to provide access to garden areas. This part of the development is under construction.

Considerations

As set out above, this application represents a revision to the scheme permitted under permission reference 17/02081/FULL1 in so far that it is proposed to replace the two detached houses approved under the previous planning application with 4 x part two/three storey semi-detached houses. The key considerations concern the following matters:

- Principle of development
- Design
- Density
- Standard of Accommodation
- Highways
- Neighbouring amenity
- CIL

Principle of Development

Housing is a priority use for all London boroughs. Policy 3.3 (Increasing Housing Supply), Policy 3.4 (Optimising Housing Potential) and Policy 3.8 (Housing Choice) in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

The National Planning Policy Framework (NPPF) states at paragraphs 11-14 that housing applications should be considered in the context of the 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 that should be restricted.

Given that the site benefits from an extant planning permission, the principle of the development is considered to be acceptable in principle, subject to it achieving satisfactory standards of design and quality of accommodation, respecting neighbouring amenity and not undermining highways conditions. Furthermore, in light of Policy 2 of the Local Plan, on the basis that this scheme would not result in the provision of 11 residential units or more, there is no requirement for affordable housing or payment in lieu.

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. London Plan and Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The proposed houses would form part of a self-contained residential development to the rear of Sunningvale Avenue. Whilst the quantum of development would be increased by two residential units, it is not considered that this would serve to undermine local character, particularly in light of the location and set-back of the proposed houses relative to surrounding properties, and the relatively modest increase in the amount of development within the site. Furthermore, the houses would remain within the parameters of the built-up part of the site and the design of the houses would remain identical to those of the approved scheme and of the wider residential development of which these would form a part.

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 of the plan, 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 site has a PTAL rating of 1b and is considered to be within a suburban setting. In accordance with Table 3.2, the recommended density range for the site would be 40-65 dwellings per hectare. The proposed development would have a density of 41 dwellings per hectare. The proposed residential density would therefore be within the recommended range. Whilst these ranges should not be applied mechanistically, it is considered that the density is broadly appropriate for the area when taking into account the plot sizes, form and layout of development in the locality.

Standard of Residential Accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG

sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Government's National Technical Housing Standards.

The London Plan makes clear 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. The relevant category of Building Control Compliance should be secured by planning conditions.

Having regard to relevant space standards, the size of the proposed houses, as well as the shape and size of their rooms, these are considered to be satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use. It is considered that sufficient levels of natural light would be provided to all dwellings and each unit would have a dual aspect outlook. Each unit of accommodation would be provided with a private outdoor amenity space to the rear.

Highways

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. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

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

Each of the proposed four houses would be provided with two off-street parking spaces which complies with relevant parking standards. Accordingly, it is considered that the proposed houses could be adequately accommodated within the site without leading to deleterious effects on local highway conditions.

Neighbouring Amenity

Policy 37 of the Local Plan 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.

It is considered that the proposed houses would maintain an adequate separation to the neighbouring properties to the rear fronting Sunningvale Avenue. Whilst this proposal would result in a more intensive development, it is considered that this impact could be adequately mitigated through appropriate landscaping along the interface between the rear boundary of the proposed dwellings and the neighbouring Sunningvale Close properties.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Conclusion

Having had regard to the above it was considered that the development in the manner proposed is acceptable having regard to the principle of the development; its design, density, standard of accommodation, highways conditions and neighbouring amenity.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: 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: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

3 (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan

4 (a) Prior to commencement of the development hereby approved (excluding demolition) details of turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority.

(b) The turning area(s) shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that adequate arrangements can be secured in order to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety and to comply with Policies 30 and 32 of the Bromley Local Plan

5 (a) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a survey of the condition of the road shall be submitted to and agreed in writing by the Local Planning Authority.

(b) Any damage caused to the surface of the road during the construction phase of the development shall be reinstated to a standard at least commensurate with its condition prior to the commencement of the development (as evidenced in details submitted to satisfy part (a)) prior to first occupation of the development hereby approved.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that adequate protection of the road can be secured in the interest of pedestrian and vehicular safety and to comply with Policy 32 of the Bromley Local Plan

6 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

7 Prior to commencement of development (excluding demolition) 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 . The development shall be completed strictly in accordance with the approved levels.

Reason: Required prior to commencement in order to ensure that a satisfactory form of development can be undertaken on the site in the

interest of visual amenity and to comply with Policy 37 of the Bromley Local Plan

- 8 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.

(b) The development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area

- 9 Before any part of the development hereby permitted is first occupied, boundary planting to provide screening between the development hereby approved and the neighbouring properties to the west (Nos. 41, 45 and 47 Sunningvale Avenue) of a type to be agreed shall be planted in such positions along the boundaries of the site. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

REASON: In order to comply with Policy 37 of the Local Plan Plan and in the interest of visual amenity and the amenities of adjacent properties.

- 10 (a) Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects

- 11 (a) Details of arrangements for bicycle parking (including covered storage facilities where appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with 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.

12 (a) Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works.

(b) The approved scheme shall be self-certified to accord with BS 5489 - 1:2003

(c) The lighting scheme as shall be implemented in full accordance with details submitted under Part (a) before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policies 30 and 37 of the Bromley Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

13 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 details as set out in this planning permission 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 30 of the Bromley Local 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.

14 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 32 Bromley Local Plan.

15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure, extension, enlargement or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy 37 of the Bromley Local Plan

- 16 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4 '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

- 17 The landscaping scheme as shown on the submitted 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. 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. Furthermore any boundary treatments shall be retained in perpetuity.

Reason: In order to comply with Policies 37, 73 and 74 of the Bromley Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

- 18 (i) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) A full specification for the installation of boundary treatment works.
- e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.

g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.

h) A specification for scaffolding and ground protection within tree protection zones.

i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.

j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires

k) Boundary treatments within the RPA

l) Methodology and detailed assessment of root pruning

m) Arboricultural supervision and inspection by a suitably qualified tree specialist

n) Reporting of inspection and supervision

o) Methods to improve the rooting environment for retained and proposed trees and landscaping

p) Veteran and ancient tree protection and management

(ii) The development thereafter shall be implemented in strict accordance with the approved details.

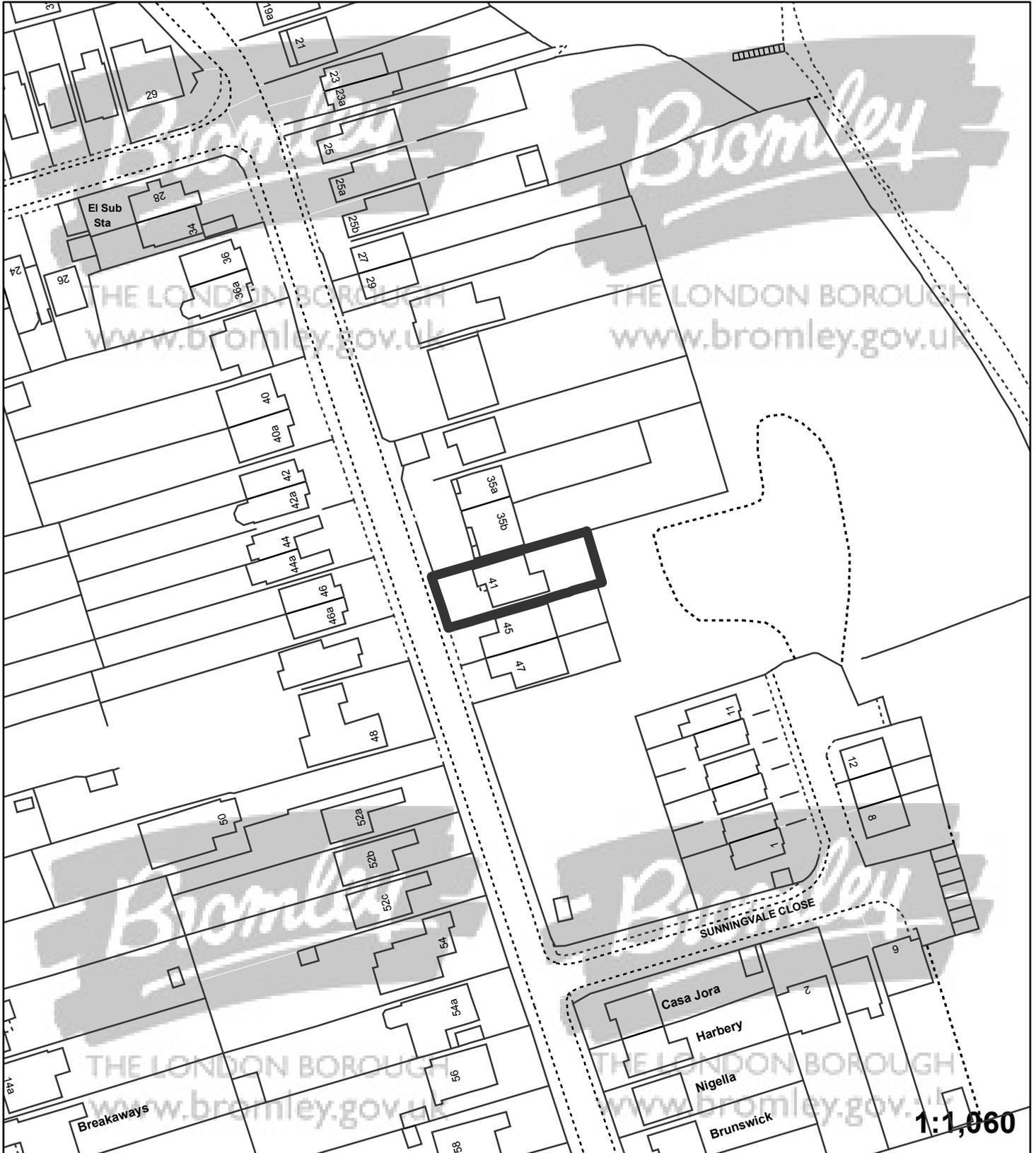
Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy 37, 73 and 74 of the Bromley Local Plan and pursuant to section 197 of the Town and Country Planning Act 1990

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Application:18/05461/FULL1

Address: Site Of Former 41 Sunningvale Avenue Sunningvale Close Biggin Hill

Proposal: Erection of 4 x part two/three storey semi-detached houses in two blocks with ancillary car parking and bin stores (revision to planning permission reference 17/02081/FULL1 granted for the erection of a total of 8 houses (comprising of 6 x semi-detached and 2 x detached dwellings))



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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 18/05592/FULL6

Ward:
Petts Wood And Knoll

Address : 10 Derwent Drive Petts Wood Orpington BR5 1EW **Objections:** Yes

OS Grid Ref: E: 544739 N: 166681

Applicant : Mr Basant Mercia

Description of Development:

Single storey side extensions incorporating garage conversion, enlargement of existing porch entrance, formation of vehicular access and enlargement of roofspace incorporating extension to rear roof to provide first floor accommodation with rooflights to front and side and Juliet balcony to rear.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 8

Proposal

The proposal includes a single storey side/rear extension that will be 1.3m wide and 6.7m deep, located behind the existing garage. The proposal also includes the conversion of the existing garage to a habitable room, involving the removal of the garage doors and replacement with brickwork and a window.

The proposed loft conversion includes extending the hipped roof 2.7m to the side, over part of the converted garage, and incorporates a rear roof extension. Front and side roof lights are also proposed.

A replacement front porch is proposed, which will project 1.9m forward and will be 2.8m wide.

Revised plans were received 27th February 2019, which removed the second crossover and enlarged the existing hardstanding.

This application has been 'called-in' by ward Councillors.

Location and Key Constraints

The application site is a semi-detached bungalow located on the northern side of Derwent Drive.

A public footpath borders the site along the eastern flank and rear boundaries. Crofton Infant School is located to the rear of the site.

Comments from Local Residents and Groups

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

Objections

- Increases parking in a road which is already extremely busy due to close proximity of Crofton School
- Loss of privacy
- Loss of light
- The road comprises small semi-detached bungalows and this extension will look out of character
- Inaccuracies in the application submission such as to give a misleading impression and prevent proper consideration of the proposal
- Over intensification of the bungalow
- Unnecessary loss of small sized single dwelling for which there is a significant housing need
- Unacceptable loss of daylight, sunlight, privacy and unduly dominant impact on neighbouring properties
- Unsympathetic and dominant roof addition that would seriously harm the appearance and character of the host building, visual amenities and character of the area
- Hazardous and unacceptable crossover and parking arrangements - impact on neighbouring amenity, safety, traffic congestion and exacerbate street parking
- The suggested size of the porch will restrict parking to the front
- An extension of the roof sideways towards my property and upwards to a first floor at the rear would completely block all daylight, sunlight and skyline

Local Groups (Petts Wood & District Residents' Association (PWDRA))

- The proposal will increase the number of bedrooms at this property from 2-3 to 5. The number of bathrooms will increase from 1 to 4. The living spaces left are totally inadequate for the number of bedrooms.
- The garage will be lost with an increase in potential parking either in the current front garden or on-street. This road and the surrounding area is situated in close proximity to Crofton School and already suffers from considerable congestion at the start/end of the school day. Any potential addition to this issue is unwelcome.
- Overlooking from the large window proposed at first floor level, and loss of privacy for the adjoining residential properties
- The proposal represents an over-development of this small bungalow and does not respect the scale and form of the host dwelling
- Contrary to Policy H8 and BE1

A petition was received on 21st March 2019 with 29 signatures, in objection to the proposal on the grounds of:

- Unacceptable impact on the existing bungalow, the area and neighbouring properties due to its design, size and impact on the light and privacy to neighbouring properties.
- Overdevelopment of a small bungalow.
- Unnecessary crossover; increased parking and traffic congestion causing hazardous conditions, especially for young children, creating disturbance to neighbours; and harming the area's appearance and character.

A letter has been received from local MP, Jo Johnson, which supports local residents who believe that this development would be out of keeping with the local area and would cause loss of amenity to neighbouring houses, particularly the adjoining bungalow.

Comments from Consultees

Highways:

- A second crossover is proposed. However the position is contrary to the Crossovers policy due to inadequate distance from the first crossover and so would not be constructed. This would leave only 1 parking space on the frontage.
- The site is in a low (1b) PTAL location. The proposal would result in a 5 bed house so at least 2 car parking spaces, preferably 3, should be provided. These can be provided by using the existing crossover and widening the existing hardstanding. If the application is going to be progressed I would ask that applicant supplies revised plans.

Revised plans were received 27/02/2019.

- The proposed layout allows parking for 2 vehicles so I would not raise any objection.
- The site is next to a school access so we would want to control vehicle movements and so I would suggest a construction management plan condition.
- Please include the following conditions if permission is given: OC03 parking, PC17 construction management plan, PC18 highway drainage.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

London Plan Policies

7.4 Local character
7.6 Architecture

Bromley Local Plan

6 Residential Extensions
30 Parking
32 Road Safety
37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance

Planning History

The relevant planning history relating to the application site is summarised as follows:

- 86/02504/FUL - Single storey side and rear extensions Semi-detached bungalow - Permitted 23.10.1986
- 02/00148/FULL1 - Single storey rear extension for conservatory - Permitted 06.03.2002
- 02/01698/FULL1 - Side and rear boundary fence RETROSPECTIVE APPLICATION - Permitted 03.07.2002

Considerations

The main issues to be considered in respect of this application are:

- Design
- Highways
- Neighbouring amenity

Design

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

for all development, including individual buildings, public and private spaces and wider area development schemes.

London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policies 6 and 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.

The proposed single storey rear extension will be 2.6m wide and 6.7m deep. It will be located behind the existing garage therefore will not be visible from the street. The size and design is considered to be in-keeping with the host property, with the materials indicated to match the existing property.

The proposed conversion of the existing garage to a habitable room includes the removal of the garage doors and replacement with brickwork and a window. It is noted that the of the surrounding bungalows, no property has yet converted the garage to a habitable room, however it is considered that this element will not impact significantly on the character or appearance of the property or the street scene in general.

The proposed loft conversion includes extending the hipped roof 2.7m to the side, over part of the converted garage, and incorporates a rear roof extension. Front and side roof lights are also proposed. The property forms one half of a pair of semi-detached bungalows; both of which currently benefit from symmetrical hipped roofs. Whilst the proposal will increase the width of the ridge, the hipped roof design is considered to be in keeping with the host property.

At the rear, the proposed roof extension will project from the rear roof slope and will extend 2.8m rearward, over the existing single storey flat roof extension. The proposed rear elevation will contain a Juliet balcony. It will be set down from the main ridge. A public footpath runs along the eastern flank boundary, therefore the development will be visible from the public realm, however the size and design is considered sympathetic to the host property and will not impact significantly on the character and appearance of the surrounding area.

Having regard to the form, scale, siting and proposed materials it is considered that the proposed extension(s) would complement the host property and would not appear out of character with surrounding development or the area generally.

Highways

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. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on

transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

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

The proposal results in the loss of one parking space by way of the conversion of the garage to form a habitable room. Revised plans were received 27th February 2019, which enlarges the existing hardstanding to provide two parking spaces within the front curtilage of the site. As such, no objection was raised from a highways perspective.

Neighbouring amenity

Policy 37 of the BLP 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 single storey rear extension will infill the space behind the garage, it will not project beyond the existing rear elevation

Concerns have been raised regarding the impact on neighbouring amenity, with particular regard to light, privacy and visual amenity.

The proposed loft conversion includes extending the hipped roof 2.7m to the side, and incorporates a rear roof extension which will project from the rear roof slope and extend 2.8m rearward, over the existing single storey flat roof extension. It is noted that the adjoining property, No.12, has been subject to a single storey rear extension that is approximately 2.8m deep and steps out to 4.3m deep. The application site also benefits from a 2.8m deep single storey rear extension, with additional 2.9m deep conservatory extension. The proposed rear roof extension will not exceed the depth of this neighbouring extension and is pitched away from the boundary. As such, it is not considered to impact significantly on the level of light or outlook from the existing rear windows of this adjoining property. The proposal will include a Juliet balcony in the rear elevation. This will result in some additional overlooking due to its elevation position, however, given the modest size and location at first floor only, this is not considered significant enough to warrant refusal of the application.

With regards to the neighbouring property to the east, No.8, the proposal includes extending the hipped roof 2.7m to the side, over part of the converted garage and

includes two side roof lights. It will be set in 1m from the eastern flank boundary. Furthermore, a public footpath runs along the eastern flank boundary which is approximately 3.3m wide. Given the separation between properties, the proposal is not considered to impact on the amenities of this neighbouring property with regards to loss of light, outlook or privacy.

Having regard to the scale, siting and separation distance of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

Conclusion

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

as amended by documents received on 27.02.2019, 12.03.2019

RECOMMENDATION: 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: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

- 3 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:**

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

- (i) Rationalise travel and traffic routes to and from the site as well as within the site.**
- (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.**
- (iii) Measures to deal with safe pedestrian movement.**
- (iv) Full contact details of the site and project manager responsible for day-to-day management of the works**
- (v) Parking for operatives during construction period**
- (vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.**

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 4 No impact piling shall take place until a piling impact method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the team of the approved piling statement.**

Reason: In the interests of the protection of the sewerage system and to comply with Policy 5.14 of the London Plan

Application:18/05592/FULL6

Address: 10 Derwent Drive Petts Wood Orpington BR5 1EW

Proposal: Single storey side extensions incorporating garage conversion, enlargement of existing porch entrance, formation of vehicular access and enlargement of roofspace incorporating extension to rear roof to provide first floor accommodation with rooflights to front and side and Juliet



"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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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 19/00230/FULL1

Ward:
Shortlands

Address : 54 Shortlands Road Shortlands Bromley BR2 0JP **Objections:** Yes

OS Grid Ref: E: 538966 N: 168897

Applicant : Longfold LTD

Description of Development:

Demolition of the existing detached dwelling house and the construction of a three storey building to accommodate 5 x two bedroom flats together with associated car parking facilities, bin storage and cycle provision.

Key designations:

Conservation Area: Shortlands
Smoke Control Multiple

Proposal

Planning permission is sought for the demolition of the existing detached dwelling house and the construction of a three storey building to accommodate 5 x two bedroom flats together with associated car parking facilities, bin storage and cycle provision.

The proposed building would face to Shortlands Road with a central front entrance and front facing balconies. The building footprint would align approximately with the front position of the current garage doors and would have a width of 15.4m and depth of 14m at its maximum extents. The building is 3 storeys with the second floor accommodation positioned in a setback massing arrangement from all sides from the levels below.

To the rear, the building would project further back than the original footprint of the existing building for the central section of the elevation but also align with the extended section of the existing building. The building has an eaves height of approximately 6.7m facing No56 and 6.3m facing No52 and a maximum height of approximately 9m. A distance of approximately 1.5m side space would be retained to the north west flank boundary of the site with No56 and 1.5m increasing to 2.2m to the south east flank boundary with No52. The buildings ground floor datum height remains at approximately the same level as the existing building.

Balcony style terraces are proposed to the front elevation at first and second floor level. Private garden areas are indicated for the ground floor flats at the rear. A parking area for six spaces is indicated to the front curtilage accessed from the central crossover with an access width of 4.5m. A bin storage area will be located

to the front of the site in an enclosure adjacent to Shortlands Road. A bike storage area is indicated adjacent to the rear north west elevation accessed along the side of the building.

Materials are indicated as yellow stock brickwork with stone detailing to the ground floor and first floor with dark metallic cladding proposed to the upper floor.

The external curtilage will be soft landscaped with some areas of hedge planting to the peripheral rear boundary and around the front curtilage parking area.

The application was supported by the following documents:

- Design and Access Statement
- Daylight and Sunlight Assessment
- Arboricultural impact assessment
- Arboricultural Method Statement

Location and Key Constraints

The application site currently comprises a two storey detached dwellinghouse located on the west side of Shortlands Road. The site is in the Shortlands Conservation Area. To the south west is No56, a large Victorian detached building. Records indicate that the application site formerly formed part of the curtilage and setting of this building and was developed for the current building in the 1960's.

The site is not located in a conservation area nor is the building listed.

Comments from Local Residents and Groups

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

Support

- The scheme addresses issues raised. It is visually pleasing and blends into the area well.
- Delighted to see that a well designed building will be replacing an unattractive house.
- New build will provide much needed homes for the local community.
- beautiful small block which fits in with today's style of architecture, and what is already there, very harmoniously.
- No disadvantage to neighbours and additional living accommodation provided which is much needed in the area.
- Design will enhance the area with innovative and modern style fitting well and complimenting the architecture of surrounding properties.
- Urgent need for more purpose-built apartments in this locality. Proposal will certainly lift the area.
- The nursery is already overlooked by the neighbouring buildings so that is not a valid objection.

- The scale of development is not too large and is a good fit.
- Concern expressed about overlooking is subjective. Overlooking has been reduced in the new scheme by architectural design.
- Important contribution to meeting Government housing targets in a way that will contribute to the locality rather than undermine it.
- Proposed building look tasteful and in keeping with modern property in the Shortlands area.
- Space has been designed for individual car parking. Little risk of causing additional congestion in the vicinity.

Objections

- Design will overlook adjacent nursery and block out light.
- Proposal will impact on the adjacent nursery business.
- Concerns regarding the impact of the construction work on the health and wellbeing of children using the adjacent nursery.
- Not enough parking spaces provided for 5 flats.
- Concerns regarding increase of vehicles using access and the effect on highway safety.
- Design is acceptable but scale of the building is excessive. Four units preferential.
- Height of building could cause safeguarding issues with the children being overlooked which would be an Ofsted concern.
- Building will be visually overbearing.
- Concerns regarding proximity of foundations to the nursery.
- Will overshadow and overlook the nursery play area.
- Preference to see a family house retained over 5 flats that are not affordable housing.
- Increase in overlooking from the flats and the top floor flat to Shortland Roads neighbours.
- Overdevelopment, design is not in keeping with the area.
- Will block out access for light for Shortlands Road and Shortlands Grove.
- Will block out light to habitable room and obscure view from bedroom for flat in No 56.
- Concerns with loss of endangered species monkey puzzle tree.
- More pressure on local sewer system.
- Many objections of similar nature have been raised by users of the adjacent nursery in respect of the impact of construction works and comments that windows would be able to look directly onto the nursery garden effecting the children's wellbeing and privacy.

Local Groups

- Shortlands Residents' Association has commented that the existing property has very little architectural merit and its proposed replacement on the whole looks substantially better. Comments were also made regarding the parking levels, status and issues of the area and impacts of the construction works.

Ward Councillors

- Ward Councillors for the Shortlands Ward have made representations in support of the application.

Comments from Consultees

Conservation Officer:

The proposed design is a big improvement on the refused scheme. The reduction in height and set back of the top floor reduces the appearance of bulk and overall visual impact on the streetscene. I also find the contemporary mix of yellow brick and metallic clad upper floor to work well in this location. The side space is approximately 1.5m which is welcomed and sufficient for this location. If minded to recommend permission I suggest a materials condition to ensure a high quality finish. In conclusion the proposal is Policy 41 compliant.

Environmental Health Pollution Officer:

No objections within the grounds of consideration.

Drainage Engineer:

The applicant is suggesting the use of soakaways to dispose of Surface Water run-off, however a soakage test in accordance with BRE 365 must be carried out in advance to confirm the suitability of the soil for infiltration.

Highways:

Previous application was for construction of three storey building to accommodate 6 x two bedroom flats together with 6 car parking facilities where as this one is 5 x two bedroom flats together with 6 car parking facilities. This is better as 1 x parking can be used by the visitor.

Drawing number PL01 Rev P5 shows only 6 cycle spaces which is not satisfactory. The cycle parking requirements are set out in Table 6.3 of the London Plan. The requirement is for 2 spaces per dwelling. Policy 6.9 (B)(a) states that developments should provide integrated, covered, convenient and accessible cycle parking facilities.

Arboriculture:

The arboricultural support addresses the tree constraints and implements sufficient mitigation measures. I am satisfied that the development can proceed under the supervision of the retained arboricultural consultant. New tree planting has been outlined in the submissions and should be further detailed in a landscape condition.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 19th February 2019. The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (January 2019). The NPPF does not change the legal status of the development plan.

London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity.
- 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.
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands.
- 8.3 Community Infrastructure Levy

Bromley Local Plan

- 1 Housing supply
- 4 Housing design
- 8 Side Space
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 34 Highway Infrastructure Provision
- 37 General design of development
- 41 Conservation Areas
- 43 Trees in Conservation Areas
- 73 Development and Trees
- 77 Landscape Quality and Character
- 112 Planning for Sustainable Waste management
- 113 Waste Management in New Development
- 115 Reducing flood risk
- 116 Sustainable Urban Drainage Systems (SUDS)
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction

Supplementary Planning Guidance

Supplementary Planning Guidance 1: General Design Principles
 Supplementary Planning Guidance 2: Residential Design Guidance
 Housing: Supplementary Planning Guidance. (March 2016)
 Technical housing standards - Nationally Described Space Standard (March 2015)
 Shortlands Conservation Area SPG

Planning History

The relevant planning history relating to the application site is summarised as follows:

Records indicate a number of extensions on the existing house were granted planning permission between 1970 and 1972 which largely resulted in the current format of the building.

86/01558/FUL: Single storey front extension to detached house. Approved 17.07.1986

18/00588/FULL1: Demolition of the existing detached dwelling house and the construction of three storey building to accommodate 6 x two bedroom flats together with associated car parking facilities, bin storage and cycle provision. Refused 18/4/2018

In summary the refusal reasons related to the size, scale, height, massing and design representing a visually obtrusive and inappropriate overdevelopment of the site which would be detrimental to the scale, form and layout of the locality resulting in significant harm to the character and appearance of the area and surrounding development and be harmful to the residential and private amenities of neighbouring property and visual amenities of the area.

The development by reason of increased overlooking, overbearing nature, siting and proximity to neighbouring buildings and rear property boundaries was also considered to have a serious and adverse effect on the privacy and amenity enjoyed by the occupants of neighbouring property to the rear and flank boundaries.

Furthermore, the development also failed to provide a satisfactory size and standard of good quality accommodation for future occupiers by reason of the inadequate space standards and the poor quality of amenity space.

Considerations

The main issues to be considered in respect of this application are:

- Resubmission
- Principle
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Sustainability
- Trees
- Other (drainage/flooding/noise/pollution)
- CIL

Resubmission

The proposal is described above and is considered essentially a new scheme for the site as opposed to a resubmission of a similar scheme. The scheme is assessed below accordingly.

Principle

The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

Policies including 3.3 of The London Plan 2016 and Policy 1 of the Local Plan have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025.

Policy 41 of the Bromley local plan states that a proposal for a development scheme that will involve the total or substantial demolition of an unlisted building in a conservation area that makes a positive contribution can be judged as causing substantial harm and will be assessed against the tests laid out in Paragraph 195 of the NPPF. Where the building proposed for demolition makes a negative or neutral contribution to the conservation area the merit of the proposed replacement will be weighed against any loss or harm.

Permission for demolition will only be granted once a suitable replacement has been accepted. A condition will be imposed on a planning permission granted, to ensure that demolition shall not take place until a contract for the carrying out of the development works has been made.

The Shortlands Conservation SPG details that it is good practice for new buildings, where appropriate, not to exceed the typical height of existing buildings, ideally remaining slightly lower than adjacent contributory buildings. The adoption of scale, form and materials characteristic of the Conservation Area is appropriate in most circumstances.

Given the above policy and supplementary guidance the principle of demolition and redevelopment on this site is considered acceptable. The current building on site is considered to make a neutral contribution to character and appearance of the conservation area. The policy tests in terms of allowing demolition appear to have been met. In terms of the replacement building, a proposal would only be acceptable if it respects the existing characteristics of the conservation area as detailed in the SPG. This is assessed further below.

Therefore in principle, the Council will consider a higher density residential replacement development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, car/cycle parking and traffic implications, sustainable design and energy, community safety, refuse arrangements, biodiversity or open space will need to be addressed.

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 of the plan 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 site has a low PTAL rating of 2 and is within a suburban setting. In accordance with Table 3.2, the recommended density range for the site would be 55-145 dwellings per hectare.

The proposed development would have a density of 85 dwellings per hectare within the suggested ranges in relation to unit density. This may be considered an acceptable amount of development at this location given the available site area.

However, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development and 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 which are assessed below.

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 124 of the NPPF (2019) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or

discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Paragraph 196/197 state 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, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

Within a Conservation Area Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policies 3.4 and 3.5 of the London Plan reflect the same principles. Policy 3.4 of the London Plan specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 127 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

The public realm is also an important aspect of any development as it ensures that the development is integrated into and enhances the existing character and use of

the area. All residential and commercial development is required by policy to contribute towards good design which extends to the consideration of the public realm (London Plan Policy 7.5).

Policies 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; is informed by the surrounding historic environment.

Policy 7.6 of the London Plan states that buildings and structures should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm; comprise details and materials that complement, not necessarily replicate, the local architectural character; not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

Policy 7.8 of the London Plan states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate. Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density. To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan density matrix whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.

Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.

Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants; be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.

Policy 41 of the Local Plan details that proposals for new development within a conservation area will need to preserve and enhance its characteristics and appearance by respecting or complementing the layout, scale, form and materials of existing buildings and spaces and respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and using high quality materials.

The site is located in an urban location within the Shortlands Road conservation area which is characterised by a number of large Victorian houses and later infill development. The existing building on site would appear to have been built within the side garden of No56. This is a Victorian era house which is considered a more typical example of the character of the conservation area. No.54 is a 1960s house which is of little architectural interest. On balance no objection is made to the demolition of the existing house as the building only makes a neutral contribution to the character and appearance of the conservation area. However, the scale and bulk of the existing house is fittingly subservient to No.56 which is a more significant building representative of the conservation area.

This current relationship between the site and adjacent sites contributes to the character and appearance of the conservation area that it is considered desirable to maintain at this locality.

It is noted that the application is a new scheme with significant modification to the design, height mass and scale of the scheme as has been detailed above. The resultant reduced height would now harmonise with the character of the streetscene, and the proposal in this respect would appear as an optimum feature of the building creating a subtle step down in heights between No56 to No52 that also takes account of the gentle slope in topography of the land within the context of the streetscene and surrounding development.

Spatial separation has been improved at a minimum 1.5m to the side boundaries at the street facing elevation and with the separation of the upper level of the building from the flank boundary being increased and set in by a further 1m from all elevations. Coupled with the reduction of the depth of the upper levels of the building to the rear, the reduced height, the impacts of the scheme in relation to neighbouring property are considered to have been overcome from previous applications.

In terms of the general design approach, Paragraph 7.21 of the London Plan states that architecture should contribute to the creation of a cohesive built environment that enhances the experience of living, working or visiting in the city. This is often best achieved by ensuring new buildings reference, but not necessarily replicate, the scale, mass and detail of the predominant built form surrounding them, and by using the highest quality materials. Contemporary architecture is encouraged, but it should be respectful and sympathetic to the other architectural styles that have preceded it in the locality.

Revised elevation designs have resulted in less prominent elevations facing the streetscene on Shortlands Road. The flank elevations have been redesigned by revising windows and by providing design relief through the use of materials and detailing. The clean and simple styling of the proposal would be an appropriate design response to the mixed character of the neighbouring sites to result in more visually harmonious elevations within the context of the streetscene and locality.

The Council's Conservation Officer has not raised any objections to the proposals. On balance, it is considered that the proposal retains the character and appearance of the conservation area to public areas and the wider streetscene. The individual contribution that the proposed property has will also add to and enhance that character.

Standard of residential accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.

The London Plan makes clear 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. The relevant category of Building Control Compliance should be secured by planning conditions.

A Part M compliance statement has been submitted in respect of this that indicates compliance for each dwelling.

The floor space size of each of the units ranges between 71m² and 89m² respectively. The nationally described space standards require a GIA of 70m² for a two bedroom four person unit in relation to the number of persons, floors and bedrooms mix. On this basis, the floorspace size provision for all of the units is compliant with the required standards and is considered acceptable.

The shape and room size in the proposed units is generally considered satisfactory for the units where none of the rooms would have a particularly convoluted shape which would limit their specific use.

In terms of amenity space a mix of private and communal spaces are provided and are of a depth and width of sufficient proportion to provide a usable space for the purposes of each unit.

Highways

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. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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

Car parking

The Council's Highway Officer has reviewed the current application and not raised any objection to the level of parking provided off road at the site and the increase in intensity of the use of the vehicular access to Shortlands Road. It is therefore considered that there will be minimal impact on parking in the vicinity and the proposal is considered generally acceptable from a highways perspective.

Cycle parking

Cycle parking is required to be 2 spaces for the units as proposed. Six spaces are indicated and the applicant has provided details of a location and structure for cycle storage within the rear garden area. A planning condition is recommended in this regard for a provision of 10 cycle spaces.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a refuse structure and storage area adjacent to the front vehicle entrance to the site. A planning condition is recommended in this regard for further details of a containment structure.

Construction methodology

Concerns have been raised by residents regarding the construction process due to the nature of sensitive adjacent uses to the site in the form of a children's nursery. A Construction Management Plan is recommended in this regard to be sought by condition. This can also be required to have specific regard to the adjacent sensitive use to the site regarding construction when submitted to the LPA and reviewed for discharge.

Neighbouring amenity

Policy 37 of the Bromley Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

Policy 4 of the Bromley Local Plan also 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.

In terms of outlook, the fenestration arrangement will provide front, rear and flank elevation apertures. However, the plans indicate windows to the flank elevations will be obscure glazed to ground and first floor levels with no flank windows to the second floor flat and are either secondary windows or to non habitable rooms. Bedroom windows to all flats will face to the rear of the site and living spaces will face the streetscene. The rear windows are therefore to lesser used habitable rooms being bedrooms, and will have a direction over the rear gardens of properties on Shortlands Grove. Given the pattern of development and proximity of similar relationships in terms of outlook from adjacent buildings the location of the proposed building is not considered to increase overlooking to such an extent that would warrant refusal of planning permission. A degree of overlooking is common place in any urban environment with many existing properties having a degree of overlooking of their own neighbours and the proposed building. In this case the relationship of outlook to adjoining property is considered acceptable.

Concerns have been raised regarding loss of light and outlook caused by the proposed building. However, given the separation distances to neighbouring dwellings, the side space retained between the property boundaries, it is considered that there will be minimal impact in terms of outlook and daylighting to adjacent property. A Sunlight and Daylight Assessment has concluded similarly and on balance, it is considered that the building will not be detrimental to neighbouring residential amenity.

Concerns have also been raised regarding the nature of adjacent sensitive uses at No52 being a children's pre-school nursery. It is noted that such facilities are commonly located in residential areas adjacent to residential property. There are no unobscured windows on the flank elevations and balconies are located to the front elevations overlooking the streetscene. The nature of the nursery use is not considered to suffer any undue loss of privacy or increased overlooking in this regard.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.

An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

Trees

Policy 73 of the Bromley Local Plan states that proposals for new development will be required 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 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the

appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. Further details can be requested by condition.

An Arboricultural Impact Statement and Method Statement has been submitted and reviewed by the Council's Tree Officer. Subject to compliance to the recommendations in the report, the impact to trees within and adjacent to the site is considered acceptable.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Conclusion

The revised development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the density and unit type of the proposed scheme is acceptable on balance and that the development would not be detrimental to the character and appearance of the conservation area and locality. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: 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: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

3 (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan

4 Prior to commencement of development (excluding demolition) 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 . The development shall be completed strictly in accordance with the approved levels.

Reason: Required prior to commencement in order to ensure that a satisfactory form of development can be undertaken on the site in the interest of visual amenity and to comply with Policy 37 of the Bromley Local Plan

5 The demolition of the existing building hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site under the planning permission hereby granted, has been made for the redevelopment for which the contract provides.

Reason: Required prior to commencement of development and in order to comply with Policy 41 of the Bromley Local Plan and to prevent premature demolition of the building which would be unacceptable.

6 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan (specifically taking account of the sensitive nature of the adjacent children's nursery land use at No's 50-52 Shortlands Road) has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:-

- (a) Dust mitigation and management measures.**
- (b) The location and operation of plant and wheel washing facilities**
- (c) Measure to reduce demolition and construction noise**
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-**
 - (i) Rationalise travel and traffic routes to and from the site as well as within the site.**
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.**
 - (iii) Measures to deal with safe pedestrian movement.**
 - (iv) Full contact details of the site and project manager responsible for day-to-day management of the works**
 - (v) Parking for operatives during construction period**
 - (vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.**
- (e) Hours of operation**
- (f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis**
- (g) The development shall be undertaken in full accordance with the details approved under Parts a-f**

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

7 i) Prior to commencement of above ground works details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- 1. A scaled plan showing all existing vegetation to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock (where possible) and no invasive species**

2. Proposed hardstanding and boundary treatment

3. A schedule detailing sizes and numbers of all proposed trees/plants

4. Sufficient specification to endure successful establishment and survival of new planting.

(ii) There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

(iii) Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details

Reason: In order to comply with Policies 37, 73 and 74 of the Bromley Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

8 (a) Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects

9 (a) Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works.

(b) The approved scheme shall be self-certified to accord with BS 5489 - 1:2003

(c) The lighting scheme as shall be implemented in full accordance with details submitted under Part (a) before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policies 30 and 37 of the Bromley Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

10 (a) Surface water from private land shall not discharge on to the highway.

(b) Prior to the commencement of above ground works 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.

(c) Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the details approved under Part (b) and shall be retained permanently thereafter.

Reason: To ensure satisfactory implementation of the surface water drainage proposals can be secured before additional pressure is placed on existing arrangements and to accord with to London Plan Policy 5.13 Sustainable Drainage and Policies 115, 116 and 117 of the Bromley Local Plan

11 (a) Details of arrangements for bicycle parking for 10 bicycles (including covered storage facilities where appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works.

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with 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.

12 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 details as set out in this planning permission 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 30 of the Bromley Local 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.

13 Notwithstanding the information indicated on Drawing PL01 Rev P5, before the development hereby permitted is first occupied electric car charging point(s) 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.

Reasons: To minimise the effect of the development on local air quality within an Air Quality Management Area and to comply with Policy 120 of the Bromley Local Plan and Policies 6.13 and 7.14 of the London Plan.

14 Before the development hereby permitted is first occupied the proposed windows in the flank elevations of the building as indicated on Drawing PL03 Rev P2 hereby approved shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the

window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained as such.

Reason: In the interests of protecting residential amenity in accordance with Policies 4 and 37 of the Bromley Local Plan.

- 15** No plumbing, pipes or other services other than those shown on the approved drawings shall be located on the exterior of the building(s)

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the architectural interest of the building.

- 16** 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 32 Bromley Local Plan.

- 17** The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' 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

- 18** No loose materials shall be used for surfacing of the parking and turning area hereby permitted

Reason: In order to comply with Policy 32 of the Bromley Local Plan and in the interest of pedestrian and vehicular safety.

- 19** The flat roof areas of the building shall not be used as a balcony or sitting out area and there shall be no access to the roof area.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the amenities of the adjacent properties

- 20** No wall, fence or hedge on the front boundary shall exceed 1m in height, and these means of enclosure shall be permanently retained as such.

Reason: In order to comply with Policy 32 of the Bromley Local Plan and in the interest of pedestrian and vehicular safety.

- 21** The application site is located within an Air Quality Management Area declared for NO_x: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NO_x emission rate of <40mg/kWh

Reasons: To minimise the effect of the development on local air quality within an Air Quality Management Area and to comply with Policy 120 of the Bromley Local Plan and 7.14 of the London Plan.

- 22 The development shall be implemented in accordance with the details set out in the Tree Report (U731AIA) dated 14th January 2019, approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.**

Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policies 37, 41, 73 and 74 of the Bromley Local Plan. .

You are further informed that :

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.**
- 2 You should consult the Street Naming and Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk**
- 3 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**
- 4 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.**
- 5 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection**

Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017 which is available on the Bromley web site.

- 6 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.**

- 7 With regard to the laying out of the crossover(s) and or reinstatement of the existing crossover(s) a Vehicle Crossover Application will need to be made to the Highway's Department. The application fee is a non-refundable £100 pounds and the forms can be found through the webpage

https://www.bromley.gov.uk/info/200083/roads_highways_and_pavements/279/access_to_your_drive_crossovers_dropped_kerbs/2**

- 8 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.**

- 9 The applicant is advised that the development shall strive to achieve the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy of Policy 5.2 of the London Plan.**

Application:19/00230/FULL1

Address: 54 Shortlands Road Shortlands Bromley BR2 0JP

Proposal: Demolition of the existing detached dwelling house and the construction of a three storey building to accommodate 5 x two bedroom flats together with associated car parking facilities, bin storage and cycle provision.



"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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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 19/00426/FULL6

Ward:
Petts Wood And Knoll

Address : 61 Towncourt Crescent Petts Wood
Orpington BR5 1PH

Objections: No

OS Grid Ref: E: 544604 N: 168151

Applicant : Mr And Mrs Marina Shaw

Description of Development:

Alterations to existing loft conversion to form rear dormer and 2 front rooflights.

Key designations:

Article 4 Direction
Area of Special Residential Character
Biggin Hill Safeguarding Area
Local Cycle Network
London City Airport Safeguarding
Smoke Control SCA 4

Proposal

Planning permission is sought for erection of upper floor dormer window to rear roof slope and two roof light windows to front roof slope.

This proposal differs from the previously approved scheme 18/04807/FULL6 as it would include two front roof light windows to the front roof slope instead of the single roof light window in the approved scheme.

Location and Key Constraints

The application site is No. 61 Towncourt Crescent; a semi-detached two storey dwellinghouse located the northern side of Towncourt Crescent, Petts Wood, close to the junction with Hazelmere Road. The land slope downwards towards the rear and the boundaries are marked by fencing and trees and vegetation. The dwelling has a single storey rear extension and a rear dormer window and roof light windows. The dwelling is not listed and it does not lie within a Conservation Area, however it lies within the Petts Wood Area of Special Residential Character and it is subject to an Article 4 Direction which restricts the "permitted development" rights under Class B and Class C of the GPDO. The area is residential in nature, characterised mainly by detached and semidetached two storey inter-war and post-war dwellings; many in a mock Tudor style, in relatively spacious and regularly sized, shaped and laid out plots. Many of the dwellings in the street have been altered and extended; including some with front facing roof light windows. Of those

with front facing roof light windows at least 12 appear to have more than one front facing roof light window; spread throughout the length of the road.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and no representations were received.

Comments from Consultees

No comments requested or received.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- (a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- (b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (January 2019). Since the previous decision 18/04807/FULL6 the Bromley Unitary Development Plan (2006) has been replaced by the Bromley Local Plan (2019). Notwithstanding this the previous scheme was determined in relation to both the former UDP Policies and the now formally adopted Bromley Local Plan Policies and therefore the Development Plan Policies remain consistent. The NPPF does not change the legal status of the development plan.

The application shall be determined in accordance with the following policies:

London Plan Policies

7.4 Local character

7.6 Architecture

Bromley Local Plan Policies

6 Residential Extensions

8 Side Space

30 Parking

37 General Design of Development

44 Areas of Special Residential Character

73 Development and Trees

Supplementary Planning Guidance

SPG1 – General Design Principles

SPG2 – Residential Design Guidance

Planning History

The relevant planning history relating to the application site is summarised as follows:

02/00145/FULL1 – Erection of half hip roof extension was approved on 28 February 2002 and this has been implemented.

18/04114/PLUD – Erection of rear dormer window and front roof light windows was withdrawn and did not receive a formal decision.

18/04807/FULL6 – Erection of alterations to existing loft conversion to form rear dormer with front roof light window was approved on 18 December 2018. It does not appear to have been implemented however it remains an extant permission which could be implemented and therefore it is a material planning consideration to which appropriate weight will be attributed.

63 Towncourt Crescent

18/03298/FULL6 – Erection of half hip to gable roof extension with rear dormer window and front roof light window was approved on 28 September 2018. It does not appear to have been implemented however it remains an extant permission which could be implemented and therefore it is a material planning consideration to which appropriate weight will be attributed.

Considerations

The main issues to be considered in respect of this application are:

- Resubmission
- Principle and location of development
- Design and landscaping

- Residential amenity
- Highways
- CIL

Resubmission

The proposal follows the earlier permission 18/04807/FULL6. The current proposal seeks to include an additional front facing roof light window (totalling two).

As mentioned above the Bromley Unitary Development Plan 2006 has been replaced by the Bromley Local Plan 2019, however the previous proposal was considered in relation to policies in the Draft Local Plan which have now been formally adopted and therefore there is no material difference in the Development Plan existing between the previous application and the current application. The current proposal will be assessed on its own merits.

Principle and location of development

The site lies within an urban/suburban area where there is no objection in principle to new residential extensions/alterations subject to an assessment of the impact of the proposal on the appearance/character of the building, the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications. Furthermore there was no objection to the overall principle of the proposed house extension(s) and alterations in the previous proposal.

Design and landscaping

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.

London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

According to the Bromley Local Plan the Petts Wood ASRC area includes circa 1500 dwellings within detached and semi-detached properties on circa 112 ha of land. It is bounded by the railway to the north, Chislehurst Road Conservation Area to the north east, tree preservation orders and the railway to the north west and the west (excluding Urban Open Space, properties within Petts Wood Station Square Conservation area and other areas which include retail and car parking uses), part of St John's Road to the south west, the Chenies Conservation Area and residential areas considered to be of distinct character and/or standard to the south and west of Crofton Lane and east of Grosvenor Road.

The original plans for Petts Wood date from the late 1920s and the early 1930s. Whilst there have been some changes post war the prevailing design of the

buildings is from the 1930s and remains largely intact. Some of the properties have been built by the distinguished designer Noel Rees who designed all of the building within the neighbouring Chenies Conservation area. Whilst houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern, following the garden suburb principle which largely remains intact today. The large plots which are spaciouly placed were originally designed following the garden suburb principle by developer Basil Scruby. The regularity of front building and rear building lines, the consistency in the front roof lines largely untouched by roof extensions or conversions and the symmetry between pairs and neighbouring pairs of houses are of importance in defining the character of the area. The Petts Wood ASRC has an open, suburban and semi-rural feel, predicated by low boundaries and visible front gardens set back from the road as well as the width of the separation between the houses which is of a particularly high standard. This allows many of the trees and greenery which prevail throughout the area to be seen from the street. Large rear gardens also provide the area with a high level of amenity. The plot sizes, the alignment of the houses to the Garden Suburb principle underline the character, rhythm, symmetry and spatial standards of the ASRC.

The separation between building and the rhythm and pattern of the houses adds to the special character. In many cases there is a much wider separation between houses than in other parts of the Borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area. Where there are pairs of houses that complement the rhythm of the street scene there is also a prevailing symmetry between the houses. This symmetry can also be seen between neighbouring pairs. The plots are set out in such a way that the spacious character is one of a clear detached and semi-detached nature. The front roof lines also enhance the character of the area being largely untouched by roof extensions and conversions at the front.

This allows many of the trees and greenery which prevail throughout the area to be seen from the street scene. Large rear gardens often in excess of 120ft are a feature of the ASRC and provide the area with a high level of amenity and contribute to nature conservation.

The proposed dormer window would be viewed in relation to the other additions at the dwelling and whilst the combined additions would be relatively substantial in size the resulting effect would remain subservient in size, scale and mass to the existing dwelling and its roof formation. As such it would not appear overdeveloped, cramped or dominant. The proposed design would complement the existing form, design and materials of the existing main roof formation and existing dormer window. The proposed dormer window would be positioned to the rear and although it may be glimpsed from the street it would be a relatively oblique view and would not appear unduly prominent from this position. The proposed front roof light windows would not appear excessive in number or size and they would not dominate the roof slope. They are also specified to be a "conservation roof light" with a limited projection outwards from the roof plane. As such the proposed roof light windows would not appear unduly prominent or overbearing in this respect. As mentioned above there are other properties in Towncourt Crescent with front roof

light windows including some with more than one. As such the current proposal would not conflict with or detract nature of the dwelling design and Area of Special Residential Character in the wider context of Towncourt Crescent.

The overall proposal would also respect and the approved scheme at the adjoining property No. 63 18/03298/FULL6.

Having regard to the form, scale, siting and proposed materials it is considered that the proposed extension(s) would complement the host property and would not appear out of keeping with surrounding development or the area generally within the Area of Special Residential Character in this part of Petts Wood.

Residential amenity

Policies 6 and 37 of the Bromley Local Plan seek 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 proposal would be sufficiently well separated from the neighbouring properties, combined with its scale and mass, that it would not have a significantly harmful impact on the amenities of the neighbouring properties by reason of overshadowing or overbearing effect. Having regard to the scale, siting, separation distance, orientation, existing boundary treatment of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise. The main outlook of the extensions would continue to be to the front and rear of the dwelling. There may be some additional overlooking however this would not be significantly more harmful over and above that which may already exist from the existing first floor of the dwelling and indeed a certain degree of overlooking is inevitable and to be expected in an urban/suburban residential area. Nonetheless it would be prudent to require obscure glazing and to restrict the insertion of further upper floor side flank windows/roof light windows in the interest of preserving neighbouring privacy amenities. Subject to the imposition conditions regarding the insertion of window(s) it is not considered that an unacceptable loss of privacy to neighbouring dwellings would arise.

Highways

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. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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

According to the submitted drawings proposal would not increase the number of bedrooms in the dwelling and therefore the potential household size and level of car ownership. Furthermore, there is a detached garage and further off-street parking spaces on the forecourt of the dwelling and as such this proposal would not directly lead to additional on street parking.

CIL

The Mayor of London's CIL is a material consideration. CIL **is not** payable on this application and the applicant has completed the relevant form.

Conclusion

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area including the Petts Wood Area of Special Residential Character.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: 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: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

REASON: In the interests of visual and residential amenity and in order to comply with Policy 37 of the Bromley Local Plan.

- 3** The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and/or drawings unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interest of the appearance of the building and the visual amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan.
- 4** No windows or doors shall at any time be inserted in the upper floor north east and south west side facing roof slopes of the extensions hereby permitted unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interest of the amenities of the adjacent properties and in order to comply with Policies 6 and 37 of the Bromley Local Plan.

You are further informed that:

- 1** The applicant is reminded of their requirements and responsibilities according to The Party Wall etc. Act 1996. Further details can be found at the following address:
https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/16

Application:19/00426/FULL6

Address: 61 Towncourt Crescent Petts Wood Orpington BR5 1PH

Proposal: Alterations to existing loft conversion to form rear dormer and 2 front rooflights.



"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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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 19/00756/TELCOM

Ward:
Shortlands

Address : Land Rear Of 109 Hayes Way Hayes
Lane Beckenham

Objections: Yes

OS Grid Ref: E: 538983 N: 168196

Applicant : Telefonica (UK) Ltd

Description of Development:

Replacement of existing 12.5m high telecommunications mast with proposed 12.5m high telecommunications mast with additional equipment cabinets (land to side of 2 Brabourne Rise/Rear of 109 Hayes Way) (56 day consultation by Telefonica UK Ltd and Vodafone Ltd regarding the need for approval of siting and appearance of telecommunications apparatus).

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 21
Smoke Control SCA 9
Smoke Control SCA 18

Proposal

This application comprises a consultation regarding the need for approval of siting and appearance of a proposed telecommunications installation.

The application has been called in to Committee by the local Ward Member.

The proposal comprises the removal of the existing 12.5m replica telegraph pole telecommunication mast and the installation of a replacement mast. Where the existing mast is of a streamlined appearance with uniform width for its full height, the proposed replacement mast would incorporate a wider section from a height of approx. 9.1m above ground level to the top of mast.

The existing base station includes a single wide equipment cabinet positioned to the south east of the mast. The current proposal would see the installation of additional cabinets to the north west of the mast, comprising a wider unit of similar proportions to the existing along with 3 other cabinets of varied height/depth/width. These would be positioned between the mast and the inward-opening access gates serving the garage at the rear of a dwelling fronting Hayes Way.

The applicant has provided an ICNIRP declaration which certifies that the site is designed to be in full compliance with the requirements of the International Commission on Non-Ionizing Radiation for public exposure.

Location

The proposed mast and cabinet would be sited to the rear of No. 109 Hayes Way. The cabinet would be installed at the back edge of the footpath, 0.3m from the rear boundary fence of No. 109 Hayes Lane.

The rear boundary of No. 109 with the back edge of the pavement is marked by a 1.8m high close boarded fence which includes 4m wide access gates leading to a detached garage in the rear garden which is approx. 3m high. To the north west of the site, rear boundaries of dwellings fronting Hayes Way are generally marked by high hedges, with street trees located on the pavement.

Hayes Lane is a wide street which carries a significant weight of traffic, with reasonably wide pavements, although the pavement narrows towards the south east of the application site. The area is characterised by the rear of residential dwellings set within generous plots and facing the parallel and side streets. The carriageways are open in aspect. A bus stop and street light is situated to the south east of the proposed mast location, but with the exception of mature street trees the pavement is generally uncluttered.

No. 109 Hayes Way lies within the Park Langley Area of Residential Character, as do the neighbouring dwellings fronting Hayes Way. The boundary of the ASRC lies at the boundary of the rear garden of No. 109 with the back edge of the pavement fronting Hayes Lane.

Consultations

Local Residents

Nearby owners/occupiers were notified of the application and the proposal was advertised by way of a press advertisement and site notice. This application falls to be determined within 56 days of its submission otherwise prior approval is deemed to have been granted. As a consequence it was necessary to prepare the report within the consultation period to meet the meeting deadline.

Any comments received will be updated verbally at Committee.

Technical Comments

Technical Highways comments state that the footway at the proposed location is wide enough to accommodate the proposed equipment without detriment to pedestrian use and the siting should not adversely affect the visibility from the nearby access. There are no objections to the proposal from a technical highways perspective.

Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (January 2019). The NPPF does not change the legal status of the development plan.

Paragraphs 1.38 - 1.41 of the London Plan relate to the need to ensure the infrastructure to support growth within London, referring to the strategic importance of providing adequate infrastructure, including modern communications networks.

Chapter 4 of the London Plan includes the strategic objective in Policy 4.11 of "encouraging a connected economy." The policy itself states that the Mayor, GLA and all other strategic agencies should facilitate the delivery of an ICT network to ensure suitable and adequate network coverage across London which will include "well designed and located street-based apparatus."

Bromley Local Plan

32 Road Safety

37 General Design of Development

89 Telecommunications Development

Planning History

Under reference 16/00300/TELCOM the siting and appearance of the existing installation was disapproved, on the grounds:

"The proposed mast, by reason of its height, siting and design, would represent an obtrusive and over-prominent feature in the street scene, out of character and detrimental to the visual and residential amenities of the area, thereby contrary to Policy BE22 of the Unitary Development Plan."

An appeal against the decision was ALLOWED with the Inspector reasoning that the height of the pole was acceptable, with the lower section screened by trees and vegetation from some perspectives, and where visible in the street scene, it would be viewed against the backdrop of mature trees and street lighting. Due to its siting and design the proposed replica telegraph pole and cabinet were not considered to appear unduly prominent within the street scene.

While the Inspector considered that the proposal would detract slightly from the appearance of the immediate street scene, it would not have adversely affected the character and appearance of the surrounding area or the ASRC. Improved mobile communications services were considered to add to the overall quality of the area. The significant benefits that would result from the scheme were considered to outweigh the small harm identified in respect of the character and appearance of the immediate street scene.

Conclusions

The main issue relating to the application is the effect that it would have on the character and visual amenities of the area.

The development of the electronic communication network and systems is supported by local and national planning policies guidance and the London Plan and the benefit of the proposed installation in terms of provided a upgraded shared facility for 2 telecommunications operators and providing adequate signal coverage is a material planning consideration in the determination of this application.

The proposal relates to the upgrade of an existing telecommunications site. The height of the proposed mast would replicate that of the existing mast. It is acknowledged that the proposed mast would have a more bulky appearance associated with the wider section towards the top of the mast. However, taking into account the existing structure, the Inspector's reasoning in allowing the appeal against the refusal of prior approval for this existing mast and cabinet, it is not considered that the slight increase in the bulk of the structure would have a significant impact on the visual amenities of the street scene and the area in general.

The applicants have provided a technical justification for the proposal, and it is noted that the Inspector in the appeal against the refusal of prior approval under reference 16/00300/TELCOM placed significant weight on the improvements to the

local mobile network that would have been associated with the original development.

The proposal would result in a significant increase in the number of equipment cabinets positioned along the back edge of the pavement. The cabinets would be of varied height, depth and width, which would present a somewhat cluttered appearance. However, they would be sited at the rear of the wide pavement in a distinct row, and if painted to match the existing cabinet, would not have a significant visual impact. The "Supplementary Information and Design and Access Statement" confirms that mast and cabinets would be finished with "Dark Green RAL 6009 paint."

On balance, taking into account the discreet siting of the cabinets at the back for the pavement, in context with the high boundary treatments associated with the dwellings fronting Hayes Way and their proposed dark green finish, it is not considered that the proposal would have a significantly detrimental impact on the character and appearance of the area or the visual amenities of the street scene.

While it may have been preferable for the number of cabinets to be reduced, or for them to be hidden/placed underground, it falls to consider the proposal on the basis of the application submission. Taking into account the planning history of the site and the siting and appearance of the development it is not considered that strong grounds exist to refuse the proposal such that would outweigh the benefits to the local mobile communications network.

RECOMMENDATION: PRIOR APPROVAL REQUIRED AND GRANTED

- 1 The siting and appearance of the mast shall be carried out in complete accordance with the submitted drawing(s) unless previously agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy 89 of the Bromley Local Plan and in the interest of the visual amenities of the area.

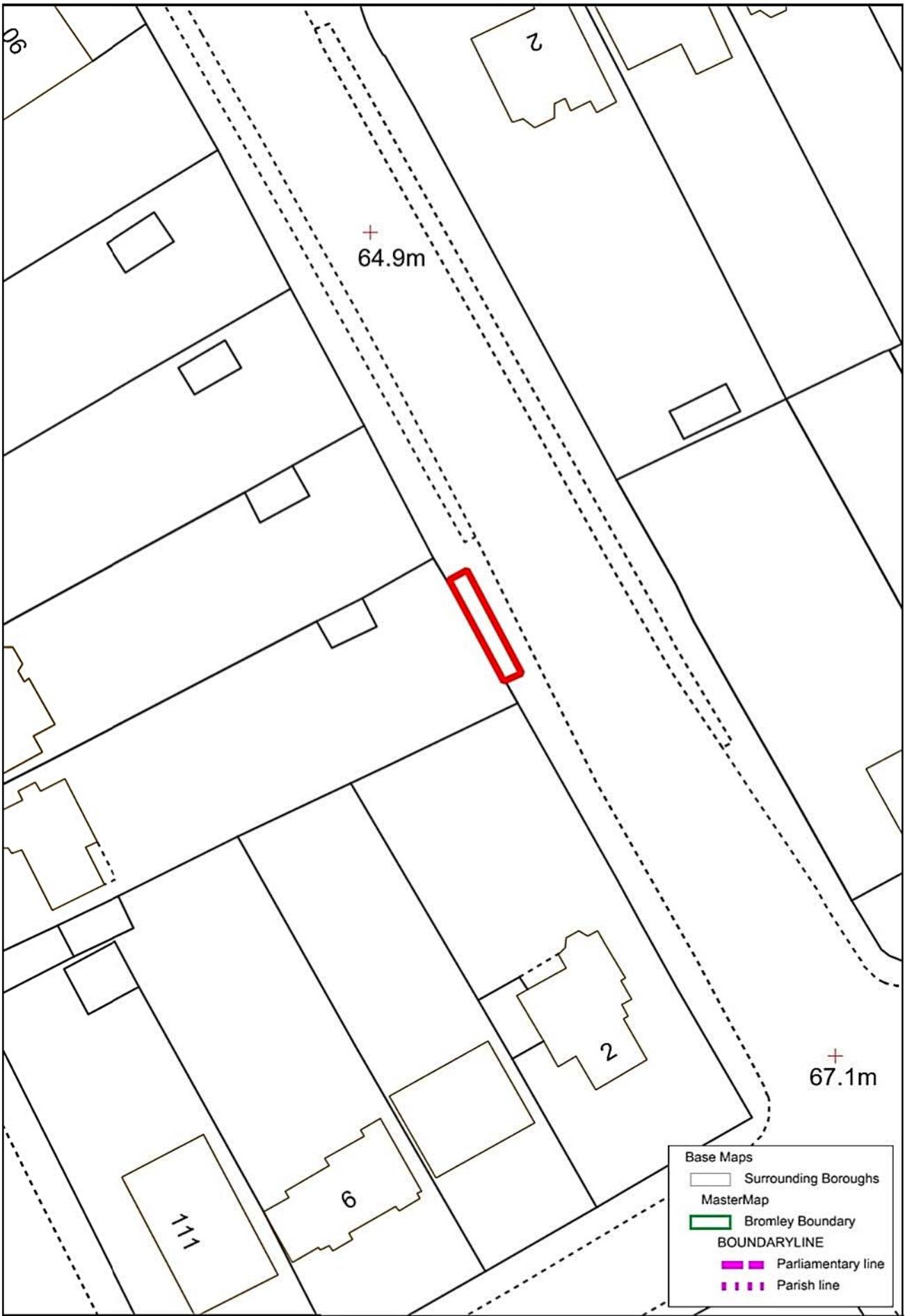
- 2 Before the operation of the development hereby permitted the mast shall be painted in the colour specified in the submitted drawings. Thereafter the facility shall be retained in that colour and kept free of graffiti.**

Reason: In the interest of the visual amenities of the area and to accord with Policy 89 of the Bromley Local Plan.

- 3 Any telecommunications equipment hereby permitted which subsequently becomes redundant shall be removed from the site within a period of 2 months and the land shall be reinstated to its former condition.**

Reason: In the interest of the visual amenities of the area and to accord with Policy 89 of the Bromley Local Plan.

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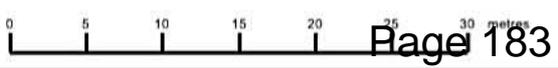


19/00756/TELCOM



Monday, March 18, 2019

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Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 18/04612/FULL1

Ward:
Petts Wood And Knoll

Address : 34 Hollingworth Road Petts Wood
Orpington BR5 1AQ

OS Grid Ref: E: 543627 N: 167024

Applicant : Mr & Mrs Bolton

Objections : YES

Description of Development:

Demolition of existing garage and sub-division of existing plot to create one new two-bedroom detached dwelling with associated parking and garden. New dividing fence.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 8

Proposal

Planning permission is sought for the demolition of existing garage and sub-division of existing plot to create one new two-bedroom detached dwelling with associated parking and garden together with a new dividing fence.

The new house would be 6m deep and 7m wide with a pitched roof to a maximum height of approximately 8.3m. The new dwelling proposes a mix of traditional materials utilising tile hanging and brick to present the contemporary approach to the new dwelling.

This application was called into committee by the Local Ward Councillor.

Location and Key Constraints

The application site consists of a detached dwelling with detached garage to the rear. The site is located on the junction of Hollingworth Road and Prescott Avenue with the existing garage accessed via Prescott Avenue.

The houses in Hollingworth Road and Prescott Avenue all occupy similar sized plots which are generous in their proportions offering ample private amenity space for occupiers.

The site is not located within any designated Conservation Area.

The site is within a low public transport accessibility level area (PTAL) of 1b on a scale of 1 - 6b where 6b is excellent.

Comments from Local Residents and Groups

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

- Concern over parking as road is already very congested;
- The Design and Access Statement shows the wrong site which is larger than the application site;
- The property is going to be on Prescott Road not Hollingworth Road as set out in the Design and Access Statement;
- There is a need for social housing, but this will not be for social housing;
- Schools are already oversubscribed;
- Proposed dwelling not in keeping with the area and use of materials;
- House will be taller than donor dwelling;

Please note the above is a summary of objections received and full text is available on the Council's website.

Comments from Consultees

Environmental Health (Pollution):

No objections subject to appropriate condition regarding pollution.

Highways:

This is all together a different proposal than the previous application.

The PTAL score for the site is 1b (low) meaning that car ownership can be expected in connection with the proposed dwellings.

There is on-site parking for more than 2 vehicles for the donor house and 1 parking is proposed for the new two-bedroom detached dwelling.

The nearby streets appear capable of accommodating on-street parking without significant detriment to highway considerations and there is no accident history in this location.

Consequently there are no objections to this proposal from the highway point of view subject to conditions regarding parking layout, refuse and cycle parking.

Drainage Engineer:

No objections subject to condition regarding Surface Water Drainage.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

London Plan (2016):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.4 Local character
- 7.5 Public Realm
- 7.6 Architecture
- 8.3 Community infrastructure levy

Bromley Local Plan (2019):

- Policy 1 Housing Supply
- Policy 4 Housing Design
- Policy 37 General Design of Development
- Policy 30 Parking
- Policy 32 Road Safety

Other Documents:

Supplementary Planning Guidance 1: General Design Principles

Planning History

16/02405/FULL1 - Demolition of existing dwelling and construction of a pair of semi-detached two storey (with accommodation in the roof space) three bedroom dwellings, associated parking, hard and soft landscaping.

Refused - 21.07.2016 for the following reasons:

The proposed development by reason of its design, height, scale and mass would be an inappropriate development at this site, that would be out of proportion and out of keeping with the scale and design of the host properties, contrary to Policies 3.5 and 7.4 of the London Plan (2015), Policies H7 and BE1 of the Unitary Development Plan (2006) and the National Planning Policy Framework.

The proposed new dwelling, due to its position, height, scale, bulk and close proximity to the neighbouring building Coppice Community Church, would have an adverse impact on neighbour's amenities in terms of loss of outlook, an increase sense of enclosure contrary to Policy 7.6 of the London Plan (2015) and Policy BE1 of the Unitary Development Plan (2006).

Conclusions

It is considered the planning issues and considerations relate to:

- Principle of development and density;
- Design and scale;
- Neighbouring amenity;
- Standard of accommodation;
- Car parking and access;
- Cycle parking;
- Refuse;
- Sustainability and energy; and
- Community Infrastructure Levy.

Principle of development and density:

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 11 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 when assessed against

policies in the Framework or if specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

The NPPF sets out a set of core land-use planning principles which should underpin both plan-making and decision-taking. Among others, planning should: always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and contribute to conserving and enhancing the natural environment.

The proposal is to provide an additional housing unit at this site through utilising the existing back garden of No.34. Back gardens are not included in the NPPF's definition of 'previously developed land' and consequently, careful consideration needs to be given to the design of the proposal, highways impacts, the effect it would have on the natural environment and the impact on the amenities of local residents.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. Policy 4 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 proposed development which involves the sub-division of the existing plot would result in two smaller plots of uncharacteristically smaller proportions and garden areas than others in the locality and would have a detrimental impact on the character and appearance of the area and detract from the existing streetscene.

The proposed density of the development would equate to approximately 196 habitable rooms per hectare which is towards the upper limit of the recommended density ranges set out in Policy 3.4 of the London Plan (150-200 hr/ha) for a setting such as this. However, development plan policies related to density are intended to optimise not maximise development and whilst a quantitative assessment could

be made comparing the proposed site coverage to existing site coverage and 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.

Design and Scale:

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 also relates to architecture and how buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architectural character.

Policy 37 of the BLP provides that development should not detract from the existing street scene and should complement the scale, form, layout and materials of adjacent buildings and area. It is stated that there is a need to encourage local distinctiveness and a sense of place.

The Council considers that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas. Proposals for the replacement of existing buildings will be considered on their merits.

Gardens are not classified as brownfield land and the sensitive nature of these sites requires development only to be allowed where it will not adversely affect the local environment, its character and context, and where it will not lead to over development.

The design of the new dwelling, whilst not indicative in the area would still takes architectural cues from the surrounding properties in terms of the use of the brick, tile hanging and pitched roof. However, .

Neighbouring Amenity:

Policy 37 that new development will only be permitted where it can be demonstrated that the proposal does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an un-neighbourly sense of enclosure. This is supported by Policy 7.6 of the London Plan.

There are no first floor windows facing Nos. 70 and 72 Prescott Avenue and the donor dwelling No. 34 Hollingworth Road, as such it is considered that the proposal would therefore be unlikely to give rise to significant overlooking/loss of privacy at neighbouring sites.

The new house would be located only 6.5m from the rear of No.34 Hollingworth Road and approximately 6.2m from the flank elevation of Nos. 70 and 72 Prescott Avenue, it is considered that this distance would have a significant visual impact from the existing properties, detrimental to the outlook of its occupiers and would have a significant impact on the enjoyment of the garden to No. 34 compared to existing levels of amenity.

With regards to noise and disturbance, an additional dwelling would also inevitable generate activity that would increase the potential for noise and disturbance as a result of having two dwellings within a single plot given the regular arrangements of back gardens an additional dwelling at this position would be harmful to the existing living conditions of the neighbouring occupants. Mitigation methods to address this could be proposed, on balance it is still considered that an additional dwelling would also inevitable generate activity that would increase the potential for noise and disturbance as a result of having a new dwelling in this location and would be harmful to the existing living conditions of the neighbouring occupants.

Standard of accommodation:

Policy 3.5 of the London Plan and the Housing SPG (2016) states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Nationally Described Housing Standards (2015). In addition, consideration needs to be given to Policies 3.8 and 7.2 of the London Plan.

The floor space size of each of the new unit would be approximately 102.5m². The nationally described space standard requires 79m² for a 2-storey four person two bedrooomed unit. On this basis, the floorspace provision for the unit exceeds the required standards and is therefore considered acceptable.

The shape and room sizes in the proposed building are considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

The SPG also requires a minimum of 5sqm of private outdoor space to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. The proposed amenity space to the rear would be accessed from the ground floor however this would only provide a small rear element, given the location of this site on balance it is considered to be acceptable for a unit of this size. Notwithstanding the above comments, both the existing and proposed dwelling would appear to be provided with more than the minimum amount of private outdoor space required by the London Plan however they would be significantly smaller than the neighbouring provision.

Car Parking and Access:

London Plan Policy 6.13 requires the maximum standards for car parking, which is supported by Policy 30 of the BLP. The proposed development would provide 1 off-street parking spaces (and parking space for the original unit).

Concerns have been raised from neighbouring occupiers regarding the level of parking proposed and the existing parking in the area. No objections have been raised by the Council's Highway Officer in terms of parking arrangements given that cars could potentially be parked in both the existing and proposed dwelling and as the existing vehicular access will be utilised for the new dwelling, there are no objections from a highways safety perspective.

Cycle parking:

Cycle parking should be provided at all residential development in accordance with the standards set out in Table 6.3 of the London Plan. No cycle storage is proposed for the new dwelling and, given the loss of the existing garage, alternative cycle parking should be provided for occupiers of the host dwelling.

If the application were to be considered acceptable in all other respects, it would be appropriate to attach a cycle parking conditions to any subsequent grant of planning permission.

Refuse:

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage. Further details regarding a containment structure can be conditioned as necessary.

Sustainability and Energy:

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

No information has been provided with regards to this, however appropriate sustainability measures to ensure that the development strives to achieve the objectives set out above can be conditioned if planning permission is granted.

Community Infrastructure Levy:

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant will be required to completed the relevant form.

Conclusion

Having had regard to the above, it is considered that the proposed development would be harmful to the amenities of adjacent residential properties. It is also considered that on balance the negative impacts of the development are therefore

considered of sufficient weight to refuse the application notwithstanding the presumption in favour of development to increase housing supply.

Accordingly, and taking all the above into account, it is recommended that planning permission be refused as set out in this report.

Background papers referred to during production of this report comprise all correspondence on the file refs: set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

1. The proposed development by reason of its prominent siting, height, scale and bulk would constitute a cramped and unacceptable form of development on land which is not previously developed, resulting in a loss of garden land and detrimental to the amenities of the occupiers of adjoining properties, contrary to Policies 7.4 and 7.6 of the London Plan (2016) and Policies 4 and 37 of the Bromley Local Plan (2019).

You are further informed that:

- 1 1) You are advised that this application is considered to 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). The Levy will appear as a Land Charge on the relevant land with immediate effect.**

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.

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Application:18/04612/FULL1

Address: 34 Hollingworth Road Petts Wood Orpington BR5 1AQ

Proposal: Demolition of existing garage and sub-division of existing plot to create one new two-bedroom detached dwelling with associated parking and garden. New dividing fence.



"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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