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DATE: 9 August 2023

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

Councillor Peter Dean (Chairman)  
Councillor Charles Joel (Vice-Chairman)  
Councillors Mark Brock, Will Connolly, Sophie Dunbar, Simon Fawthrop,  
Keith Onslow, Chris Price, Will Rowlands and Ryan Thomson

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on  
**THURSDAY 17 AUGUST 2023 AT 7.00 PM**

TASNIM SHAWKAT  
Director of Corporate Services & Governance

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 : 0208 461 7694**

**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](mailto: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 22ND JUNE 2023**  
(Pages 1 - 4)
- 4 **PLANNING APPLICATIONS**

Report No.	Ward	Page No.	Application Number and Address
4.1	Bickley & Sundridge	5 - 38	(21/03541/FULL1) - 1 St Augustine's Avenue, Bickey, BR2 8AG
4.2	West Wickham	39 - 98	(22/04833/FULL1) - Justin Hall Beckenham Road, West Wickham, BR4 0QS
4.3	Beckenham Town & Copers Cope	99 - 126	(23/01225/FULL1) - Land at Grangewood Lane, Beckenham.

**5 CONTRAVENTIONS AND OTHER ISSUES**

NO REPORTS

**6 TREE PRESERVATION ORDERS**

NO REPORTS

The Council's [Local Planning Protocol and Code of Conduct](#) sets out how planning applications are dealt with in Bromley.

## PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 22 June 2023

### Present:

Councillor Simon Fawthrop (Chairman)

Councillors Jonathan Andrews, Mark Brock, Will Connolly, Sophie Dunbar, Kira Gabbert, Keith Onslow, Chris Price and Ryan Thomson

### Also Present:

Councillor Nicholas Bennett J.P.

## 1 ELECTION OF CHAIRMAN

The Committee noted that both the Chairman and Vice-Chairman had sent their apologies.

Councillor Brock proposed that Cllr Simon Fawthrop be elected Chairman for the duration of the meeting. The motion was seconded by Councillor Gabbert, put to the vote and **CARRIED**.

**RESOLVED: That Councillor Simon Fawthrop be elected Chairman for the duration of the meeting.**

## 2 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillors Rowlands, Dean and Joel. Councillor Andrews attended as substitute for Councillor Rowlands and Councillor Gabbert attended as substitute for Councillor Dean.

## 3 DECLARATIONS OF INTEREST

None received.

## 4 CONFIRMATION OF MINUTES OF MEETING HELD ON 27TH APRIL 2023

The Minutes of the meeting held on 27<sup>th</sup> April 2023 were confirmed and signed as a correct record.

## 5 PLANNING APPLICATIONS

### 5.1 WEST WICKHAM (23/00990/TPO) - 7 Grosvenor Road, West Wickham, BR4 9PU

T1 Beech - Fell. T2 Beech - Fell. (SUBJECT TO TPO 793 (6.8.1992)).

An oral representation was received from a neighbour in support of the application to fell the trees and in objection to the recommendation for refusal. The Committee were informed of the impact of the trees upon the driveway surfaces and the overall dominance of the trees in respect of the property, The neighbour also explained the difficulties faced when trying to sell his property due to concerns regarding the trees.

Visiting Ward Member, Councillor Nicholas Bennett, gave an oral representation in support of the application to fell the trees, highlighting the neighbour's concerns. The Committee were also informed that following discussions with West Wickham Residents' Association, no objections to the tree felling were raised, with the trees being replaced with a more suitable variety.

Ward Councillor and Committee Member, Councillor Mark Brock, spoke to the Committee in support of the recommendation to refuse the tree felling. It was highlighted that these are healthy trees that make an important visual contribution to the local street scene. Furthermore, the recommendations for the trees to be reduced should be sufficient to alleviate the concerns raised.

Members having considered the report, objections and representations, **RESOLVED that CONSENT BE GIVEN IN PART** subject to the conditions stated in the report and that **CONSENT BE REFUSED IN PART** for the reasons stated in the report.

### 5.2 CHISLEHURST (23/01103/FULL6) - The Roses, Kemnal Road, Chislehurst BR7 6LT

Garage conversion into habitable room, double storey side extension and single storey rear extension and elevational alterations.

In a presentation given by Planning, the Committee were informed that the application had previously been refused, most recently in August 2022 and on appeal in February 2023.

The appeal was dismissed on grounds relating to the unacceptable risk of harm to the protected trees, which are considered to be of significant value to Chislehurst Conservation Area.

The Committee were also informed that additional arboriculture information had been submitted by the Agent in support of the application. However, the Council's Tree Officer confirmed the information is not sufficient to remove the objection and further construction close to/beneath a valuable tree should not be encouraged.

The Chairman, Councillor Fawthrop, confirmed to the Committee that a statement had been received from Chislehurst Ward Councillor, Councillor Mark Smith, confirming the Chislehurst Ward Councillors' agreement to the officers' recommendation for the application to be refused.

Members having considered the report, objections and representations, **RESOLVED** that the **APPLICATION BE REFUSED** for the reason outlined in the report as amended below:

- 1. The proposals would result in unacceptable harm to valuable trees on the site which are considered to be of significant public amenity value to the Chislehurst Conservation Area, and it would thereby fail to respect and incorporate into the design, existing landscape features that contribute to the character and appearance of Chislehurst Conservation Area contrary to Policies 37, 41, 43 and 73 of the Bromley Local Plan 2019.**

**6 CONTRAVENTIONS AND OTHER ISSUES**

NO REPORTS.

**7 TREE PRESERVATION ORDERS**

NO REPORTS.

The Meeting ended at 7.33 pm

Chairman

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# Agenda Item 4.1

<b>Committee Date</b>	25/05/2023		
<b>Address</b>	1 St Augustine's Avenue Bickley Bromley BR2 8AG		
<b>Application Number</b>	21/03541/FULL1	<b>Officer</b> - Susanna Stevenson	
<b>Ward</b>	Bickley		
<b>Proposal</b>	Proposed demolition of existing bungalow and the construction of two pairs of semi-detached houses (4 x 2 bed units), with off street parking and amenity space.		
<b>Applicant</b>	Ms B Keeper and Ms D Sullivan		<b>Agent</b>
C/o Agent			Ms Jo Tasker
			Anniversary House 23 Abbott Road Bournemouth BH9 1EU
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b>	
		Yes	

<b>RECOMMENDATION</b>	PERMISSION
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<p><b>KEY DESIGNATIONS</b></p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 13 Smoke Control SCA 12</p>
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<b>Land use Details</b>		
	Use Class or Use description	Floor space (GIA SQM)

Existing	Single storey residential dwelling (C3)	233 SQM
Proposed	4 No. 2 bedroom two storey dwellinghouses (C3)	355.6 SQM

<b>Residential Use</b>					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total
Market		4			4
Affordable (shared ownership)					
Affordable (social rent)					
<b>Total</b>		4			4

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	1	4	+3
Disabled car spaces	0	0	0
Cycle	0	4 no. cycle stores	+ 4 no. cycle stores

<b>Electric car charging points</b>	4/4
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<b>Representation summary</b>	The application was advertised by way of a site notice displayed on 19 <sup>th</sup> August 2021.
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	<p>Letters were sent to neighbouring residents on 17<sup>th</sup> August 2021 and again on 28<sup>th</sup> April 2022 following the receipt of a revised drawing on 19<sup>th</sup> April 2022.</p> <p>Further letters were sent to neighbours on 31<sup>st</sup> January 2023.</p> <p>Following the receipt of additional information on 18<sup>th</sup> July 2023 neighbours were re-notified (on 19<sup>th</sup> July 2023).</p>
Total number of responses	49
Number in support	0
Number of objections	49

**BACKGROUND:**

**Members of the Plans Sub-Committee meeting held on 25<sup>th</sup> May 2023 deferred the determination of this application without prejudice, on the basis:**

- 1) To conduct an additional parking stress survey at 5:15pm on a Friday during school term to capture the parking situation during class transition time at the adjacent Dance Studio. Bromley Council’s Highway Officers need to visit at the same time.**
- 2) To provide water retention measures within the site for flood risk management.**
- 3) To review the scale of the proposed development in terms of reducing the site density and increase parking, with all parking spaces to have electric charging points.**

**Additional information received on 15<sup>th</sup> June 2023 provided further detail on water conservation measures that will ensure that the proposed dwellings will be water efficient and will include grey water harvesting. Should planning permission be granted, it would be prudent to impose a condition requiring greater detail of the measures to be implemented at the site to be provided and approved prior to the commencement of above ground works.**

**The applicant’s agent confirmed that the density of the development had been reconsidered, but in view of the proposed density being 44.4 units/hectare (and the old London Plan policy requirement referring to 36 – 65 units/hectare in a site such as this) it is considered that the density of the proposed development is relatively low. It is emphasised that the new London Plan no longer prescribes the use of density matrices for sites – with the current policy approach being that appropriate density is evaluated through the design-led approach. As a consequence, and in view of the Planning Officer and Highways Officer comments, as well as housing need, the applicant does not wish to reduce the proposed density of the development.**

**A revised site plan was submitted on 19<sup>th</sup> June 2023 showing electric vehicle charging points for all 4 no. car parking spaces.**

On 18<sup>th</sup> July 2023 a revised Parking Note was submitted which followed the undertaking on site of further on-street parking beat surveys on Friday 23<sup>rd</sup> and Friday 30<sup>th</sup> June (each at 17.15 hours). In addition to these, a check at 15.00 hours on the same dates was undertaken, along with spot checks at St. Augustine's Avenue only at 17.05 hours and 17.25 hours on these days.

The previous report is repeated below, suitably amended to address/refer to the additional information summarised above.

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would provide 4 no. residential dwellings (3 additional to existing land use), making a minor contribution to housing supply in the Borough
- There would be no significant impact on residential amenities
- The proposed development would be of an acceptable design and would not harm the visual amenities of the street scene or the area in general
- The accommodation provided would be of a satisfactory standard
- Subject to conditions, the flood risk of the development is acceptable
- The proposal would result in the loss of one on-street parking bay – there are no technical highways objections to the proposals with regards to on-site parking provision and impact on road safety

## 2. LOCATION



**Figure 1 – site location plan**

2.1 The site is located on the west side of St Augustine's Avenue and comprises an irregular-shaped plot that hosts a detached single storey dwelling. The site formerly

included the triangular shaped plot at which 2 dwellings (a semi-detached pair, Nos. 1A and 1B) have recently been constructed.

- 2.2 To the north of the site in St Augustine's Avenue there are semi-detached chalet style properties in a mock Tudor style. To the east of the site (on the other side of the road) is the library building and a dance studio. To the rear (west) of the site is a public pedestrian footpath beyond which are properties fronting Salisbury Road. The pedestrian access way also forms the culverted section of the River Ravensbourne (east branch).
- 2.2 The site is not in a conservation area nor is the building listed. The site is located in Flood Zones 2 and 3.



**Figure 2 Front of site, with 5 St. Augustine's Avenue to the right**



**Figure 3 Front of site, with new dwellings at 1A and 1B to left**

### 3. PROPOSAL

- 3.1 Planning permission is sought for the demolition of the existing single storey dwelling and the construction of 2 pairs of semi-detached two storey dwellings.

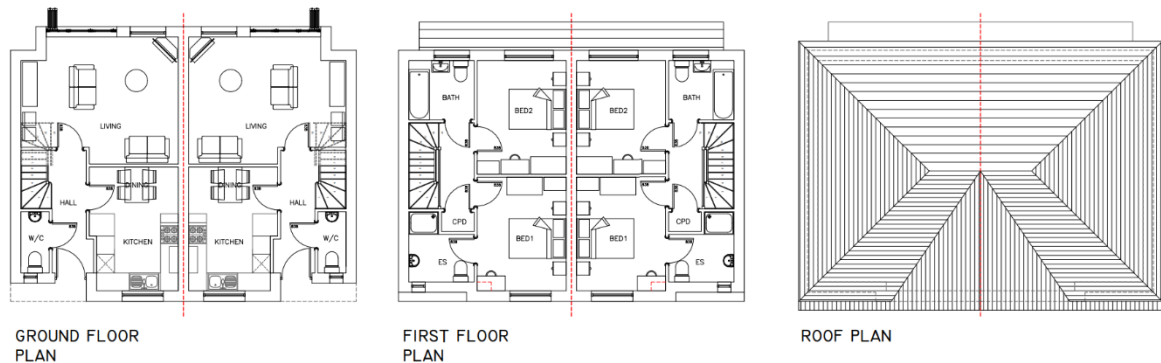


**Figure 4 Proposed site plan**

- 3.2 The proposed dwellings would be sited to either side of a proposed parking and turning area. The separation between the two pairs of dwellings would be approx. 9m. The southern dwelling would be sited approx. 2m to 3.2m from the southern boundary with the new dwellings at 1A and 1B St. Augustine’s Avenue. The northern dwelling would retain a separation to the northern boundary with No. 5 St. Augustine’s Avenue of approx. 3.4 – 3.9m.
- 3.3 The eaves height of the dwellings would be approx. 5.33m and the height to the ridge would be approx. 8.08m.
- 3.4 The site is not uniformly deep, as a consequence of the which front elevation of the proposed pair of dwellings to the southern side of the plot would be set slightly forward of the proposed pair of dwellings on the northern side of the site, so as to

provide a reasonable rear garden depth for the units set within the shallower part of the site.

- 3.5 The proposed dwellings would each provide 2 no. double bedrooms at first floor level with a kitchen/diner and separate living room on the ground floor. The Gross Internal Area (GIA) of each 2 bedroom/4 person dwelling would be 82.6 sqm.



**Figure 5 - Proposed floor plans**

- 3.6 The dwellings are designed with a shared front gable feature roof with a hipped roof to each side and a set-back at first floor from the front elevation. The materials would comprise brick facing to the ground floor with rendered panels, with the first and gable elevations white rendered. The roofs would be of plain clay (dark red) roof tiles and windows would be dark grey aluminium framed.



**Figure 6 - Street scene elevation**

- 3.7 The application has been submitted with the following supporting documents:

- Planning, Design and Access Statement (received 13/07/21)
- Preliminary Ecological Appraisal (received 13/07/21)
- Renewable and Low Carbon Statement (received 13/07/21)
- Flood Risk Assessment (received 13/07/21)
- Part M Compliance List (received 13/07/21)
- Stage 1 Road Safety Audit (received 04/11/21)
- Drainage – SUDS report (received 18/01/22)
- Sequential Test (received 15/12/22)
- Parking Note/Parking Stress Survey (received 24/01/23)

3.8 Additional information was received following the deferral of the determination of the application at Plans Sub-Committee 4 held on 25<sup>th</sup> May 2023:

- Revised site plan showing 4 no. EVCP
- Revised Parking Note
- Additional information relating to water conservation

#### **4. RELEVANT PLANNING HISTORY**

4.1 The relevant planning history is summarised as follows:

83/00055/FUL: Attached car port. Approved 16.03.1983.

84/02977/FUL: Single storey side extension. Approved 19.12.1984

4.2 Severance part of original site – now 1A and 1B St. Augustine’s Avenue

18/00007/FULL1: Erection of a pair of two bedroom semi-detached houses. Refused 27.04.2018. Subsequent appeal dismissed.

18/00009/FULL1: Erection of pair of two bedroom semi-detached houses. Refused 27.04.2018. Subsequent appeal allowed.

18/00009/AMD: Non-material amendment to approved scheme to reposition internal stairway and change to front window. APPROVED.

18/00009/AMD2: Non-material amendment to approved scheme to alter vehicular access. AMENDMENT REQUIRES PLANNING PERMISSION

18/00009/CONDIT: Discharge of conditions 3, 4, 5, 7, 8, and 9 of permission 18/00009/FULL1 (allowed on appeal) Conditions discharged.

18/00009/RECON: Minor material amendment under S73 to allow variation of permission 18/00009/FULL1 to reduce building footprint and amend the siting of the building. Approved.

4.3 These applications were assessed concurrently at appeal and were subject of a joint decision notice. The main issues in both appeals were considered to be the effect of the proposals on the character and appearance of the area, the impact of the proposal on local flood risk and implications for the access to and maintenance of the culverted watercourse and the effect of the proposals on highway safety.

4.4 With regards to character and appearance, the Inspector reasoned that the setting of the appeal site and significant distance from No. 1 resulted in the site being “effectively divorced from the characteristic residential style and development pattern beyond.” It was considered that that if developed as proposed in each case, the contextual setting would mean that there would be limited physical form to which the

new dwellings could meaningfully relate. Standing alone, the proposed dwellings would not have an adverse impact on the character of the street scene and the loss of the long stretch of fencing and high coniferous hedgerow was not considered unacceptable.

4.5 Both designs (Appeal A having a hip-ended form and Appeal B, a gabled roof) were considered acceptable in terms of their design and impact on the street scene. The separation distance proposed was also considered acceptable.

4.6 As the site was considered by the Inspector to be “something of an anomaly” it was not considered likely that the proposals would have set an undesirable pattern for piecemeal unacceptable infilling in the area. Both proposals were considered to be an acceptable form of development in relation to their siting, design, scale and integration with the street scene.

## 5. CONSULTATION SUMMARY

### A) Statutory

- **Environment Agency      No objection**

No objection subject to conditions which are required in order to avoid the development of the site posing an unacceptable risk to the culverted river and to flood risk locally.

- **Highways                      No objection**

The new crossover will result in the loss of one on-street parking bay – while disappointing this is not a sustainable ground for refusal.

The 4 spaces proposed for the units accords with the Bromley Local Plan standards and slightly exceeds London Plan standards

The swept path shows that vehicles can turn on site although the manoeuvres are somewhat complicated, which may result in drivers preferring to reverse.

A Stage 1 Road Safety Audit was supplied which does not include a parking survey but is more concerned with the built aspects of the proposal – specifically the access, and no concerns or issues were raised.

Proposal should have no impact on registered footpath 141. An informative on any permission should highlight the need to safeguard pedestrians using the alley.

Following the submission of the revised/amended parking note (received on 18<sup>th</sup> July 2023) further comments were sought. It was confirmed that in order to sustain a parking-related ground for refusal the Council would have to show that 1) there would be overspill parking from the development, 2) that this would occur when the demand for the dance studio was at its highest and 3) to demonstrate that this would have a severe impact on the road network. On the basis of the application submission it is

considered that it would be difficult to describe any impact of the proposed development as severe.

- **Drainage**                      **No objection**

Incorporation of water butts and raingarden planters is welcomed. Condition recommended to ensure implementation of the sustainable drainage proposals within the SUDS report.

## **B) Local Groups**

No comments received.

## **C) Adjoining Occupiers**

Impact on character/design (addressed at paragraph 7.2)

- The design of the proposed development would appear out of character with existing development in the street
- The area is characterised by uniform appearance and consistently large gardens, driveways and turning spaces within residential plots
- Proposal would appear cramped relative to the existing street scene
- Proposal would result in 6 dwellings (2 constructed and 4 proposed) on the original site of the bungalow at No. 1

Impact on residential amenity (addressed at paragraph 7.3)

- The proposal will result in loss of privacy to neighbouring properties at the rear (Salisbury Road) contrary to ECHR
- Loss of sunlight (Salisbury Road)
- Visual impact

Parking and highways (addressed at paragraph 7.5)

- Will result in traffic congestion associated with the narrowing of the road at location of the dance school which has classes from 9am until 8 and operates 7 days a week including parties
- Street parking already problem – associated with the existing dance studio and library as well as nearby retail food outlets
- Parents already double park near the dance school entrance or across white lines at No. 1, sometimes with engines idling
- St. Augustine's Avenue also used for commuter parking
- Proposal will remove 4 on street spaces as the new residents will use the existing on street spaces (assuming 2 cars per household)



- Loss of parking space for 2<sup>nd</sup> driveway
- 2 car parking spaces should be provided for each dwelling
- The development at 1A and 1B has impacted on parking availability, even with the dance studio operating at reduced capacity due to Covid 19
- Will result in parking obstructing residents' driveways, increase congestion and impact on road safety, along with deliveries and servicing resulting in congestion
- The turning area is impractical and may lead to residents waiting in the street to access the area and the on-site parking spaces unlikely to be used
- Reports submitted on traffic not representative in view of their timings. Road Safety Audit was undertaken during half term
- Will impact adversely on the business opposite (Studio 74)

#### Flooding and drainage (addressed at paragraph 7.8)

- Development is in high flood-risk area and the proposal will increase surface water/site coverage
- Impact on structure of culvert
- Impact on foul sewer system

#### Other matters

- Impact on property values
- Unlikely to be family housing
- There is a covenant limiting the number of dwellings on each plot
- Impact of period of construction – noise and dust and upon shift workers
- Preferable for there to be 2 three bedroom dwellings

Following the receipt of additional information (Parking Note/Stress Survey), additional comments were received and are summarised as follows:

#### Parking and highways (addressed at paragraph 7.5)

- Multiple surveys should be undertaken over a longer period in the afternoon/evening on weekdays and weekends
- Patrons of the studio use cars rather than other modes of transport
- Parents double-park behind the spaces outside the library or park on double yellow lines at class changeover times
- There will be insufficient space for safe access/egress from the parking area at the site due to the parking associated with the studio
- 4 spaces insufficient for the number of houses
- Survey has used a methodology from an inner city borough
- Survey did not take into account the work on the corner of Salisbury Road to enlarge the retail premises (with no parking) and other existing retail premises
- Survey included roads outside of St. Augustine's Avenue
- Existing development at 1a/1b uses parking spaces on the street – reference to the incremental loss of on-street parking associated with that development
- Impact on customer parking for the hall

- Impact on vehicular/pedestrian safety

Impact on character/design (addressed at paragraph 7.2)

- Houses are out of character with the street (will lead to reduction in property values)
- Overdevelopment of the site

Further comments were received after neighbours were re-notified following the receipt of additional information (18/7/23 – post-survey parking note) and these are summarised:

Parking and highways (addressed at paragraph 7.5)

- The parking note is not independent or objective
- Inconsiderate parking problems occur on multiple occasions between 4pm and 9pm on Monday- Friday and between 9am and 1pm on Saturdays, with Sunday being busy all day
- Inconsiderate parking results in driveways being blocked – preventing residents from getting on/off their driveways
- Unclear where residents will park their cars – 4 houses will generate substantial demand
- 17.15 on a Friday is not the only day and time that the street is busy – it was an example of a set time and should not be taken as being a one-off busy time.
- Residents did not ask for the time at 15.00 to be assessed – should not be included in the survey
- Checks undertaken outside of the peak operating hours of Studio 74 are irrelevant
- Survey includes adjacent streets – which should not be taken into account as patrons of the dance studio do not park in adjacent streets
- Reiteration of comments on other developments/sites generating parking demand in the locality (butcher and greengrocer etc)
- The use of the Studio has resulted in the street being at capacity
- Addition of 4 hours will probably lead to the loss of 6 parking spaces
- Houses at 1a and 1b have 5 cars between them, with generally 3 parked in parking bays
- Monday to Friday 4pm – 8.30pm is horrendous (back to back classes at Studio 74) and weekends also (with parties and classes running all day)
- While true that residential demand does not cause the overcapacity issues, the location of the site opposite Studio 74 with the provision of 4 new dwellings must not be ignored, and overnight parking demand is irrelevant to this issue
- Photographs on supporting document are misleading – could be taken in the short time between a space being vacated and then filled, and includes an impact of the dropped kerb providing access to Southborough Library
- 2 car parking spaces were removed for the construction of 1a/1b and these residents park in the street – naïve to assume this will not be the case for prospective residents

- To grant permission would be inconsistent with the planning history of 1a and 1b – which were refused planning permission in 2018
- Parking survey should be done at all times listed on the dance studio timetable and over 7 days.

## **6. POLICIES AND GUIDANCE**

### **National Policy Framework 2021**

#### **NPPG**

#### **The London Plan (2021)**

- D1 London's form and characteristics
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of change
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small sites
- H5 Threshold Approach to application
- H8 Loss of existing housing and estate redevelopment
- H9 Ensuring the best use of stock
- H10 Housing Size Mix
- S4 Play and informal recreation
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T7 Deliveries, servicing and construction

#### **Bromley Local Plan 2019**

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
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
121	Ventilation and Odour Control
122	Light Pollution
123	Sustainable Design and Construction
124	Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

## Supplementary Guidance

Housing: Supplementary Planning Guidance. (March 2016)

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

Urban Design Supplementary Planning Document (Bromley 2023)

National Design Guide - (September 2019)

## 7. ASSESSMENT

### 7.1 Principle of development **Acceptable**

7.1.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 2nd November 2021. The current position is that the FYHLS (covering the period 2021/22 to 2025/26) is 3,245 units, or 3.99 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.

7.1.2 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where



- 7.2.1 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.
- 7.2.2 The NPPF (2021) 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.
- 7.2.3 Local Planning Authorities are required 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).
- 7.2.4 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.
- 7.2.5 London Plan and Bromley Local Plan further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.6 Policy D3 of the London Plan specifies that development must make the best use of land by following a design-led approach, providing optimised development that is of the most appropriate form and land use for the site, taking into account a site's capacity for growth in tandem with its context. Development proposals should deliver buildings that positively respond to local distinctiveness through their layout, scale, orientation, appearance and shape, having appropriate regard to existing and emerging building types, forms and proportions.
- 7.2.7 Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout. 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.

- 7.2.8 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.
- 7.2.9 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.
- 7.2.10 In terms of the context of the site, the Appeal decision and findings of the Planning Inspector relating to planning permission 18/00009/FULL1 carries some weight in the consideration of the development of the severed bungalow site and the allowed development of the recently constructed semi-detached houses in the garden of No1 St Augustine Avenue.
- 7.2.11 Importantly, the Inspector made references to the significant separation of that site from the bungalow and that the site was effectively divorced from the characteristic residential style and development pattern beyond to the north. It was concluded that the site's particular contextual setting would mean that there would be little physical form to which the new dwellings could meaningfully relate.
- 7.2.12 The site of the bungalow, however, is different - closer to existing dwellings on St Augustine's Avenue to the north and therefore can be said to relate to that context. The design and external detailing of the dwellings visually bridges the external finish, scale and bulk of the new dwellings to the north and the established street scene to the south, formed of the semi-detached dwelling with their prominent shared front gables with side extension at roof level of varying scales and detailing.
- 7.2.13 The design of the pairs of dwellings includes shared front gable features with set-back side hipped roof elements akin to the first floor extensions evident within some of the existing dwellings within St. Augustine's Avenue. To the left, the development would juxtapose with the new dwellings at 1A and 1B and to the right, with the dwelling at No. 5. It is considered that the design within this application responds to the appearance of dwellings on either side of the site, bridging in terms of design features the somewhat disparate appearance of the new-build dwellings at Nos. 1A and 1B and the original dwellings to the north.



**Figure 7 - Proposed street scene elevation**



**Figure 8 - Nos. 1A and 1B to the south**





**Figure 9 No 5 St. Augustine's Avenue to the north**

7.2.14 While the proposed parking area between the buildings would introduce a hard-surfaced gap in the street scene which would not immediately incorporate planting and landscaping of the verdant quality found within the existing street scene, the site plan includes small landscaped areas to either side of the access point which would provide adequate space for softening landscaping to successfully screen the full visual impact of the parking area in the middle of the site as viewed from the street. It is noted that the development allowed on appeal at Nos. 1A and 1B to the south of the site is more exposed and provided less space for frontage softening parking than is the case with the current proposal as a consequence of the more generous space to the front of the proposed buildings.



**Figure 10 – Car parking arrangement allowed on appeal at Nos. 1A and 1B**

7.2.15 Representations have been received stating that the proposed development would not be consistent with the existing character of St. Augustine's Avenue in terms of spaciousness and external appearance. However, taking into account the design of the dwellings, the juxtaposition with existing dwellings to either side and the space maintained between the buildings on the site, and to the neighbouring dwellings, it is not considered that the scope of the development would be significantly out of character with or detrimental to the visual amenities of the area.

### **7.3 Neighbourhood amenity                      Acceptable**

7.3.1 Policy 37 of the 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.

7.3.2 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.

7.3.3 In determining any application, a key consideration would be the impact of the development on the amenities of neighbouring properties.

7.3.4 In terms of outlook, the fenestration arrangement will provide front and rear outlook that will mainly overlook to the frontage areas east to the street scene and west to the rear over proposed garden curtilage. Significant space of approx. 40m space is retained between the rear elevations of the buildings and the rear elevation of the existing dwellings fronting Salisbury Road, with separation of approx. 11m to the rearmost part of the gardens of these properties.

7.3.5 With regards to the impact of the proposal on the amenities of the nearest neighbouring dwellings in St. Augustine's Avenue, the footprint of the proposed development would not project significantly to the front or rear of these properties, the flank elevation of the southern neighbouring dwelling is blank and the flank elevation of No. 5 to the south includes 2 no. obscure glazed windows at first floor level.

7.3.6 While there would be limited, oblique, views from the first floor rear facing windows of the dwellings towards the southern and northern neighbouring dwellings, there would not be a significant loss of privacy taking into account the field of vision and the suburban location of the site.

7.3.7 Representations have been received referring to the potential loss of privacy to properties at the rear, fronting Salisbury Road and stating that this would be contrary to Article 8 of the ECHR which relates to respect for private life, family life and privacy at home and in correspondence. It is not considered, in view of the suburban location

of the development, the significant separation to the rear which includes the width of the public footpath over the culvert, with each boundary onto this public footpath being quite densely vegetated, that the proposal would result in an interference with the right to private life enshrined within the ECHR. Notwithstanding the assessment that the proposal would not significantly reduce the privacy or neighbouring sites through overlooking or other impacts, the right under Article 8 is qualified, and must be balanced with competing interests and rights, including the economic benefits of development along with the contribution that development can make to housing supply.



**Figure 11 - Plan showing development in relation to boundaries**

7.3.8 Concern has also been expressed regarding the visual impact of the proposal on neighbouring amenity. It is noted that the development lies opposite the library and dance school, and that the front and rear elevations broadly align with and are reasonably separated from neighbouring dwellings to either side. This in tandem with the considerable separation to the rear, to the gardens of dwellings fronting Salisbury Road and the acceptability of the design of the development is considered to result in development that would not have an excessive or detrimental visual impact.

**7.4 Standard of residential accommodation      Acceptable**

7.4.1 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.

- 7.4.2 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.
- 7.4.3 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.
- 7.4.4 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. It is required that compliance with this standard should be demonstrated with any future submission by way of a separate Part M compliance statement.
- 7.4.5 The nationally described space standard requires various Gross Internal Areas in relation to number of bedrooms and person occupation. The proposed two bed four person houses require a minimum floorspace of 79m<sup>2</sup> over two levels as indicated. The stated GIA is 82.6m<sup>2</sup> which is compliant with the nationally described space standard.
- 7.4.6 From the information provided the shape and room size of the rooms are considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use.
- 7.4.7 In terms of amenity space, the depth of the rear garden is of sufficient proportion to provide a usable space for the purposes of each two bedroom dwellinghouses.

## **7.5 Highways                      Acceptable**

- 7.5.1 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.

- 7.5.2 London Plan and 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.
- 7.5.3 The proposal would provide 3 car parking spaces between the pairs of dwellings, with a further space to the northern side of house 1 (1 space per proposed dwelling). Following the deferral of the application by Members, all on-site car parking spaces are now indicated to be served by Electric Vehicle Charging Points (EVCP). Cycle storage is proposed to be provided by way of detached cycle stores to the side of the outer dwellings, and within the rear gardens of Units 2 and 3.
- 7.5.4 The application is supported by a Stage 1 Road Safety Audit and vehicle tracking diagrams. During the course of the application a revised proposed layout/site plan was received which corrected the plotting of existing on street parking bays.
- 7.5.5 As existing, it is noted that there are 5 full spaces and a short space in front of the site. The revised proposed drawings indicate that the proposal includes the removal of one parking space in front of the site so as to provide the centrally positioned access to the parking area between the pairs of semi-detached dwellings.



*Figure 12 - On-street parking in front of application site*

- 7.5.6 It is acknowledged that a number of objections have been received expressing concern at the impact of the proposal on on-street parking capacity in the locality, along with on highways safety. Concern has also been expressed regarding the timing of the Road Safety Audit submitted with the application which was submitted in October 2021 in response to initial highways comments.

- 7.5.6 Since the submission the application proposals have been reviewed by the highways officers again in November 2021 and in February 2022 when it was noted that the revised plan appeared to inaccurately indicate the existing parking bays on the street. A further revised plan was received on 28<sup>th</sup> February 2022 and subsequent comments from the highways officer confirmed the loss of one on-street parking bay which, while disappointing, was not considered to represent a sustainable ground for refusal.
- 7.5.7 The applicant then provided, in January 2023, a Parking Note which included a parking stress survey, and one overnight review (between hours of 00.30 and 05.30) with a further survey at 16.30 hours on a weekday to account for parking demand associated with the nearby dance club. The surveys were undertaken on Wednesday 11<sup>th</sup> January and Thursday 12<sup>th</sup> January respectively.
- 7.5.8 The parking stress at night-time was calculated at 51% - demonstrating that there is no overnight parking stress. The day-time parking stress was calculated at 86% - significantly higher, but indicating that there are still parking spaces available in the locality at that time. The conclusion of the survey states: "The reduction of one car parking space would not materially alter parking demand, while the development itself will not increase in-street demand."
- 7.5.9 It is noted that representations have referred to the name of the methodology adopted (i.e. "Lambeth"). It is important to note that the name of the methodology relates to it having been formulated by the London Borough of Lambeth, and does not mean that the methodology can only be applied to that geographical area – in fact, the survey methodology is commonly used in many areas of diverse character, not limited to urban areas, and can reasonably applied as a means of assessment of the parking stress within a given area.
- 7.5.10 The determination of the application was deferred by Members of the Plans Sub-Committee meeting held on 25<sup>th</sup> May 2023, with the request that the applicant undertake additional assessment of on-street parking demand/conditions at a specified time/day – with reference to the changeover between 2 classes held on a Friday late afternoon.
- 7.5.11 The applicant undertook this assessment/survey on two Fridays, with additional review of the on-street parking demand within the locality at 3pm (in addition to the 5.15pm requested review) as well as within the specific street immediately before and after the changeover between classes held at the dance studio.
- 7.5.12 What the Parking Note submitted on 18<sup>th</sup> July 2023 demonstrates is that there is significant demand relative to parking bays during the narrow window of class changeovers. The extra assessment undertaken on the 2 dates indicates that outside of this period, there is on-street car parking capacity, including on the length of the street in front of the application site. The assessment includes tables with information on the number of spaces, the number used and the "parking stress" associated with the specified 17.15 hours timing. It is commented within the note:

“Table 2.2 indicates that parking demand reached 105% at 17:15 hours. However despite parking demand reaching capacity, there are a number of factors to consider:

- Peak demand occurs at 17:15 hours for the dance studio on a Friday, which is a once in a week occurrence where visitors are parked for both the previous and next sessions (during changeover);
- Peak demand only 10 minutes after the survey has finished (summarised later in this section) highlights notably lower demand, reflecting the changeover having finished; and
- Photographic observations show how fluid parking can be, with free spaces frequently appearing around 17:15 hours. This highlights how the spot check is only one moment in time, with the potential for a different picture minutes later.”

7.5.13 Figure 2.1 of the supporting document identifies that there are parking opportunities at 17.15 hours to the north of the site, but that the capacity reaches 100% because people parking in confined spaces outside the dance studio “which would not be counted as an official parking ‘space’ based on the Lambeth guidance methodology.”

7.5.14 The note provides a snapshot of a busy time within the street, where the car parking activity and comings-and-goings are related to the commercial dance studio rather than residential parking demand (associated with dwellings within St. Augustine’s Avenue). Residents have confirmed that the congestion and overparking within the street is largely related to the operation of the dance studio, and has been a long-term issue, although it is also noted that there is parking demand also associated with the commercial premises on Southborough Lane.

7.5.15 While the proposal would result in the loss of one on-street car parking space, the proposal is considered to include sufficient on-site car parking provision to meet the needs of the proposed 2 bedroom dwellings. Four spaces will be provided for the 4 no. dwellings proposed to be constructed. The undertaking of an overnight assessment of parking within the surrounding streets is relevant to the assessment of this specific application since it is generally accepted that residential parking demand is at its greatest overnight.

7.5.16 While the concerns relating to parking demand and vehicular activity associated with the dance studio are noted, the highways officer has raised no objections to the proposal for the residential dwellings. The application for residential dwellings proposes car parking at a level above the maximum required by the London Plan (2021), and at the minimum specified within Policy 30 of the Bromley Local Plan (2019). The proposal would result in the loss of 1 no. on-street bay in front of the site, but for the majority of the time, and particularly overnight (when residential parking demand is most likely to be higher) there is sufficient on-street capacity.

7.5.17 It is noted that the London Plan parking standards specify a maximum on-site

residential provision of 0.75 parking spaces per unit (taking into account the PTAL rating and size of units) and as such the proposal would slightly exceed that maximum. However it is noted that the proposal does include the loss of 1 no. on street parking space, and in this context (along with the concerns raised by neighbouring residents regarding local parking conditions) the oversupply of parking relative to the London Plan Standards is considered on balance to be acceptable. The proposals include a turning area between the pairs of houses, and the car parking space arrangement to Unit 1 is consistent with the existing arrangement associated with the existing bungalow. The submitted Road Safety Audit assessed the highways safety associated with the dwellings, in terms specifically of the built aspects of the proposal – the siting relative to junctions, road signs, carriageway markings and historical Personal Injury Collision data.

- 7.5.18 That residents have severe concerns over the impacts associated with the operation of the dance studio and car parking/behaviour associated with it, is acknowledged. However, it is not considered that the refusal of planning permission for this specific proposed residential development, which provides car parking consistent with the Bromley Local Plan parking standards, and an oversupply relative to the London Plan requirements, would be justifiable.
- 7.5.19 It is recognised that there is on-going concern relating to the activities at the nearby dance school and the extent to which these attract anti-social or inconsiderate parking at times, as well as the potential that the proposal will increase safety risk for the users of the dance school. The concern has been expressed that the proposal, if the parking spaces associated with the proposed dwellings are not used in favour of the on-street spaces in front of the site, will lead to additional demand for on-street parking further along the cul-de-sac.
- 7.5.20 As stated by the Highways Officer, in order to sustain/defend a parking-related ground for refusal the Council would have to demonstrate the following:
- 1) there would be overspill parking from the development;
  - 2) that this would occur when the demand for the dance studio was at its highest, and;
  - 3) to demonstrate that this would have a severe impact on the road network.
- 7.5.21 It is not considered that this is the case in this specific application proposal. It is reiterated that paragraph 111 of the National Planning Policy Framework states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety “or the residual cumulative impacts on the road network would be severe.” It is not considered in the light of the assessment above that the specific application proposal would have an unacceptable impact on highway safety or result in severe residual impact on the road network, and as a consequence it is not considered that the refusal of planning permission on the basis of highway concerns would be warranted.



7.5.22 It may be that, outside of the planning regime, local restrictions or other measures could be adopted to address any on-going conflict between existing residential and commercial parking, including the alleged parking by persons commuting by bus into the town centre and the car parking associated with the use of the dance studio. This is outside of planning control however, and is not directly relevant to the assessment of the specific application proposals, given that the development would provide adequate on-site car parking. The assessment of this specific development as being acceptable from a highways perspective does not preclude other measures being capable of being adopted in the interest of addressing residents' concerns over the on-going parking/operation of the dance studio.

**7.6 Trees and landscaping** **Acceptable**

7.6.1 Policy 73 of the 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.

7.6.2 Policy 77 of the 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.

7.6.3 The submitted site plan indicates that the rear gardens would be laid to lawn, with indicative planting beds to the front and sides and to either side of the centrally positioned access. There are no protected trees within the application site, and while there is a street tree on the pavement in front of the existing dwelling, this is indicated to be retained. It would be appropriate to impose a condition requiring further detail on planting proposals/species/sizes as well as relating to the materials for the hard surfaces within the site should planning permission be forthcoming.

**7.7 Sustainability** **Acceptable**

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

7.7.2 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.

7.7.3 The application has been submitted with a Renewable and Low Carbon Statement which sets out the ways in which the proposals would achieve the objectives within the NPPF, including with regards to thermal performance/efficiency, ventilation, and

drainage. If planning permission is forthcoming it would be appropriate to impose a compliance condition referencing the statement above.

## **7.8 Flood Risk and drainage**

**Acceptable**

- 7.8.1 The National Planning Policy Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, and where development is necessary, by making it safe without increasing flood risk elsewhere. The Technical Guidance published alongside the Framework details that for these purposes, areas at risk of flooding constitute land within Flood Zones 2 and 3. The National Planning Policy Guidance also classifies the erection of a new dwelling as a more vulnerable use which requires the application of the Sequential Test, and if required the Exception Test.
- 7.8.2 The application was submitted with confirmation of pre-application discussion/enquiry between the applicant and the Environment Agency. At that stage the Environment Agency stated that there was no in principle objection to the development proposals. It was confirmed within the response, which was submitted in support of this application, that the EA were “adopting a pragmatic approach on this occasion, as the development proposals increase the offset to the culverted watercourse, thereby providing betterment.” The pre-application comments provided by the Environment Agency, which were included within the formal planning application, state “We are satisfied that the development proposals have followed a sequential, risk-based approach on site, in line with the national PPG.”
- 7.8.3 The subsequent planning application submitted to the Local Planning Authority was also supported by a Flood Risk Assessment Report. This report included reference to the mitigation associated with the raised position of the dwellings relative to the modelled flood level, and also provides detail on the exception test – relating to sustainability benefits and the flood safety/resilience of the development
- 7.8.4 In addition, a Sequential Test was provided on 15<sup>th</sup> December 2022 and updated on 24<sup>th</sup> April 2023, with the aim of assessing what land is available for development in a defined area (identified as Borough-wide) and to direct development to areas of lowest risk in the first instance. The NPPF requires that where development is proposed in either medium (Zone 2) or high (Zone 3) FRZs, a sequential test be undertaken to demonstrate that there are no reasonable alternative development sites in areas of lower risk.
- 7.8.5 The submitted Sequential Test refers to the site being located within Flood Zone 3. However, as is confirmed by the Environment Agency and flood mapping, the

significant majority of the site lies in Flood Zone 2, with the Zone 3 parts of the site limited to the rear, towards the culverted river.

7.8.6 The Sequential Test confirms in its conclusion that:

“A sequential test has been carried out on all allocated sites, windfall sites and sites on the brownfield register as requested by London Borough of Bromley, we can confirm that there are no other available sites within a Flood Zone 1 that can accommodate the development proposals.”

7.8.7 Where development is considered “more vulnerable”, if the Sequential Test indicates that it isn’t possible to use an alternative site, the “exception test” applies. The Flood Risk Assessment provided with the application refers to sustainability benefits of the development as well as to the safety/resilience of the development.

7.8.8 In note of the site’s location within Flood Zones 2 and 3, the Local Planning Authority has reviewed the content and scope of the applicant’s flood risk sequential test, taking into account also the Council’s own information regarding developability and deliverability of the alternative sites identified, and it is concluded that there are no reasonably available sites at a lower risk of flooding that could accommodate the specific proposed development.

7.8.9 With regards to sustainability, it is stated that the site comprises previously developed land, with an uplift of 3 residential dwellings, and that the development will be located within an established residential area making more efficient use of existing land to provide new dwellings of a higher standard of energy efficiency.

7.8.10 With regards to “safe development” the assessment refers to the intention to use sustainable drainage methods to manage surface water drainage to ensure a run-off equivalent to greenfield rates, to the ground floor of the dwellings being raised 600mm relative to the modelled 1 in 100 year plus 35% climate change flood event, and to other safety measures for prospective occupants.

7.8.11 The Council’s drainage officer has raised no objections to the proposal, including to the scope/findings of the Sequential Test, and having regard to the Sustainable Drainage Report submitted with the application. A planning condition requiring implementation in accordance with this report is recommended should permission be forthcoming, and in view of the applicant’s intention to integrate water conservation measures into the resultant dwellings, it would be appropriate to include a condition requiring further detail of the specific measures proposed.

7.8.12 Comments from the Environment Agency raised no objections to the proposal subject to detailed conditions associated with mitigation measures and tying the development to the submitted Flood Risk Assessment.

## **8. CONCLUSION**

- 8.1 Having regard to the above, the proposals are not considered to result in an overdevelopment of the site, nor to have a detrimental impact on the character and appearance of the surrounding area. The development would not have a significant impact on light, outlook or privacy to neighbouring residential properties. Sufficient space is retained for suitable landscaping and the standard of residential accommodation would be acceptable.
- 8.2 There is local concern regarding the parking and access arrangements and its impact on existing car parking on street in the light of commercial premises within the locality, and the proposal would result in the loss of 1 car parking space. However, it is not considered that this would result in severe highways impact in this instance, in view of the scope of the development including the unit size and number of car parking spaces provided on-site. It is not considered that the proposal would result in severe impact upon the road network such that would warrant the refusal of planning permission for this specific residential development.
- 8.3 It is considered in view of the local context, including the acceptability of the layout of development and the relationship between the site and its surroundings, that the slight overprovision of on-site car parking relative to the London Plan maximum parking standards would not be harmful and would not outweigh the benefit associated with housing supply.
- 8.4 The proposals are considered acceptable with regards to flood risk and drainage matters.
- 8.5 The provision of 4 dwellings on the site where there is one existing residential property would make a minor contribution to meeting the Council's housing targets.
- 8.6 Conditions are recommended to secure an acceptable form of development with regards to technical drainage, flood risk and parking impacts as well as to secure an acceptable form of development which protects the amenities of neighbouring properties and the character/visual amenity of the area.

## **RECOMMENDATION: Application Permitted**

### **Subject to the following conditions:**

- 1. Time limit**
- 2. Approved plans**
- 3. Details of construction and environmental management plan**
- 4. Slab levels**
- 5. Construction method statement – culverted river**
- 6. Landscaping (hard and soft)**
- 7. Highways drainage**
- 8. Boundary details**
- 9. Cycle storage**
- 10. Refuse storage**

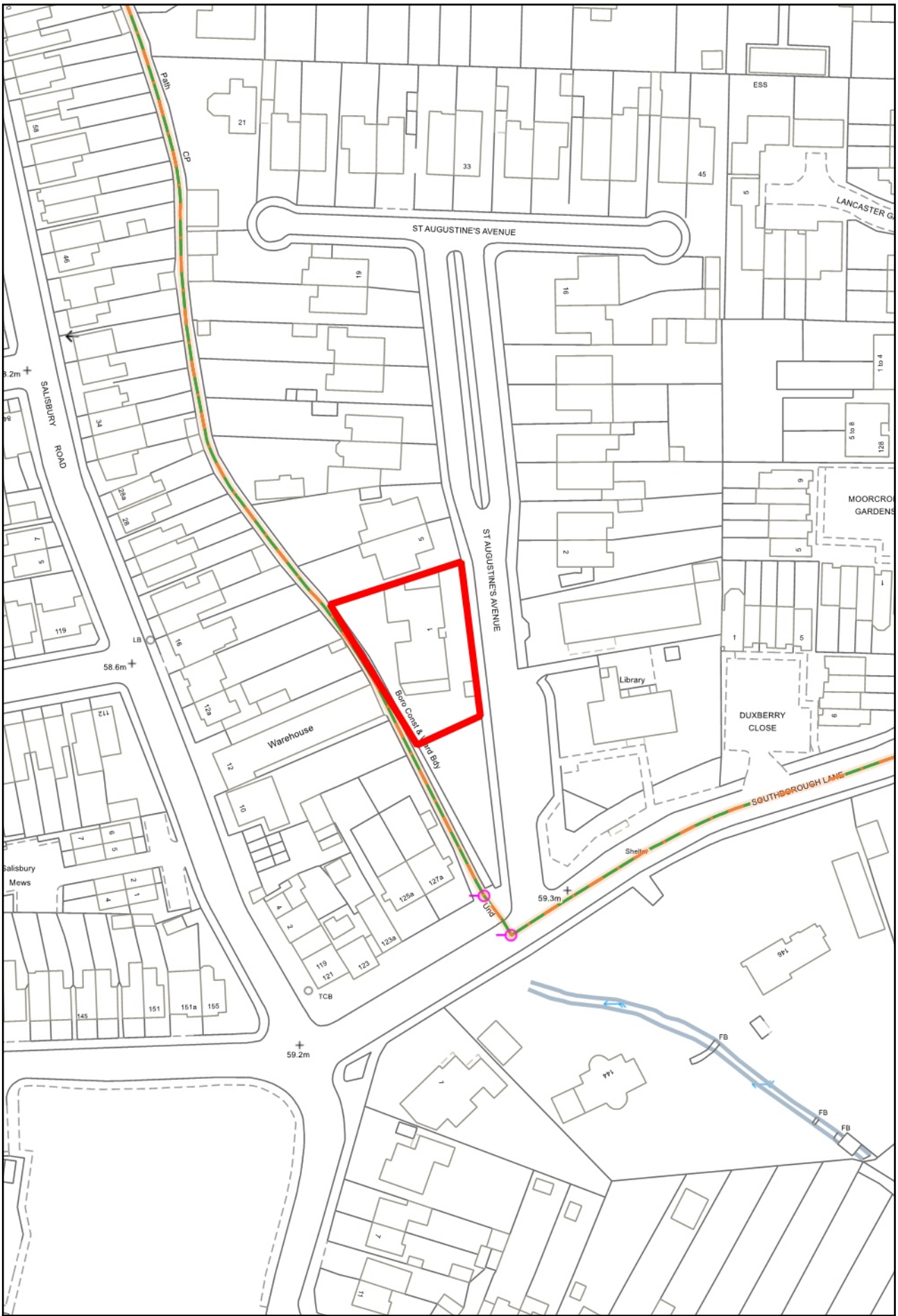
- 11. Details of water conservation**
- 12. Car parking compliance (including EVCP)**
- 13. Materials as set out in application**
- 14. Compliance with FRA**
- 15. SUDS compliance**
- 16. Low NOx boilers**
- 17. Hardstanding for washdown during construction**
- 18. Removal of permitted development rights (A/B/C/E)**
- 19. No first floor windows**

**Any other planning condition(s) considered necessary by the Assistant Director of Planning**


### **Informatives**


- Contact highways re: laying out of crossover**
- Footpath safeguarding**
- Contamination - contact Environmental Health**
- Flood Risk Activity Permit may be required**
- CIL**
- Street naming and numbering**

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 Ordnance Survey 100017661.


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# Agenda Item 4.2

<b>Committee Date</b>	17.08.2023		
<b>Address</b>	Justin Hall Beckenham Road West Wickham BR4 0QS		
<b>Application Number</b>	22/04833/FULL1	<b>Officer</b> - Catherine Lockton	
<b>Ward</b>	West Wickham		
<b>Proposal</b>	Proposal for the erection of a new school building, the refurbishment of existing buildings and an extension to Justin Hall, together with access, parking and landscaping at St David's Prep		
<b>Applicant</b>	St David's Prep		<b>Agent</b>
	C/O Hume Planning Consultancy Innovation House, Discovery Park Innovation Way Sandwich Kent CT13 9ND		Hume Planning Consultancy Ltd
			Innovation House Discovery Park Innovation Way Sandwich CT13 9ND
<b>Reason for referral to committee</b>	Major application outside of delegated authority	<b>Councillor call in</b> No	

<b>RECOMMENDATION</b>	PERMISSION BE GRANTED SUBJECT TO LEGAL AGREEMENT
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<b>KEY DESIGNATIONS</b>
Urban Open Space Air Quality Management Area Area TPO Biggin Hill Safeguarding Birds Biggin Hill Safeguarding Area PTAL Level 2 Smoke Control SCA 51

<b>Land use Details</b>				
	Use Class or Use description	Floor space (GIA SQM)		
Existing	F1(a) Education	602sq.m.		
Proposed	F1(a) Education	1,617sq.m.		
<b>Vehicle parking</b>		Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Staff Car parking spaces		12	18 (including 1 disabled space)	+6 (including 1 disabled space)
Cycle parking spaces for both staff and students		8	29 cycle 30 scooter	+21 cycle +30 scooter

<b>Electric car charging points</b>	2 active 3 passive
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<b>Representation summary</b>	Adjoining neighbours were consulted by letter on 04.01.2023 and 17.04.2023. A Site Notice was displayed at the site on 05.01.2023. A Press Advert was published on 25.01.2023 in the News Shopper.
Total number of responses	116
Number in support	65
Number of objections	48
Number of neutral	3

<b>Section 106 Heads of Term</b>	<b>Amount</b>	<b>Agreed in Principle</b>
Carbon offset Contribution	£1,425	YES
Highway Improvements Contribution	£20,000	YES
Monitoring Fee	£500 per head of term	YES
<b>Total</b>	<b>£22,425</b>	<b>YES</b>

## **1 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The applicant has evidenced that there is a demonstrable need for the ongoing use of the existing building with expired permission and the proposed additional educational buildings to cater for children already on the school roll and to meet future expansion. Furthermore, the proposed buildings have been sensitively designed to limit the impact on the Urban Open Space without compromising the educational requirements.
- The scale, layout and appearance of the proposed development would respond appropriately to its setting and, given its siting, would not cause any undue harm to neighbouring amenity.
- The proposal seeks to introduce new landscaping and biodiversity enhancements to contribute to the nature conservation value of the site, achieving a Biodiversity Net Gain of +133.90% and an Urban Greening Factor of 0.58.
- The proposal would provide an appropriate amount of car parking given its use and location and would not result in any significant adverse transport impacts. Additional cycle and scooter parking is also proposed as part of the development and this along with the submitted Travel plan will help to encourage more sustainable and active modes of transport. The applicants have also agreed to a contribution towards the construction of a Zebra Crossing on Beckenham Road to improve crossing facilities in the area.
- It is considered that the proposed development is acceptable and is recommended for permission, subject to the prior completion of a S106 legal agreement.

## **2 LOCATION**

- 2.1 The application site is located at the junction of Beckenham Road and St David's Close. It has a site area of approximately two hectares and comprises of St David's Prep school buildings and grounds.

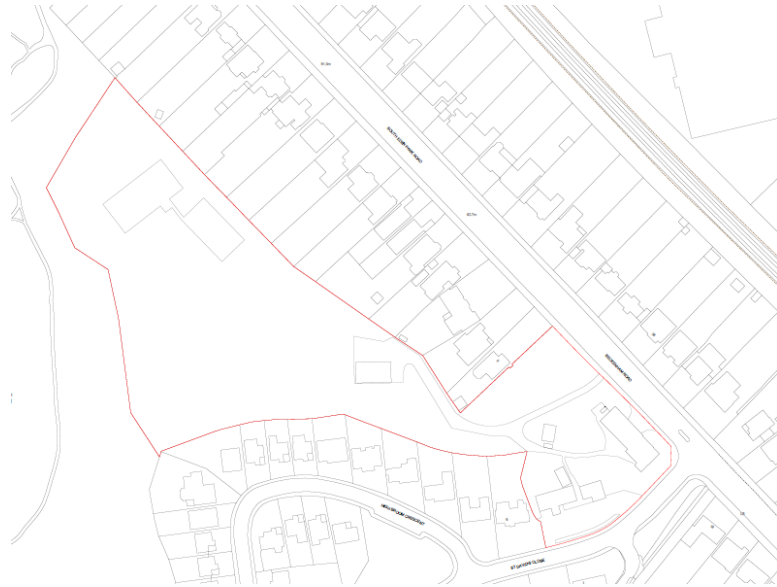


Fig.1 – Site Location Plan

2.2 St David's Prep school is an independent school providing education from Pre-Reception up to Year 6. The existing school buildings are located in the eastern corner of the site fronting Beckenham Road and St David's Close.



Fig.2 – Site Photo of existing Justin Hall school building



Fig.3 – Site Photo of existing temporary school building on St. Davids Close

- 2.3 The majority of the site is located on land designated as Urban Open Space.
- 2.4 There are a number of trees within the site boundaries. An Area Tree Preservation Order (TPO) (ref 406A) covers part of the site.
- 2.5 The application site lies within Flood Zone 1, which means it has a low probability of flooding.
- 2.6 The site lies within a Public Transport Accessibility Level (PTAL) of 2 (on a scale where 0 is worst and 6b is excellent).
- 2.7 The existing site currently includes two vehicular accesses from Beckenham Road and two vehicular accesses from St David's Close.
- 2.8 The site is located within the Bromley Air Quality Management Area (AQMA).

### **3 PROPOSAL**

- 3.1 The application proposes the erection of a new school building, the refurbishment of existing buildings, an extension to Justin Hall, and the retention of single storey detached building (fronting St David's Close) for an additional temporary period, together with access, parking and landscaping at St David's Prep.

Existing School Layout

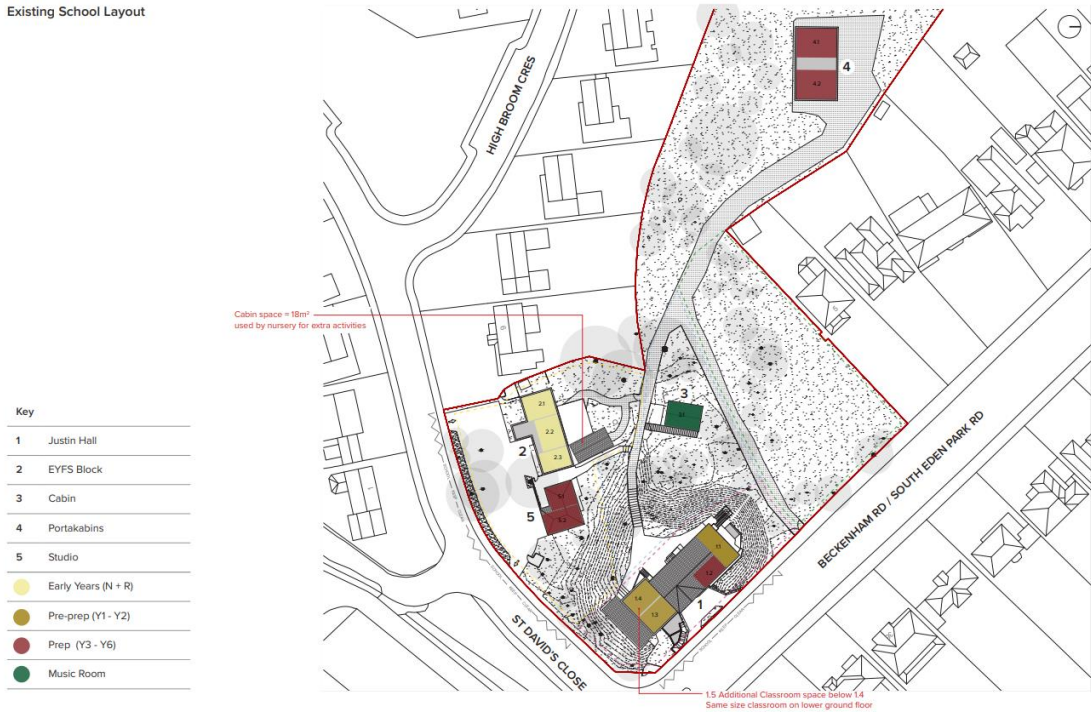


Fig.4 – Existing School Layout

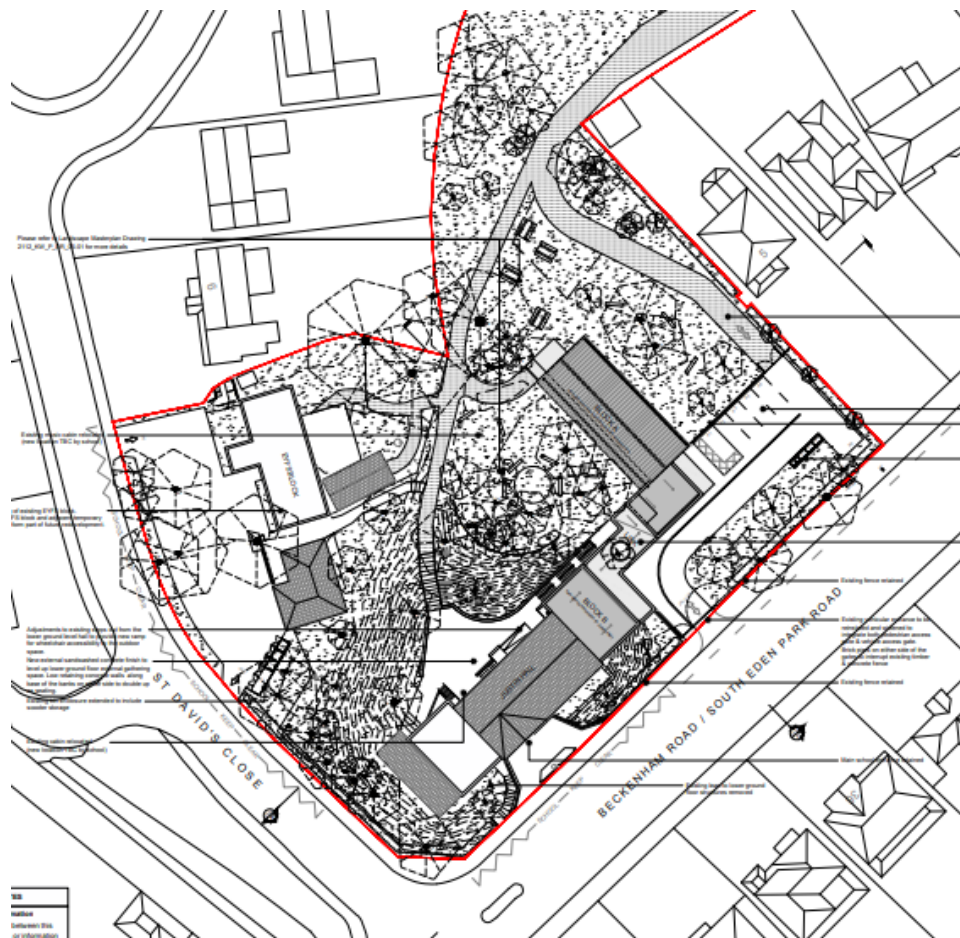


Fig.5 – Proposed Site Plan

3.2 The proposed development would comprise;

- Construction of a two storey building (Block A) to the north-western side of Justin Hall to provide;
  - 3 classrooms, girls WC and changing area, and disabled WC at ground floor; and
  - 3 classrooms, boys WC and changing area, and plant room at first floor.

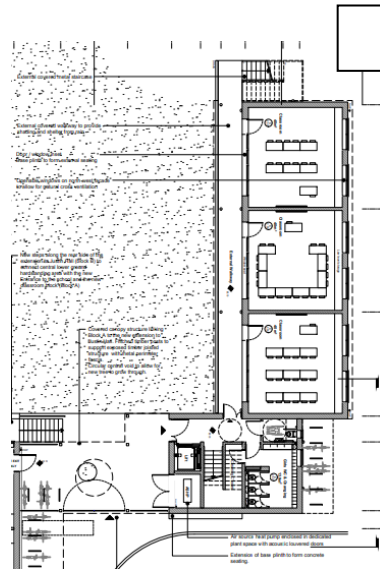


Fig.6 – Proposed Ground Floor Plan

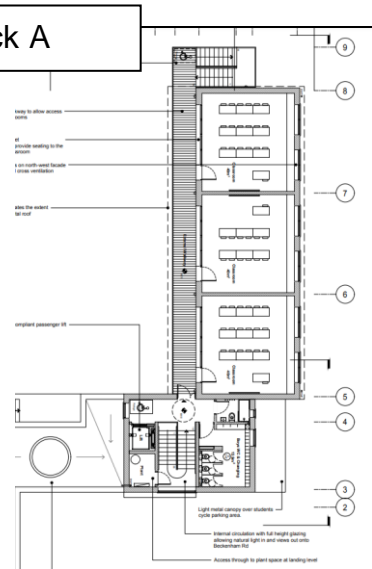


Fig.7 – Proposed First Floor Plan

The new building would include both internal and external steps with an external walkway provided along the south-eastern side of the building to provide access to the proposed classrooms. A lift would also be included within the extension.

- Construction of a two storey extension to the north-western side of Justin Hall (Block B) to provide;
  - a new kitchen, store cupboard and office on the lower ground floor; and
  - two classrooms at ground floor.

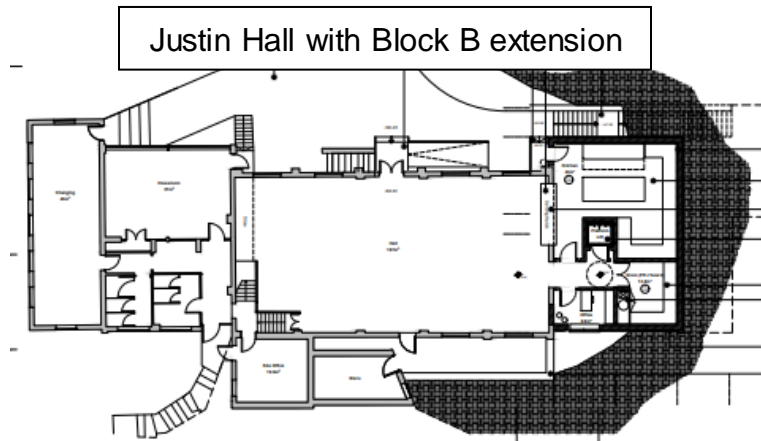


Fig.8 – Proposed Lower Ground Floor Plan

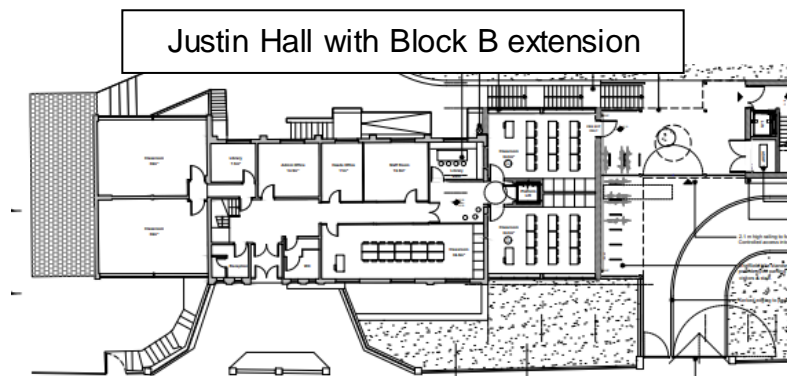


Fig.9 – Proposed Ground Floor Plan

The new extension would be accessed internally via doors from the existing school hall. A lift would also be included within the extension. A timber canopy would link the proposed extension (Block B) to the new building (Block A) with metal railings proposed along the front to provide controlled access.

- Internal changes are also proposed to Justin Hall to include;
  - change the existing kitchen on the lower ground floor into a site office; and
  - change an existing classroom at ground floor into an access into the new extension, a library, and as an extension to an existing classroom to provide an additional 10.5sqm.
  
- External alterations are also proposed to include;
  - changes to external access at the rear of Justin Hall to include the addition of a ramp;
  - new covered bicycle parking;
  - new pedestrian and vehicular access from Beckenham Road, utilising existing maintenance access;
  - six new staff car parking spaces, including one disabled bay and two EV charging points; and
  - new maintenance access path to provide access to rear playing fields.

3.3 The existing single storey detached building which fronts St David's Close is also proposed to be retained for an additional temporary period of five years to continue the provision of three classrooms for the Early Years Foundation Stage. The roof is also proposed to be replaced.

3.4 The proposed development would include 8 new classrooms. However, as one existing classroom on the ground floor within Justin Hall would be lost to facilitate the proposed extension, a total of 7 new classrooms would be provided. This would provide an increased capacity for the school to increase each year from nursery to Year 6 to a two-form intake by 2026/2027.



- 3.5 The school currently has 182 pupils and 37 members of staff (32 Full Time Equivalent (FTE)). The recent addition of temporary classrooms (within portacabins) on site provides the capacity to accommodate up to 197 pupils by the 2023-2024 school year.
- 3.6 Through the development proposals the school is seeking to accommodate a total of up to 298 pupils, with 45 staff members (41 FTE), by 2026/2027.

#### **4 RELEVANT PLANNING HISTORY**

- 4.1 The site has an extensive planning history, with many applications for development between the early 1980's and present day. The vast majority of the permissions have been implemented and have mainly comprised additional classroom and teaching space in the form of mobile/temporary units.
- 4.2 The relevant planning history can be summarised as follows;
- 99/02232/FULL1 – Single storey extension to Justin Hall (increased dimensions of extension permitted under ref: 98/01461) (RETROSPECTIVE APPLICATION). Permitted 09.09.1999.
  - 04/02623/FULL1 – Single storey detached building for music classroom and practice room. Permitted 18.11.2004.
  - 05/02030/VAR - Use of single storey detached building for music classroom and practice room permitted under ref: 04/02623 without complying with conditions 7 and 8, to enable the use to start at 0800 and additional use for 9 evening committee meetings per annum until 2200. Refused 03.08.2005.
  - 14/00472/RECON – Retention of single storey detached building without complying with condition 1 of planning permission ref. 08/00033 which states that 'The detached single storey building known as "The Little School" hereby permitted shall be removed and the land reinstated to its former condition on or before 19.02.13'. Approved 26.03.2014.
  - 18/02280/PLUD - Single storey, standalone interlocking timber built building. Lawful development certificate (proposed). Approved 30.07.2018.
  - 16/00081/RECON1 - Minor material amendment under Section 73 of the Town and County Planning Act 1990 to allow a variation of the planning permission 10/03388/FULL1 (as amended by planning permission 16/00081/RECON) for retention of single storey detached timber framed building for use as temporary classroom in order to allow an extension of three years to the existing permission so that this classroom can be retained until such time as a masterplan has been formulated, any required permissions have been obtained and any new or replacement buildings have been constructed. Approved 28.04.2021.

- 21/01611/FULL1 - Installation of a temporary double classroom building for a period of three years. Refused 20.07.2021 for the following reasons;
  - *Insufficient and conflicting information has been submitted to evidence a demonstrable local need for the additional educational building to ensure the provision of an appropriate range of educational facilities at the site in relation to current or proposed school numbers and facilities contrary to Policy 27 of the Bromley Local Plan and Policies S3 of the London Plan.*
  - *Insufficient information has been submitted to evidence that the area of the location of the building on hardsurfaced play space is not surplus to requirements or that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, contrary to Policy 58 of the Bromley Local Plan and Policies S3 and S5 of the London Plan.*
  - *The siting and rudimentary design of the building at this location in designated Urban Open Space (UOS) is considered to impair the open nature of the site where demonstrable local need for the additional educational building has not been evidenced, contrary to Policies 27, 37 and 55 of the Bromley Local Plan and Policies S3, G4 and D3 of the London Plan.*
  - *Insufficient information has been submitted to establish the highway impacts of the development. As such the proposal has not demonstrated that the development would not be liable to prejudice the free flow of traffic and conditions of general safety along the adjacent highways contrary to Policy 32 of the Bromley Local Plan and Policy T4 of the London Plan.*
- 21/05730/FULL1 – Proposal comprising the installation of a temporary single storey, double classroom building for a period of three years. Permitted 11.03.2022.
- 21/05730/AMD – Amendment to planning application Ref DC/21/05730/FULL1: The height in the drawing submitted in the initial application was incorrect. The additional size was due to the need to level the buildings during installation and that the change only adds 0.4m (at one end). See drawing reference RCSDPSNMAPE. Approved 27.10.2022.

## 5 CONSULTATION SUMMARY

### A) Statutory

#### 5.1 Highways (Highway Authority) – No objection, subject to conditions

- The site is located in an area with PTAL rate of 2 on a scale of 0 – 6b, where 6b is the most accessible.
- Access

- The development proposals will provide a new pedestrian entrance to the school adjacent to the access to the new staff parking area. The new access will enable pupils to enter and exit the school at three points so as to distribute activity more evenly around the site. It is proposed that Years 3 to 6 will use the new point of access.
- The vehicular access to the new car parking areas provides sufficient visibility for drivers emerging from the site of pedestrians of the footway and vehicles on Beckenham Road.
- Trip generation
  - The parking surveys showed that demand for parking on street in the vicinity of the school increased by a maximum of 68 vehicles, whilst the modal split data from the 2022 travel survey suggests that 118 cars would be travelling to and from the school to drop off and pick up pupils. As such, it is considered that the extended school, if fully attended, could result in an additional 44 vehicles stopped on street in the vicinity of the school for a brief period at the start and end of the school day.
  - As the strategy of staggered start and end times for year groups, and the provision of before and after school clubs, not all of these vehicles would be stopped near the site at the same time.
  - Currently the majority of pupils travel to the site by car and on the basis that the number of pupils car sharing is at least two, an increase in pupil numbers to 298 could result in an additional 75 cars visiting the site to drop off and pick up children and a further three staff vehicles parking on street near the school, given that 6 staff vehicles could be accommodated within the new staff parking area.
  - The parking survey recorded that there was capacity to accommodate demand for additional parking on streets near the school with space for 119 additional cars to park during the busiest period.
  - If car use for trips to and from the site were to increase proportionally in line with increases in staff and pupil numbers, there is some capacity on street to accommodate any increase in demand for parking at the beginning and end of the school day. The increase in pupil and staff numbers will occur over three academic school years and Travel Plan monitoring will enable any increase in car use to be identified and additional measures implemented to reduce the car use.
  - However, in order to relieve the pressure and address the safety issues around the school site, LB Bromley is proposing to construct a Zebra Crossing on Beckenham Road at the junction with St David's Close. The applicant should contribute towards the cost of the scheme. A sum of £20,000 should be secured via S106 agreement.
- Car parking
  - The new parking area will provide car parking for 6 staff vehicles including one larger space suitable for use by blue badge holders.

- The provision of 6 car parking spaces seeks to strike a balance between minimising the potential for additional staff parking on streets in the vicinity of the site whilst not providing a level of provision that encourages car use in favour of more sustainable travel modes.
- Staff that car share will be given priority to use this new parking area other than the disabled parking space which will be allocated to accommodate demand by blue badge holders.
- Cycle and scooter parking
  - New cycle and scooter parking will be provided more than minimum of the London Plan standards to encourage and facilitate an increase in travel by scooter and bicycle.
- Delivery and servicing
  - The level of delivery and servicing activity is not predicted to increase from existing levels. All vehicles will continue to stop on street when visiting the site although the revised refuse storage arrangements mean that refuse collection vehicles will stop further away from the junction of St David's Close with Beckenham Road which is considered to be an improvement over the existing situation.
- Travel Plan
  - Travel Plan in its current format is acceptable and the Council will continue to liaise with the school about development of the initiatives mentioned in the plan.

**5.2 Drainage (Lead Local Flood Authority) – No objection, subject to condition**

**B) Local Groups**

**5.3 Orpington Field Club & Bromley Biodiversity Partnership Sub-Group – addressed in Section 7.3**

- Loss of woodland habitat including loss of associated soil fauna and flora and carbon sink
  - Felled woodland appears quite likely to have been relict ancient woodland, in which seeds of the pioneer species, Sycamore, germinated about 27 years ago following some disturbance or tree loss which allowed more light to reach the ground.
  - Proximity of the site to the ancient High Broom Wood, which is listed on the Ancient Woodland Inventory, and to which it is connected by a short line of trees at the west of the proposed development site makes it highly likely that the area was once part of High Broom Wood and the playing field to the north in the wider site shares a boundary with this wood.
  - In late February 2023 young leaves of native bluebells (*Hyacinthoides non-scripta*), one of a suite of Ancient Woodland Indicator species, were noted along the proposed development site boundary with No. 5 South Eden Park Road and around stumps to the south, also on the steep bank at the boundary with St David's Close.

- The ecological survey was carried out in October when ancient woodland indicator species would not have been above ground.
- According to the PEA paragraph 4.1.2 the trees felled were mainly young and 69% sycamore. However, this does not mean that the woodland habitat here is not ancient.
- According to Bromley Biodiversity Plan, Section 4.1, paragraph 2, *'The soil in these woodlands is of prime importance because although the trees were regularly harvested, the ground was relatively undisturbed for hundreds of years and therefore supports a very complex community of interdependent organisms including fungi, very many tiny animals and plants. Many of them are not found away from this habitat and support special invertebrates. This habitat is irreplaceable, a fact acknowledged in the NPPF, Paragraph 175c.*
- Before any work commences a ground cover survey must be carried out in April to ascertain the importance of the flora so that any natural ancient woodland flora can be retained.
- Loss of scrub
  - Loss of trees and scrub, disruption of soil rich in diversity of soil organisms and an important carbon sink is a source of serious concern in this proposal. The planting of replacement native trees, although essential, will not for many years compensate for the loss of the large tree canopy shown on google maps before tree felling took place because young trees will not support as many leaves and will be unable to take up as much CO<sub>2</sub>. There will therefore be both a large biodiversity and carbon loss as a result of the proposed development.
  - Scrub comprising native species is a very valuable habitat providing food and protection for birds including nesting birds, food for pollinators including butterflies and moths, shelter and hibernation sites for animals such as hedgehogs.
- Inclusion of Elder (*Sambucus nigra*) - also a native tree/shrub, Domestic apple (*Malus pumila*), Domestic Plum (*Prunus domestica*) and Domestic Pear (*Pyrus communis*) also listed on the Allergy-friendly replacement tree and shrub planting lists of the Tree Survey Arboricultural Integration Report would also support biodiversity.
- Native Wildflower seed mix should be spread across steep banks to help stabilise them and provide grassland habitat for pollinators and invertebrates. This should be cut annually in August/September and all arisings removed and composted.
- Hybrid Bluebell was seen along the boundary fence with Beckenham Road. They should be removed to prevent cross pollination and hybridisation with the native bluebells in High Broom Wood and further spread of the hybrids which are fertile.
- If planning permission is granted it should include conditions relating to;
  - Retention and protection of as many remaining trees as possible, retention of as much scrub as possible; and retention and protection of remaining ancient woodland flora (ground cover species) both during construction and afterwards.
  - Retained trees and woodland to be protected as per Tree Survey Arboricultural Integration Report.

- Replanting with UK native tree species as per PEA 5.2.2, to replace those lost and no invasive species to be included in the planting schemes - all tree and hedge planting must include a high percentage of native species for the maintenance and future enhancement of biodiversity.
- Tree planting to be carried out with minimum disruption to soil.
- Mixed native species hedgerow to be planted at boundaries (as per Urban Greening Factor Plan) and proposed hedge and tree planting adjacent to No. 5 South Eden Park Road should be on the bank rather than in the boundary ditch as this may be important for drainage during wet weather.
- Lighting should be the minimum required for site safety and angled away from site boundaries and trees, woodland and any installed bat or bird boxes, following all measures in the PEA paragraph 5.2.5.
- Construction Environmental Management Plan (CEMP) as per PEA to be approved before any work commences, to include the covering of any excavations at night or weekends to prevent animals such as foraging badgers and hedgehogs from falling into them and being unable to escape and protective fencing of any ancient woodland ground flora to prevent storage of heavy materials and equipment on top of it.
- As per PEA a pre-construction badger survey to be carried out 6 weeks before site clearance / construction commences.
- To avoid disturbing nesting birds any woody vegetation should be cleared outside the nesting bird season, or after a check by a competent person if clearance is scheduled between March and August (inclusive).
- PEA paragraph 5.2.7 a mammal hole, probably used by fox is present under Building B5. Wild mammals are protected from inhumane treatment by The Wild Mammals (Protection) Act 1996. Care should be taken during building and vegetation clearance to prevent such animals being crushed and / or asphyxiated by heavy machinery.
- Integrated swift bricks in the new building to be considered.
- Development to retain decayed and dead wood in stag beetle loggeries see PEA Appendix 3, Figure A3.2 and wood piles as habitat for invertebrates and fungi.
- The development should ensure hedgehogs can move through the wider site and access High Broom Wood.
- Installation of integrated bat boxes on south-east and/or south-westerly aspects of new buildings to be considered.

**5.4 RSPB Bromley Local Group** – *addressed in Paragraph 7.3.18*

- The installation of 3 integral swift bricks are recommended as a planning condition.

**5.5 West Wickham Residents' Association (WWRA)** – *addressed in Sections 7.3 and 7.4*

- Support the development of educational facilities and resources in general, but have serious concerns about some aspects of this application and raise objections on the following grounds:
  - The traffic situation at this location is considered dangerous and often illegal as outlined by the many neighbour objections to this proposal. As the new facilities exit and entrance now appears to be onto a major and very busy road, this problem will be exacerbated.
  - WWRA do not believe the site clearance has been taken into account when assessing ecological impact and Biodiversity Net Gain (BNG) which it should be. The previous arborists report and google earth imagery (see first image attached) shows the application site had a dense canopy of deciduous woodland. Recent clearance work has removed the entire canopy and left areas of bare ground.
  - Even if trees were removed prior to submitting the planning application, under British Standard 42020, a retrospective impact assessment is required where it is clear that habitats at a site have been cleared or modified prior to assessment by an ecologist. Under the precautionary principle, if any habitats are cleared, the impact assessment should assume that the value of those habitats were of the highest possible value, and further may have to make precautionary assumptions about what species this habitat may have supported. The Environment Act makes it clear that any subsequent biodiversity change calculation for the site will have to consider habitat values before the site was cleared, and, as in impact assessment, this also means that habitats of the highest value would have to be used within the Metric. It is a requirement of the CIEEM professional code of conduct to comply with BS42020 and this application is no exception.

### **C) Adjoining Occupiers**

#### **5.6 Objections**

- Impact on highway – *addressed in Section 7.4*
  - Not enough additional parking spaces for the significant increase in staff and parents.
  - The proposal will result in an additional 75-120 cars travelling to and parking in the area on a twice daily basis.
  - Inconsiderate parking by staff and parents already a serious problem in surrounding roads which impacts local residents exiting their drives safely, pedestrian's crossing and emergency and refuse vehicles gaining access.
  - The school travel plan is encouraging parents to park on Beckenham Road and South Eden Park Road which is going to intensify existing visibility issues for residents existing and entering drives.
  - Increased traffic on an already busy road will cause more congestion which will be dangerous for road users and pedestrians.
  - The T-junction at Beckenham Road and St. David's Close is already very dangerous and more cars going in and out of this close will make it worse.

- There should be a car park and drop-off area for students within the site.
- Most students are driven to school.
- There are several other schools located on the same main road within 1 mile of the site which cause traffic and parking issues.
- More crossing facilities should be provided on Beckenham Road/South Eden Park Road.
- Local cycle routes, which the travel plan encourages teachers, parents and pupils to use, will be obstructed by cars parked in the cycle lanes.
- The road is already very dangerous with cars speeding and accidents which have not been logged.
- Parking should be prevented between 8-9am and 3-4pm instead of 1-2pm.
- The school should encourage better habits for parents and staff for getting to and from the school such as walking.
- Encouraging 3-11yr olds to cycle to school on a busy main road is not realistic.
- The suggestion that parents could park on Pine Avenue and walk/scoot through Blakes Rec. is not realistic as this is already a congested road due to parking for Oak Lodge School.
- The staggered start times span only a ten minute period which is not likely to significantly reduce activity levels on surrounding roads.
- The plan does not offer any impetus for a change in the method of transport for future students.
- The surveys are not a true reflection of people's habits and behaviours.
- If majority of attendees live within 10 minutes of the catchment area why do they drive.
- Where will the additional 119 cars park and if these are on the main road then this will make the situation to safely cross this road worse.
- The zebra crossing has now only been agreed because St. David's want to increase their size.
- The school's car parking and road safety guidance states that parents are requested not to park on St. David's Close but also requests that cars not park opposite each other within St. David's Close which is a contradiction if they are not supposed to park there.
- Current car park on St David's Close is underused.
- Parents arrive early to collect children inhibiting safe movement of traffic.
- The application will result in a total increase of body numbers of 77% with the number of cars rising by the same percentage which the roads cannot cope with.
- Added traffic and cars will be a safety hazard.
- A walking bus should be introduced.
- Should consider a mandatory school bus for new pupils.
- If the school is funding a new crossing this should free up money for more safe crossings further along the road.
- Loss of trees – *addressed in Section 7.3*
  - The trees have already been cleared.



- Significant replanting should be provided.
- Loss of trees causing an impact on the privacy of neighbours, biodiversity and air quality.
- Loss of privacy – *addressed in Section 7.5*
- Impact on air quality as a result of loss of trees and increased number of cars – *addressed in paragraphs 7.8.5 to 7.8.8*
- Impact on noise – *addressed in paragraph 7.8.9 to 7.8.11*
- The additional school spaces are not necessary and the school does not have a catchment area as it is an independent school. The increase in school places will not benefit the local community – *addressed in Section 7.1*
- The school has not consulted neighbours with their plans - *addressed in Section 7.9*
- Other Matters
  - The proposal will exacerbate mental health issues and stress for surrounding residents due to increased levels of car pollution, noise pollution and traffic.
  - Inadequate consultation period.
  - Damage and disruption from building works to neighbouring residents.
  - The temporary building has been built too high.
  - Will the temporary portacabin definitely be demolished.
  - The school shouldn't take on more children.

## 5.7 Support

- Improvement in school facilities
  - The school are helping ease the scarcity of decent pre-school childcare.
  - The plans seek to address the underinvestment at the school to allow it to provide fit for purpose, modern educational facilities.
  - The school needs extra space for their students.
  - Benefit to existing pupils.
  - School is in need of modernisation.
  - The school will be more accessible for children with additional physical needs which should be encouraged.
  - The proposal will enhance the learning environment and improve accessibility.
  - Current building is outdated and in need of renovation.
  - Investment in education.
  - The proposal will provide more modern facilities and improve the learning environment.
- Increase in school places for local area
  - The school will no doubt be asked to take students from Wickham Court school closing.
  - The new building will mean more much needed school places in Bromley.
  - Ease pressure on other over-subscribed schools
  - Increase in size will also increase availability for local residents.
- The school is an exceptional school

- St. David's is an exceptional school which supports the wider community and the students of the school.
- Landscape and biodiversity.
  - Trees which look to have been diseased or heavily damaged and posed a risk to children have been removed.
  - The replanting will benefit the children and the local habitat and wildlife.
  - Better landscaped grounds which will benefit the children and visual appearance of the school.
- Impact on highway
  - The school does a very good job managing traffic at peak periods around drop off and pick up and actively participates in traffic reduction activities.
  - A comprehensive travel plan has been provided as part of the submission.
  - The traffic disruption is limited to a short period at the beginning and end of the school day which is the case with most schools.
  - The application will make it safer for children going to school.
  - The school are highly conscious of the impact of the school on the immediate local area and work consistently to put in and reiterate guidelines for parents to minimise issues with parking.
  - Many siblings attend the school and so there won't be another 100 cars.
  - Many children do scoot/walk/cycle to school and the school encourages the Smart Movers programme where children get monthly badges if they walk or do park & stride.
  - Even with expansion the school is small and has a high number of siblings attendance and many local children so the concerns about traffic may be overstated.
  - Traffic on surrounding roads includes pupils of neighbouring schools which are much bigger and the proposed expansion to St David's will minimally impact traffic within the overall context.
  - The development plans have considered greater parking on site.
  - Concerns about increase in traffic may be overstated as traffic on roads also include pupils of neighbouring schools.
  - Improvement to access and parking will benefit the immediate local area.
  - Better crossing facilities would encourage more walking or taking the bus knowing there is a safe route helping to alleviate parking concerns.
  - There are proposed measures to mitigate any traffic issues.
  - Staff car parking will reduce all day parking on neighbouring roads.
  - The school is already working hard with parents to adopt safe, eco-friendly modes of transport and adapt existing travel arrangements to minimise traffic, including: staggered start and end times, encouraging walking, scooting or 'park and stride' to and from the school rewarded with house points, staff patrolling the area, and parents being frequently reminded of these options and the need to be thoughtful when parking.

- Concerns could be alleviated with a pedestrian crossing on South Eden Park Road.
- The proposal will improve the flow of pupils in and out of the school and the additional entrance should spread the impact of additional pupils further around the perimeter rather than all being concentrated in the Close.
- Impact on local area
  - The plans are to provide more space for the children in a sympathetic manner to the local environment.
  - The school is maintaining the woodland feel.
  - The school buildings will improve the appearance of the local area and are sensitive to the locality and sheltered within the school grounds.
  - Sympathetic to surrounding dwellings and environment.
  - The school buildings will improve the appearance of the local area and are sensitive to the locality and sheltered within the school grounds.
  - The plans are sensitive and complementary to the area.
  - Improvement to visual appearance of the school.
  - Proposals appear in keeping and appropriate to the current architecture.
- The presence of other, much larger, schools nearby should not mean that St. David's is unable to update its buildings and create bit space.
- The buildings will not adversely affect neighbouring properties.
- The school encourages the children to look after the environment.
- The school is working towards an Eco School accreditation which will benefit the local area.
- Compared to other surrounding schools, even with expansion the school is very small and has a high number of sibling attendance and many local children.
- Creation of local jobs.
- Precedent set at the site as it already houses a school.
- Proposal will be a benefit to community.

## **6 POLICIES AND GUIDANCE**

- 6.1 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.
- 6.2 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.
- 6.3 The London Plan 2021 is the most up-to-date Development Plan Document for the London Borough of Bromley, and therefore, in accordance with section 38(5) of the Planning and Compulsory Purchase Act 2004, *“if to any extent a*

*policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.*

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

6.5 **National Policy Framework (2021) and National Planning Practice Guidance**

6.6 **The London Plan (2021)**

- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D11 Safety, securing and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Noise
- S1 Developing London's social infrastructure
- S3 Education and childcare facilities
- G1 Green Infrastructure
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI 1 Improving Air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 6 Digital connectivity infrastructure
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Accessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.5 Non-residential disabled persons parking
- T7 Deliveries, servicing and construction
- DF1 Delivery of the plan and planning obligations
- M1 Monitoring

The relevant London Plan SPGs are:

- Accessible London: Achieving an Inclusive Environment SPG (2014)
- Character and Context SPG (2014)
- Green Infrastructure and Open Environments: The All London Green Grid SPG (2021)
- London Environment Strategy (2018)
- 'Be Seen' energy monitoring guidance (2021)
- Energy Assessment Guidance (2022)
- Mayor's Environment Strategy (2018)
- Control of Dust and Emissions During Construction and Demolition (2014)
- Mayor's Transport Strategy (2018)
- Urban Greening Factor LPG (2023)
- Sustainable Transport and Walking LPG (2022)
- Air Quality Positive LPG (2023)
- Air Quality Neutral LPG (2023)
- Draft Fire Safety LPG (2022)

#### 6.7 **Bromley Local Plan (2019)**

- 27 Education
- 28 Educational Facilities
- 29 Education Site Allocations
- 30 Parking
- 31 Relieving Congestion
- 32 Road Safety
- 33 Access for all
- 34 Highway Infrastructure Provision
- 37 General Design of Development
- 40 Other Non-Designated Heritage Assets
- 55 Urban Open Space
- 60 Public Rights of Way and Other Recreational Routes
- 70 Wildlife Features
- 71 Additional Nature Conservation Sites
- 72 Protected Species
- 73 Development and Trees
- 74 Conservation and Management of Trees and Woodlands
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 113 Waste Management in New Development
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction

- 124 Carbon Reduction, Decentralised Energy Networks & Renewable Energy
- 125 Delivery and Implementation of the Local Plan

The relevant Bromley SPGs are:

- Planning Obligations SPD (2022)
- SPG1 General Design Principles

## 7 ASSESSMENT

### 7.1 Principle of development/Land use - Acceptable

- 7.1.1 Paragraph 95 of the NPPF advises that local planning authorities should take a proactive, positive and collaborative approach to meeting sufficient choice of school places advising that they should give great weight to the need to create, expand or alter schools; and work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.
- 7.1.2 Policy S3 (Education and childcare facilities) of the London Plan seeks to ensure a sufficient supply of good quality educational choice to meet the demands of a growing population and enable local communities to access this provision. Part B directs proposals for education and childcare facilities in areas of identified need, in accessible locations with good public transport accessibility and access by walking and cycling and encourages healthy routes and access to the site by locating entrances away from busy roads and links to existing footpath and cycle networks. In addition, new developments should be accessible and inclusive for a range of users, including disabled people, by adopting an inclusive design approach.
- 7.1.3 Policy 27 of the Bromley Local Plan safeguards 'Education Land' for education purposes. Part C of the policy advocates permitting extensions to existing schools which seek to address local need, subject to Local Plan open space and conservation policies, unless there are demonstrably negative local impacts which substantially outweigh the need for additional education provision, which cannot be addressed through planning conditions or obligations.
- 7.1.4 The policy further clarifies that *"in all cases new 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 secure, as far as possible the privacy and amenities of any adjoining properties, whilst delivering the necessary educational infrastructure."*
- 7.1.5 The 'Education Land' designation covers the entire site. The extent to which educational development, which has adverse impacts, is afforded support relates to the need/necessity for the provision.
- 7.1.6 The majority of the site is located within land designated as Urban Open Space (UOS), with the exception of the existing school buildings facing St David's

Close. The UOS designation includes the area on which the proposed extensions are to be located, and as such Policy 55 of the Bromley Local Plan is relevant.

7.1.7 Policy 55 permits development related to the existing or allocated use, noting that *“where built development is involved; the Council will weigh any benefits being offered to the community, such as new recreational or employment opportunities, against a proposed loss of open space”*.

7.1.8 The policy also makes specific reference to additional educational buildings advising that;

*“Where there is a demonstrable need for additional educational buildings sensitive design and siting will be sought to ensure that the impact on the open nature of the site is limited as far as is possible without compromising the educational requirements.”*

#### *Educational Need*

7.1.9 The school currently has 182 pupils and 37 members of staff. The recent addition of the temporary structures at the site (granted under planning permission ref: 16/00081/RECON1 and ref: 21/05730/FULL1) provides capacity to accommodate 197 pupils by the 2023-2024 school year.

7.1.10 The current application has been submitted to replace this approved temporary provision and to support further expansion of the school rolls increasing from 1 to 2 forms of entry. This would increase the school pupil capacity to 298 (an uplift of 116 from the existing number of pupils and 101 from the existing capacity), with an increase in staff onsite to 45 (41 Full Time Equivalent (FTE)).

7.1.11 The school buildings do not provide sufficient accommodation for the school as it currently operates, resulting in the need for the provision of the recently approved temporary classrooms. Whilst the class size in private primary schools is a matter for the individual school, the accompanying Planning Statement indicates that the school currently has an average of 16 pupils per class.

7.1.12 The Bromley School Places Plan (2022-26) advises that 58,419 pupils were in Bromley in all types of schools in January 2022, and that the number of pupils in all types of schools in Bromley increased by over 4,000 between January 2016 and January 2022, an increase of 7.4%.

7.1.13 Primary school rolls are currently projected to fall steadily over the next decade although it should be noted that Bromley has seen lower levels of reduction in the need for primary school places than other parts of London.

7.1.14 The accompanying Planning Statement (para 6.15) advises that *“Independent schools contribute to the mix of provision in Bromley and the Primary &*

*Secondary School Development Plan notes that the sector grew by 3% between 2015 and 2020*". The recent Bromley School Places Plan (2022-26) advises that over the period 2016–2022 independent schools pupils increased by 4% and education colleagues have confirmed the approximation that 9% of all pupils in Bromley attend independent schools.

- 7.1.15 The Planning Statement advises that 80% of St David's School pupils live within 10 minutes of the school and 97% live within 15 minutes, and notes that within a 15-minute travel time catchment area there are 10 other independent schools.
- 7.1.16 Para 5.3.7 of the London Plan (supporting text to Policy S3) references the London School Atlas which gives details of schools and can be filtered e.g. independent & primary and provides basic info on other local independent primary providers and an indication of choice. The London Schools Atlas indicates;
- Within a 40 minute walk - only Wickham Court School (to the south)
  - Within a 50 minute walk - a further 4 schools. However, only the two schools to the North (St Christopher The Hall, and Bishop Challoner) provide similar independent primary provision (Trinity school to the west only takes from 10yr + and Baston House to the East is a specialist autism school.)
- 7.1.17 The applicant commissioned research by educational consultants MTM Consulting, which has been submitted to support the application. The Catchment Analysis Report by MTM states that within the 15 minute catchment area, there are 6,118 children aged 3–4-years and, 19,163 children within the 5–10-year age range.
- 7.1.18 The applicant's advise that their methodology for calculating the pupil yield in these age groups was firstly to understand the realistic catchment area measured from the school boundary and then calculating the total number of households within this catchment, which was derived by consultants MTM from data from the Office of National Statistics using the mid 2020 National Population Projections; which is analysed at an Output Area level, the lowest level of geographical area for census statistics. This produced a total pupil yield for the catchment. Of this total pupil number an assumption of 9% of the total that would be educated at independent schools was applied of the total pupils in the same catchment.
- 7.1.19 For the age 3-4 year range, the applicant's analysis uses the 9% modelling assumption as a starting point, and states that approximately 550 would be expected to use an independent school. Their catchment analysis indicates that the latest numbers are 494 pupils that use private schools within the catchment (suggesting a current proportion of 8% and potential growth for at least a further 55 pupil places). St David's currently provides for approximately 10% of places in this age range and school's projections are forecasting growth by roughly 15 places up to 2026/27.



- 7.1.20 For 5–10-year age range, the applicant’s analysis states that using the 9% modelled assumption, 1,724 would be expected to use independent schools. The catchment analysis for age 5-10yrs demonstrates 1,923 pupils using private schools. Although the applicant’s analysis states that this number “*is skewed by the number of other independent schools in this catchment area (and would reduce were a wider catchment area used)*”. St David’s Prep provides for approximately 7% of these places at present but the school’s projections are forecasting growth by approximately 69 places in this age range up to 2026/27. This would increase its proportion of 5-10 year old pupils within the catchment area to 11%.
- 7.1.21 The supporting information also highlights significant enquiries and waiting list for places at the school, noting in para 6.20 of the Planning Statement that the school receives approximately twelve enquiries a week from parents requiring school places but has to reject a significant proportion of these due to lack of capacity. The proposed changes in this application would help to meet this requirement and are representative of actual demand.
- 7.1.22 Table 4 within the supporting Planning Statement indicates 8 current class groups; Nursery, Reception, Yrs 1-6, and Specialist<sup>1</sup>. Of those class groups 4 are already provided to two forms (Reception and Yrs 1-3). As these 2 form groups move up through the age groups, additional classrooms would be required, with pressure reaching a need for 7 classrooms in 2025/26 as the permission for the temporary buildings expires.

<b>Classrooms Required</b>	<b>AY22/23</b>	<b>AY23/24</b>	<b>AY24/25</b>	<b>AY25/26</b>	<b>AY26/27</b>
Nursery	1	1	1	1	1
Reception	2	2	2	2	2
Year 1	2	2	2	2	2
Year 2	2	2	2	2	2
Year 3	2	2	2	2	2
Year 4	1	2	2	2	2
Year 5	1	1	2	2	2
Year 6	1	1	1	2	2
Specialist <sup>2</sup>	1	2	2	2	2
<b>Total</b>	<b>13</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>17</b>
<b>Shortfall (if planning permission not approved)</b>	<b>0</b>	<b>-2</b>	<b>-4</b>	<b>-7</b>	<b>-7</b>

Fig.10 – Table 4 of Planning Statement: St. David’s Prep Required Classroom Provision to 2026-27 and Shortfall (if planning permission is not approved).

- 7.1.23 The six proposed new classrooms within Block A would be 40sqm and the two within Block B would be 34.3sqm. The size of the hall space would also be increased to meet area guidelines for state schools as set out in DfE guidance

<sup>1</sup> The Planning Statement advises that ‘Specialist’ refers to a room used for music or STEAM (Science, Technology, Engineering, the Arts and Mathematics) which require greater set-up time/create more mess and so are unsuitable for reversion to a normal classroom at the end of a lesson and that these rooms are also used for SEN teaching.

BB103 and to improve accessibility in line with Part M Building Regulations. Whilst independent schools are not required to meet the DfE guidance in terms of classroom size, taking account of this guidance for state schools as well as the average number of pupils suggested within each class, the classroom sizes would appear appropriate.

7.1.24 The proposal also includes the provision of an additional Specialist classroom at the school (resulting in 2 in total) for use as a computer science room. The provision of 2 Specialist classrooms for an independent school of this size may be considered reasonable.

*Retention of existing building*

7.1.25 This application also involves the retention of the existing single storey detached building (labelled as Building 2 in Fig. 11 below) which fronts St David's Close for an additional temporary period. The roof is also proposed to be replaced.



Fig.11 – Existing School Building Layout

- 7.1.26 This building has been in situ since the late 1960s when it was originally granted permission under ref: 19/67/2017. Condition (ii) of this permission allowed for temporary permission only for a limited period of ten years. Since this application a number of subsequent renewal applications have been submitted and approved to allow its temporary retention, the most recent being application ref: 14/00472/RECON which included a condition (2) stating that the building hereby permitted shall be removed and the land reinstated to its former condition on or before the 31/05/19.
- 7.1.27 This current development proposes a further temporary retention of this building for a period of five years to continue the provision of three classrooms for the Early Years Foundation Stage (EYFS).
- 7.1.28 The application documents indicate that a future phase (Phase 2) of the school's redevelopment will look to replace the EYFS block (labelled as Building 2 in Fig. 11 above) and the adjacent buildings (labelled as Building 5 and 'cabin space' located to the rear of Building 2 in Fig. 11 above) within this five year period to higher standard, modern buildings with landscaping to match the quality of the proposals included within the current submission. Furthermore, by phasing the redevelopment as proposed this would allow the decant of existing classrooms so that the school can still function as indicated and no further temporary structures would need to be provided.



Fig.12 – Phasing Overview

- 7.1.29 The applicant's Additional Information document (REV B 10<sup>th</sup> July 2023) provides an indicative plan for Phase 2 (Block C) indicating how up to an additional 9 classrooms could be provided through the future redevelopment of the EYFS block and adjacent buildings. The document outlines that the detail of these Phase 2 proposals would be provided in a subsequent planning submission and will ensure the minimum impact on the green spaces whilst securing the privacy of adjoining properties.

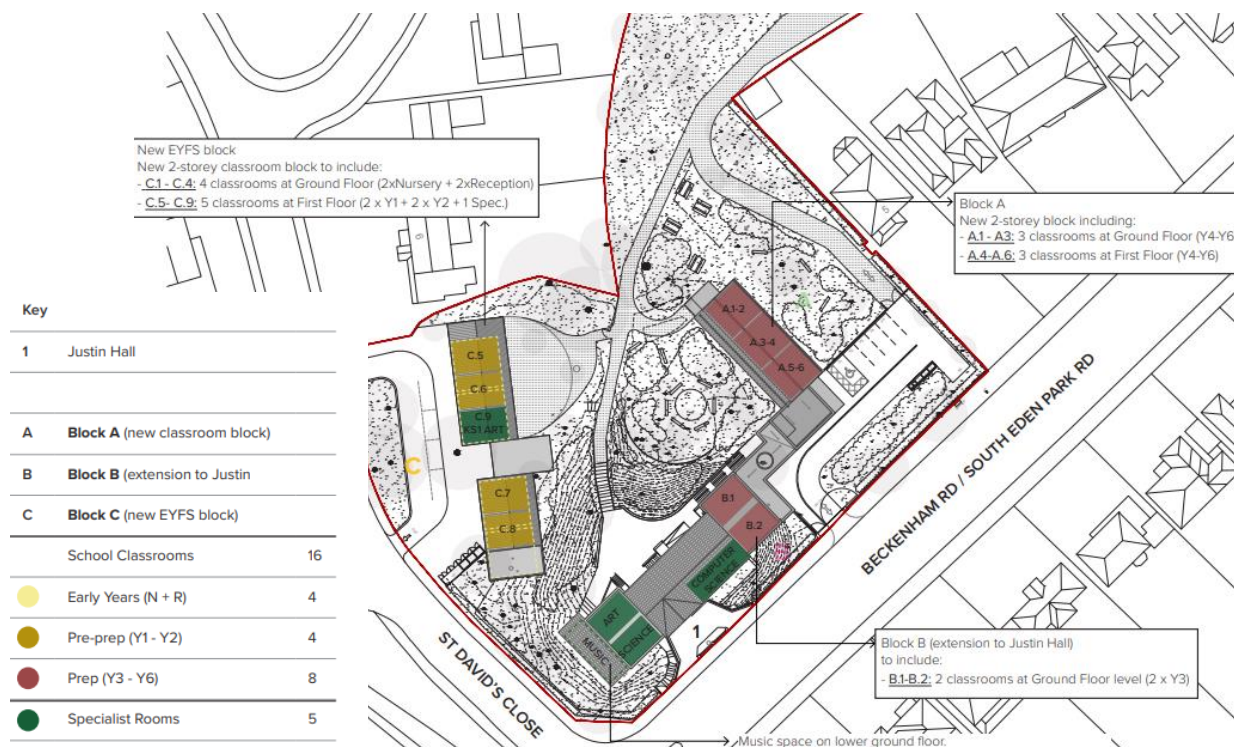


Fig.13 – Proposed Masterplan Phase 2 (subject to subsequent planning application)

- 7.1.30 As part of Phase 2, the new classrooms within Block C would serve Nursery, Reception, Year 1 and Year 2 as well as a specialist Key Stage 1 room. The existing classrooms within Justin Hall are then also indicated to be repurposed into Specialist Rooms to provide dedicated spaces for art, science, computer science and for SEN use. As a result of Phase 1 and Phase 2 a total of 21 classrooms would be provided (2 per year group and 5 Specialist Rooms).
- 7.1.31 The applicant has advised that the Phase 2 proposals are subject to further design work and as such have not been included within this current application.
- 7.1.32 Consideration of the appropriateness of any redevelopment of this part of the site would need to be assessed in full as part of any future formal application. Nevertheless, the document indicates that as part of Phase 2 there would not be any increase in the capacity of the site beyond that outlined within this planning application.
- 7.1.33 As stated above, the retention of the existing temporary EYFS building is included as part of this current application to allow the provision of a total of 17 classrooms on site as a result of Phase 1 which would provide the capacity for 1 form for Nursery, 2 forms per school year group and 2 Specialist rooms (as indicated above).
- 7.1.34 Unlike the remainder of the site, this existing temporary building does not lie within land designated as Urban Open Space. Nevertheless, consideration of

its retention and the impact of that on the wider redevelopment of the site and on its surrounds still needs to be considered.

- 7.1.35 The building has been in place since 1967 and currently provides classrooms for Nursery and Reception. This would continue as part of the additional temporary permission for a period of 5 years.
- 7.1.36 Taking this into account, it is considered that a further temporary permission for a period of 5 years would be appropriate to allow further plans to come forward for an appropriate replacement, whilst in the interim still providing the classrooms demonstrated as required to allow for the increased capacity at the school.

### *Conclusion*

- 7.1.37 To meet the increased capacity for the school the application proposes new built development on land which is designated as UOS. As highlighted above, Policy 55 of the Bromley Local Plan states that where there is a demonstrable need for additional educational buildings sensitive design and siting will be sought to ensure that the impact on the open nature of the site is limited as far as is possible without compromising the educational requirements.
- 7.1.38 Taking account of all the above, it is considered that there is a demonstrable need for the ongoing use of this existing building with expired permission and the proposed additional educational buildings to cater for children already on the school roll and to meet future expansion.
- 7.1.39 Furthermore, whilst the proposed new buildings would be sited on land designated as UOS, rather on the part of the site not designated as UOS currently occupied by an existing temporary building and adjacent cabins, the application documents provide clear reasoning as to why the retention of the existing building in this location is required for a further temporary period rather redevelopment at this stage; being that there is clear intention for the redevelopment of the part of the site not located within UOS as part of a subsequent phase of development (Phase 2). This would improve the facilities at the school in line with the increased capacity proposed under this current application and will allow the school to continue to function during the construction process of the proposed new buildings as part of this application (Phase 1).
- 7.1.40 In addition, the new buildings proposed under this current application would also replace the classroom space currently provided by the other existing temporary buildings on site, labelled as Building's 3 and 4 in Fig. 11 above, which currently have temporary permission until 1<sup>st</sup> May 2024 and 1<sup>st</sup> April 2025 respectively, and which are also located within the UOS designation. The removal of these buildings would also be required by way of a condition on any approval.
- 7.1.41 In terms of the design and siting of the proposed development to ensure that the impact on the open nature of the site is limited as far as is possible without

compromising the educational requirements, this is considered fully within Section 7.2 below.

#### *Impact on outdoor recreation*

- 7.1.42 Policy 58 Outdoor Sport, Recreation and Play of the Bromley Local Plan states the Council seeks to retain sports, recreation and playing fields and will resist their loss unless it can be demonstrated that the open space, buildings and other land used for sport, recreation and play are surplus to requirements.
- 7.1.43 The proposed development is sited away from the existing playing fields and outdoor recreation space. However, the proposal involves the provision of replacement teaching space which is currently provided through the two temporary classrooms located on an area of hardstanding previously used for outdoor recreation (labelled as Building 4 in Fig. 11 above). As part of the assessment of these temporary classrooms under application 21/05730/FULL1 consideration was made as to the temporary nature of the development and it was considered that the location of the building on this hard-surfaced play area would be acceptable to be repurposed on a short term basis. The removal of this building will restore the area of hardstanding used for the temporary block to outdoor recreation which is a positive benefit of the development. As stated above, its removal would be required by way of a condition on any approval.

## **7.2 Design, Scale and Layout - Acceptable**

- 7.2.1 Paragraph 126 of the NPPF (2021) states that the creation of high quality, beautiful and sustainable 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.
- 7.2.2 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.3 Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.
- 7.2.4 Policy 37 of the Bromley Local Plan requires a high standard of design and layout in all new development which should complement adjacent buildings and areas and positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks

or landscape features. Space about buildings should also provide opportunities to create attractive settings with hard or soft landscaping (including enhancing biodiversity) and should allow for adequate daylight and sunlight to penetrate in and between buildings. Suitable access should also be provided for people with impaired mobility and meet the principles of inclusive design. In addition, Policy 37 highlights that development proposals should also respect non designated heritage assets and should be accompanied by a written statement setting out design principles and illustrative material showing the relationship of the development to the wider context.

### *Heritage*

- 7.2.5 Paragraph 040 of the Planning Practice Guidance (PPG) confirms that, as well as identification of non-designated heritage assets through the preparation of local lists, in some cases local authorities may also identify non-designated heritage assets as part of the decision making process on planning applications.
- 7.2.6 Policy 40 of the Bromley Local Plan (Other Non-Designated Heritage Assets) sets out that where non-designated heritage assets are highlighted as at risk of harm from a planning application, clearly demonstrable reasons or evidence of their significance will be required. Where the Council agrees that such assets are worthy of protection, proposals to replace such buildings will be assessed against paragraph 203 of the NPPF (2021), taking into account the scale of harm or loss and the significance of the heritage asset.
- 7.2.7 Paragraph 203 (NPPF) sets out that 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 affect directly or indirectly 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.
- 7.2.8 The Council's Conservation Officer has advised that Justin Hall is a post 1930s building that displays attractive Flemish bond brickwork with some decorative features shown in brick such as decorative rusticated brick piers and an attractive semi-circular brick arch above the main entrance. Therefore, it is considered that this building is a cherished part of the local historical character of the area.
- 7.2.9 Paragraph 11 of the Historic England guidance on identifying and conserving local heritage states that heritage interests as defined in the PPG can inform the development of the criteria which are important in providing a sound basis for a local heritage list. In this instance of note are;

*“Architectural and artistic interest: ‘These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design,*

*construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.'*

*Historic interest: 'An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.'*

- 7.2.10 The Council's Conservation Officer has advised that they consider Justin Hall displays both architectural and artistic interest and historic interest and is therefore a non-designated heritage asset.
- 7.2.11 In respect of the impact of the proposed scheme on this non-designated heritage asset, Justin Hall, this proposed scheme would add a new extension which would be subservient to the existing building and set back so as to not interfere visually with the non-designated heritage asset. The proposed scheme would also add a new block, which given its siting, would also be subservient to the non-designated heritage asset. There is therefore no objection to this scheme from the heritage point of view in so far as the proposal would have limited impact on the significance of non-designated heritage assets.

#### *Layout*

- 7.2.12 The existing layout comprises of a collection of low-quality buildings, structures, and temporary classrooms introduced as piecemeal interventions on an ad-hoc basis over time. The opportunity to improve the appearance of the site and the way in which it functions with regard to the configuration of buildings, landscape design, access and circulation as part of a wider masterplan approach is welcomed.
- 7.2.13 The design intent to minimise the footprint of the buildings in order to reduce the impact on the landscaped setting is noted, and the intention to retain the existing shared open space in the heart of the site for activities and play framed by buildings is considered to be the right approach. It is also noted that the current scheme allows for the potential redevelopment of the existing nursery/pre-prep classroom buildings (fronting St David's Close) as part of a future phase.
- 7.2.14 The siting and footprint of Block A, which provides a separation distance of approximately 19m from the closest neighbouring properties in South Eden Park Road, is supported as this would reduce both the visual impact and the tree impact. The siting and footprint of the proposed extension to Justin Hall (Block B) appears consistent with, and proportionate in size to, previous extensions and would appear subservient to the original school building.



- 7.2.15 The merits of introducing a covered canopy structure linking Blocks A and B are noted, as the link will aid circulation and legibility between blocks and provide a greater sense of enclosure to the shared open green space. The application documents confirm that the new pedestrian access point which leads to the new link entrance would be primarily for the older children accessing the classrooms and that visitors would still enter the school via the existing Justin Hall entrance. Therefore, the link structure would provide an important space threshold and transitional space between buildings rather than forming a main entrance.
- 7.2.16 The siting, access and configuration of the car parking area fronting Beckenham Road represents an appropriate and proportionate response to the site.
- 7.2.17 The proposed new refuse store would be located to the north-eastern corner of the site, but would be set back from the frontage and enclosed within a timber clad structure to help minimise the impact on the streetscene.

### *Scale & Massing*

- 7.2.18 The aspiration to retain a general sense of openness across the site is noted; nevertheless, the siting and scale of Block A would represent a significant addition to the open landscape. However, the need to balance the protection of urban open space with the requirement to expand teaching accommodation is acknowledged. Therefore, the proposed scale and height of Block A (2 storey) is considered appropriate in response to neighbouring low-rise residential properties and the surrounding context. Furthermore, the height of Block A would not exceed the ridgeline of Justin Hall.

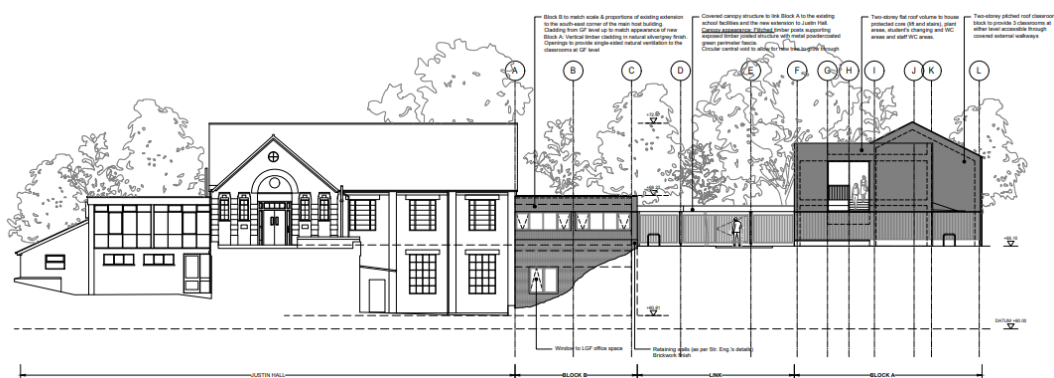


Fig.14 – Proposed Elevation fronting Beckenham Road

- 7.2.19 The rationale for splitting Block A into 2 separate volumes and creating external walkways to reduce the perceived scale and appearance of mass is accepted. Whilst the flat roof element would feature a raised parapet resulting in a slightly awkward relationship with the pitched roof form of the adjoining classroom block, it is acknowledged that this is due to a need to conceal the lift overrun in accordance with building regulations requirements whilst keeping the ridge height of the overall building at the same height as the

existing main school building. The rationale for this design is therefore accepted.

- 7.2.20 Whilst two storeys in height, given the topography of the site, the extension to Justin Hall (Block B) would read as single storey from the streetscene and subservient to Justin Hall. The scale and height is therefore considered to be acceptable.

#### *Appearance*

- 7.2.21 The design intent for the proposed new building (Block A) to blend into the woodland setting using traditional forms and sympathetic materials whilst retaining a contemporary character is supported. The use of natural materials such as timber cladding alongside generous expanses of glazing will help to soften the appearance of the building, the concept of introducing open deck walkways as opposed to sterile internal corridors in order to maximise engagement with the unique outdoor surroundings also has merit. To ensure the quality of external materials, a condition requiring samples to be submitted and approved prior to above ground works is considered necessary and reasonable on any approval.



Fig.15 – 3D Visualisation (from Design and Access Statement)

- 7.2.22 The design intent for Block B (the extension to Justin Hall), which would include brick to match Justin Hall to the lower storey and vertical timber cladding to the upper storey to match Block A, is considered to appropriately complement the existing building as well as link to the proposed new development and woodland setting.

- 7.2.23 The design/appearance of the link structure between Blocks A and B would include timber posts with a metal fascia to link with the metal railing and stair and to aid durability which is considered to be appropriate.

#### *Landscape*

- 7.2.24 The site has a distinct character derived from its natural woodland setting, the overarching aim to retain the existing qualities of the site whilst allowing for expansion and being sympathetic to the surroundings is supported. It is understood that a number of trees reaching the end of their life have recently been removed (22/02143/TPO) and that the majority of existing trees are in terminal decline, the need to reinvent the landscape strategy of the school is therefore accepted.
- 7.2.25 Whilst it is unfortunate that the extent of the existing wooded character has diminished, the opportunity to redesign the site utilising its natural characteristics and level changes is acknowledged. The landscape masterplan proposals which include extensive new tree planting, green buffers fronting Beckenham Road and the northern site boundary, structural planting, a central outdoor teaching and play space, reconfigured pathways, and improved accessibility are supported in principle. Detailed consideration on the impact on existing trees and associated habitat/biodiversity matters within the site, as well as the proposed landscape enhancements will be assessed within the following section (7.3) of the report.

#### *Fire safety*

- 7.2.26 The matter of fire safety compliance is covered by Part B of the Building Regulations. However, to ensure that development proposals achieve highest standards of fire safety, reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape which all building users can have confidence in, applicants should consider issues of fire safety before building control application stage, taking into account the diversity of and likely behaviour of the population as a whole (London Plan Policy D12).
- 7.2.27 The supporting Fire Statement v.1 Rev.A (25.01.23) prepared by 3-FE and accompanying fire strategy drawings meets the requirements of Policy D12. Compliance to the fire statement will be conditioned however, compliance with the Building Regulations will still be required at the appropriate stage of the development.

#### *Secured by Design*

- 7.2.28 Supporting paragraph 3.3.14 of Policy D3 of the London Plan states development should reduce opportunities for anti-social behaviour, criminal activities, and terrorism, and contribute to a sense of safety without being overbearing or intimidating. Developments should ensure good natural surveillance, clear sight lines, appropriate lighting, logical and well-used routes and a lack of potential hiding places. This approach is supported by Policy

D11 of the London Plan (Safety, security and resilience to emergency) and Bromley Local Plan Policy 37 (General Design of Development).

7.2.29 The Designing Out Crime Officer (DOCO) has advised that they have met with the project architects and have reviewed the submitted documents, which mention Secured by Design. A development such as this, with access into the interior and for the benefit and safety of future staff, pupils, visitors and their property, should fully incorporate the aims and principles of Secured by Design to reduce opportunities for criminal activity. The DOCO has advised that the proposal will be able to achieve the security requirements of Secured by Design with some modification, and with the guidance of Secured by Design officers. As such, an appropriate two-part condition should be included on any approval requiring the principles and physical security requirements to be dealt with pre-commencement and the Secured by design accreditation achieved prior to occupation.

### 7.3 **Green Infrastructure and The Natural Environment - Acceptable**

7.3.1 Paragraph 174 of the NPPF (2021) outlines that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. This is reflected in the Valued Environments Policies of the Bromley Local Plan and within Chapter 8 of the London Plan.

#### *Biodiversity and Protected Species*

7.3.2 London Plan Policy G6 (Biodiversity and access to nature) Part D requires development proposals to manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

7.3.3 Policy 72 (Protected Species) of the Local Plan states 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.

7.3.4 The site has no particular ecological designations, but does comprise Urban Open Space and a TPO covers much of the site. According to GiGL the site itself is not considered to be a biodiversity hotspot (i.e. likely to contain protected species, sites or habitats). However, the land to the west and east is considered to have a higher value with wildlife links along the railway to the east and High Broom Wood to the west (which is a SINC site of Metropolitan Importance). There are no particular species records of note, although stag beetles have historically been recorded towards the west of the site. The site therefore provides a good opportunity to enhance habitat links in the area and to provide a contribution towards the nature recovery network.

- 7.3.5 The application is supported by a Phase 1 Preliminary Ecological Appraisal (PEA) (April 2023) prepared by David Archer Associates. The PEA was undertaken on 20<sup>th</sup> October 2022, which is outside of the optimal season for botanical work. However, this is acknowledged in Chapter 3.6 of the report - Limitations and Assumption which states that ‘the habitat descriptions and evaluations are considered to be accurate due to the common and widespread habitats recorded and the vegetation being clearly visible at the time of survey’.
- 7.3.6 It is noted that comments received from the Orpington Field Club & Bromley Biodiversity Partnership Sub-Group raise concerns about the potential for the site to be relict ancient woodland. However, the applicant’s ecology consultant submitted a letter dated 13<sup>th</sup> March 2023 to address these concerns. The applicant’s ecologist considers ancient woodland status to be unlikely, citing 1) the separation between the site and High Broom Wood SINC (ancient woodland), 2) the presence of indicator species not necessarily equating the ancient woodland due to natural migration, and 3) the PEA autumnal timing would not necessarily have made it unlikely that indicator species could be recorded.
- 7.3.7 The site has not been classified by Natural England as Ancient Woodland and the justification provided by the applicant’s ecologist is reasonable. Further, the accompanying Biodiversity Net Gain (BNG) Assessment, for which an additional survey of the site was undertaken on 20<sup>th</sup> March 2023, includes the Condition Assessment sheets of the woodland between the site and the Ancient Woodland and concludes that the woodland here is also not Ancient.
- 7.3.8 It is considered that the importance of the woodland has been classified in both the accompanying PEA and BNG Assessment, and the BNG report also provides information about how net gains will be achieved in respect of woodland. The distance between the proposed works and the SINC (100m) is also considered to be sufficient for there to be no direct or indirect impacts and the proposed woodland planting, as part of the BNG calculations, will also help improve the ecological networks in close proximity to the SINC.
- 7.3.9 In respect of protected species, the PEA does reference that Justin Hall (Building B1) has low suitability for supporting bats. This building will be retained and page 17 of the PEA states *“The proposed works include a flat-roofed extension (labelled Block B in the proposed plans) to the north-west of Building B1, which is proposed to join at existing eaves height. As such, the extension will be far enough from any potential roost features, which are the lifted roof tiles on the south-western roof elevation and the mortar gap near the ridge at the north-western end of the roof, for roosting bats to be directly impacted.”* On the basis that there will be no roof works to this existing building, there would not appear to be any requirement for a presence/absence survey.
- 7.3.10 Within Section 5 of the PEA, a number of recommendations for further surveys, mitigation and enhancements are also provided. This includes a requirement for a pre-clearance badger survey. It is clarified that although no badger setts were recorded within the site, as badger setts can appear at any

time where suitable habitat has been identified, a badger survey on and within 30m around the site around six weeks before clearance/construction begins is recommended to allow time for any mitigation/avoidance measures to be designed, and preparation of a Natural England badger Development Licence application if required.

- 7.3.11 The PEA also makes recommendations in respect of appropriate measures to protect stag beetles, birds, hedgehogs, and other mammals during the building and vegetation clearance. Taking this and the need for a pre-clearance badger survey into account, a condition requiring the submission of a Pre-Clearance strategy (to include the pre-clearance badger survey) prior to any works being undertaken on-site is considered necessary and appropriate on any approval to safeguard the interests and wellbeing of protected species and all other wildlife.
- 7.3.12 It is also noted that the applicant's PEA refers to the need for a sensitive lighting strategy and details of this would also be required by way of a condition on any approval.
- 7.3.13 This would be in addition to conditions a Landscape Ecological Management Plan (LEMP)

*Biodiversity Net Gain (BNG)*

- 7.3.14 The application is supported by a Biodiversity Net Gain (BNG) assessment (April 2023) REV A 30.06.23 prepared by David Archer Associates and an accompanying DEFRA Biodiversity Metric version 4.0.
- 7.3.15 The BNG Assessment outlines that the on-site habitats for the purposes of BNG has been confined to the development zone (being the area on which the existing and proposed built development is located) with the area to the rear of the properties on South Eden Park Road and St. Davids Close/High Broom Crescent (but still within the application site boundary and ownership of the applicant) being detailed as off-site and available for further habitat enhancements. This is shown in Fig.10 below (shown as Fig.3.1 within the BNG assessment (April 2023)). The reasoning for this approach is outlined within paragraph 3.2 of the BNG Assessment and is considered acceptable in this instance to ensure the trading rules in relation to the BNG are satisfied.

**Figure 3.1:** Proposed development area (red line) and off-site area considered for BNG enhancements (blue line). Note the blue in the top right corner is part of the base map and is an off-site astro turf pitch; it is not part of the blue line off-site area used in this BNG assessment.



Fig.16 – On-site habitat area in red and off-site habitat area in blue as per BNG assessment (April 2023)

- 7.3.16 The BNG assessment and metric records a BNG of +92.89% (1.20 habitat units) on-site (within the area outlined in Fig.10 above in red). According to the PEA and Metric details submitted, the site hosts mainly medium distinctiveness habitat. Under the 'Trading Summary', medium distinctiveness woodland and forest will be replaced by urban trees and grassland and whilst this achieves a project-wide gain, the Metric records a trading fail in this regard as a like-for-like or like-for-better habitat will not be provided. In order to meet these trading rules, habitat creation and enhancements are also proposed in 'off-site' land (shown outlined in blue in Fig.10 above) within the applicant's ownership and with direct connectivity to the site resulting in the addition of 2.24 habitat units 'off-site'. Therefore, overall when combining the on-site and off-site habitat calculations, a BNG of +133.90% would be achieved, and all trading rules satisfied.
- 7.3.17 It is acknowledged that the site underwent some clearance work, including the removal of trees, prior to the submission of this planning application. In respect of the baseline habitat, the applicant's BNG Assessment acknowledges that some areas of the site had been subject to recent tree felling activities at the time of the Preliminary Ecological Appraisal survey, and confirms that where this had occurred, a precautionary approach was applied whereby the baseline habitats and likely conditions were taken to be from the date of 17th October 2022 (one day prior to tree felling commencing) using aerial imagery and adjacent retained habitats to determine a 'likely worst-case scenario', with higher value habitats and conditions assigned where any potential ambiguity occurred.
- 7.3.18 The proposed net gains and habitat enhancements will need to be carefully managed and monitored and this would be secured by way of appropriate conditions on any approval to ensure they are achieved. A scheme of biodiversity enhancements to include enhancements targeted at specific species and/or groups of species, such as bats, birds and insects, as outlined

within the applicant's PEA, and highlighted by both the Orpington Field Club & Bromley Biodiversity Partnership Sub-Group and the RSPB, would also be required by way of a condition on any approval to help mitigate the loss of existing habitat.

### *Trees, Landscaping and Urban Greening*

- 7.3.19 Policy G7 of the London Plan and Policy 73 of the Bromley Local Plan seek to ensure that, wherever possible, existing trees of value are retained and if planning permission is granted that necessitates the removal of trees there should be adequate replacement.
- 7.3.20 Policy G5 (Urban Greening) of the London Plan outlines that major development proposals should contribute to the greening of London by including urban greening by including urban greening as a fundamental element of site and building design.
- 7.3.21 Policy 74 of the Bromley Local Plan seeks to improve the amenity and conservation value of trees and woodlands and Policy 77 of the Bromley Local Plan also seeks 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.
- 7.3.22 The site is partially covered by an area TPO. The Council's Tree Officer has advised that permission for removal of a number of TPO trees at the site was granted under ref: 22/02143/TPO.
- 7.3.23 A further 9 nine trees are proposed to be removed as part of this current planning application to facilitate the proposed development, as indicated within the supporting Tree Survey Arboricultural Integration Report (30.11.22) prepared by Quaife Woodlands. The Council's Tree Officer has stated that they raise no objection to the removal of these additional trees. However, a landscaping condition to ensure adequate replacement tree planting is recommended. A condition requiring tree protection measures in accordance with the submitted tree protection plan to protect retained trees on site is also recommended on any approval.
- 7.3.24 The application is also supported by an Urban Greening Factor Plan which indicates how an Urban Greening Factor (UGF) of 0.58 will be achieved on site. This would exceed the minimum 0.3 required under Policy G5 for this type of development. It is noted that the UGF plan only includes the area of the site on which the development is proposed, rather than covering the whole site which includes the playing fields and vegetated area to the rear. The inclusion of only the developed part of the site is considered appropriate in this instance.
- 7.3.25 The Urban Greening Factor Plan includes the proposed area coverage for each surface cover type (e.g. trees, hedges, different types of planting) but does not include full details of species. The recommended landscaping condition, as outlined above, would also need to provide full details of the



location and types of species/material of all hard and soft landscaping in compliance with the details indicated on the submitted UGF plan.

#### 7.4 **Transport and Highways - Acceptable**

- 7.4.1 Paragraph 105 of the NPPF requires significant development to be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
- 7.4.2 Policy T1 of the London Plan advises that development proposals should facilitate the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041.
- 7.4.3 Policy T4 of the London Plan requires development proposals to reflect and be integrated with current and planned transport access, capacity and connectivity. Transport assessments/statements are required to accompany development proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Travel Plans, Parking Design and Management Plans, Construction Logistics Plans and Delivery and Servicing Plans will be required having regard to Transport for London guidance. Development proposals should also not increase road danger.
- 7.4.4 The application is supported by a Transport Assessment (December 2022) prepared by TTP Consulting.

##### *Access*

- 7.4.5 At present vehicular access to the school is mainly taken from St David's Close, where an area of hardstanding is served by separate points of entry and exit at the southern point of the site. This area provides for approximately 12 cars.
- 7.4.6 There is also a secondary point of vehicular access to the site from Beckenham Road, which is currently used by grounds maintenance staff to access the school's playing fields. It is proposed to widen this existing access from Beckenham Road to provide vehicular access to the site and to the 6 new additional car parking spaces proposed as part of the development. Maintenance access only to the school's playing fields would be provided by way of a new access path along the north-west of the site.
- 7.4.7 The vehicular access to the new car parking areas provides sufficient visibility for drivers emerging from the site of pedestrians on the footway and vehicles on Beckenham Road.

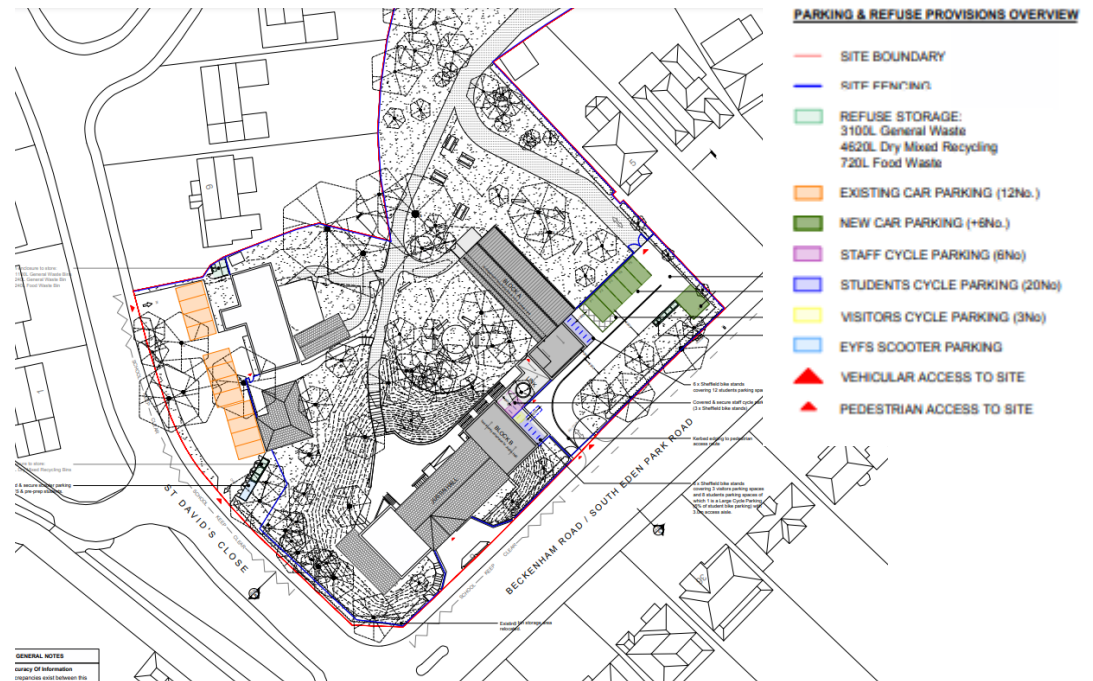


Fig.17 – Parking and access arrangements

7.4.8 At present the majority of pupils access the site from St. David's Close, with one year group using the pedestrian access point on Beckenham Road. The development proposals will provide a new pedestrian entrance to the school adjacent to the access to the new staff parking area. The new access will enable pupils to enter and exit the school at three points so as to distribute activity more evenly around the site. It is proposed that Years 3 to 6 will use the new point of access.

*Trip Generation and Impact on Local Highway Network*

7.4.9 A number of concerns have been raised locally with regards to the impact of the proposed increase in staff and pupils numbers on parking capacity within surrounding roads and traffic implications at school drop off and pick up times.

7.4.10 Policy 31 of the Bromley Local Plan states that any new development likely to be a significant generator of travel:

a - should be located in positions accessible or capable of being made accessible by a range of transport modes, including public transport, walking and cycling;

b - will require the submission of a Transport Assessment, setting out the impacts of their development on the local transport network (and strategic road network where applicable) and the mitigation measures proposed to deal with the impacts;

c - will, where necessary, be required to enter into an agreement to submit and implement acceptable Travel Plans, Construction Logistics Plans, and Delivery and Servicing Plans;

d - will need to incorporate or contribute to improvements to the highway network including traffic management measures that limit the significant impacts of the development and are designed to be sensitive to the surroundings; and

e - encourages walking and cycling through the provision of suitable facilities.

7.4.11 The accompanying Transport Assessment (December 2022) indicates that the school has staggered start and end times so as to reduce peak levels of activity when pupils arrive and depart from school. The school also has an early room and late room to provide before and after school care. The early room operates from 7:45am and the late room operates until 6:00pm. Before and after school clubs operate most days with pre-school clubs starting from 7:45am and after school clubs ending between 4:30pm and 5:00pm. These activities help reduce the level of movement to and from the site during peak periods.

7.4.12 To determine the modes of transport used by pupils and staff, questionnaire surveys were undertaken in November 2022; a summary of the results are included within Table 2.2 of the Transport Assessment (December 2022).

<b>Travel Mode</b>	<b>Pupils</b>		<b>Staff</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Walking	20	11.0%	4	12.1%
Scooting	12	6.6%	0	0.0%
Cycling	7	3.8%	1	3.0%
Rail/Overground	0	0.0%	0	0.0%
Tube	0	0.0%	0	0.0%
Public Bus	0	0.0%	4	12.1%
School Bus/Taxi	0	0.0%	0	0.0%
Car/Motorcycle	93	51.1%	24	72.7%
Car Share	50	27.5%	0	0.0%
<b>Total</b>	<b>182</b>	<b>100.0%</b>	<b>33</b>	<b>100.0%</b>

Fig.18 – Summary of results of existing travel modes survey (November 2022)

7.4.13 The surveys indicate that the majority of pupils and staff travel to the site by car with 93 pupils being driven as the sole passenger travelling to the school and 50 car sharing with other pupils. On the basis that the average number of pupils car sharing in each vehicle is two, at present, it is estimated that in the order of 118 cars make trips to and from the school each day to drop off and collect pupils.

7.4.14 The surveys indicate that 24 staff members currently drive to the site. On the basis that 12 staff are able to park on site, up to 12 staff cars could be parked on street in the vicinity of the school per day.

7.4.15 To establish the change in demand for on-street parking when pupils are being dropped off and collected, parking beat surveys were undertaken on Wednesday 28th September 2022. The surveys recorded the number of vehicles parked, and the space available for additional cars to park on street within a 500-metre walk of the site. The counts took place at 5-minute intervals between 8:00am - 8:50am and at 5-minute intervals between 3:00pm –

3:50pm. Table 2.4 of the Transport Assessment (December 2022) shows the maximum increase in vehicles parked within each zone during the school drop off/pick up period compared with the initial morning (8:00am) and afternoon (3:00pm) count, as well as the number of spaces in each zone still available for parking.

Zone	Location	8:40am		3:30pm	
		Increase in Cars Parked	Spaces Available	Increase in Cars Parked	Spaces Available
1	St David's Close	1	0	2	0
2	Old Lodge Drive	6	4	10	3
3		0	0	0	0
4	St David's Close	17	8	11	3
5		0	1	0	0
6		0	1	0	0
7		-1	3	0	1
8		1	1	2	0
9	High Broom Crescent	5	13	10	4
10		2	22	5	15
11	St David's Close	2	6	1	5
12		2	0	2	0
13	St Eden Park Road/Beckenham Road	8	1	6	1
14		3	16	2	14
15		-1	23	-3	22
16		6	4	6	4
17	Beckenham Road	0	17	2	15
18		0	18	1	17
19		0	10	1	9
20		12	4	10	6
<b>Total</b>		<b>63</b>	<b>152</b>	<b>68</b>	<b>119</b>

Fig.19 – Maximum Increase in Vehicles Parked on Street based on Wednesday 28th September 2022 parking survey.

7.4.16 The survey area was zoned to ascertain which areas experience the greatest increase in parking demand during school drop off and pick up times. The surveys show that the largest increases in parking occur within zones closest to the school on St David's Close, High Brooms Crescent, Old Lodge Drive and the A214 South Eden Park Road/Beckenham Road. However, it is noted that there is still space available to park additional cars in these areas.

7.4.17 The development proposals will result in the school population increasing to a maximum of 298 pupils and 45 staff (41 FTE). The Transport Assessment states this as an increase of 116 pupils and a total of 12 staff. However, the increase in FTE staff has been stated by the applicant to be 7 staff (a rise from 34 FTE to 41 FTE).

Travel Mode	Pupils		Staff	
	Number	Percentage	Number	Percentage
Walking	13	11.0%	1	12.1%
Scooting	8	6.6%	0	0.0%
Cycling	4	3.8%	1	3.0%
Rail/Overground	0	0.0%	0	0.0%
Tube	0	0.0%	0	0.0%
Public Bus	0	0.0%	1	12.1%
School Bus/Taxi	0	0.0%	0	0.0%
Car/Motorcycle	59	51.1%	9	72.7%
Car Share	32	27.5%	0	0.0%
<b>Total</b>	<b>116</b>	<b>100.0%</b>	<b>12</b>	<b>100.0%</b>

Fig.20 – Travel modes used by additional pupils and staff based on November 2022 existing travel modes survey

- 7.4.18 The trips by travel mode of the additional staff and pupils based on the November 2022 survey data indicate an additional 75 trips visiting the site to drop off and pick up children would be by car (on the basis that the number of pupils car sharing is at least two) and an additional 9 car trips by staff (indicated within Table 4.2 of the Transport Assessment). This would result in a further three staff vehicles parking on street near the school, given that 6 staff vehicles could be accommodated within the new staff parking area.
- 7.4.19 As the strategy of staggered start and end times for year groups, and the provision of before and after school clubs, it is acknowledged that not all of these vehicles picking up/dropping off children would be stopped near the site at the same time. The parking surveys showed that demand for parking on street in the vicinity of the school increased by a maximum of 68 vehicles, whilst the modal split data from the November 2022 travel survey suggests that 118 cars would be travelling to and from the school to drop off and pick up pupils. As such, it is considered that the as a result of the proposed extension in capacity at the school, if fully attended, could result in an additional 44 vehicles stopped on street in the vicinity of the school for a brief period at the start and end of the school day. The parking survey recorded that there was capacity to accommodate demand for additional parking on streets near the school with space for 119 additional cars to park during the busiest period.
- 7.4.20 Having regard to the above, if car use for trips to and from the site were to increase proportionally in line with increases in staff and pupil numbers, the Council's Highways Officer has advised that there is some capacity on street to accommodate any increase in demand for parking at the beginning and end of the school day. Furthermore, they advise that the increase in pupil and staff numbers will occur over three academic school years and Travel Plan monitoring will also enable any increase in car use to be identified and additional measures implemented to reduce the car use.
- 7.4.21 The application is accompanied by a School Travel Plan (June 2023) prepared by TTP Consulting. This seeks to achieve 4 sub-objectives which are outlined as;

- Sub-objective 1: To increase staff, pupils and parent awareness of the advantages and availability of sustainable / active modes of transport;
- Sub-objective 2: To promote the health and fitness benefits of active travel to all users;
- Sub-objective 3: To introduce a package of physical and management measures that will facilitate staff and child travel by sustainable modes; and therefore,
- Sub-objective 4: To reduce unnecessary use of the car for the journey to and from the site by parents and staff.

7.4.22 The Travel Plan includes a number of aims and targets to seek to achieve the above objectives, as well as mechanisms to monitor these targets. The Council's Highways team have advised that the Travel Plan is acceptable and that the actions within it will help to somewhat alleviate the impact with regards to increased car traffic. The Council's Highways team have also advised that, as stated within the Travel Plan, the Council and school will continue to liaise about the development of the initiatives mentioned in the plan.

7.4.23 New cycle and scooter parking is also to be provided as part of the development to further encourage and facilitate an increase in travel by scooter and bicycle.

7.4.24 Further, Policy T4 of the London Plan advise that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

7.4.25 Paragraph 9.18 of Bromley's Planning Obligations Supplementary Planning Document (June 2022) also advises that where necessary, an obligation will be sought to improve the nearby road network to support a proposed development. Policy 31 of the Bromley Local Plan requires that such obligations incorporate or contribute to improvements to traffic management measures that limit the impacts of the development.

7.4.26 The Council's Highways Officer has advised that in order to relieve the pressure and address safety issues around the school site, LB Bromley is proposing to construct a Zebra Crossing on Beckenham Road at the junction with St David's Close. Given the proposed uplift in pupil numbers, a contribution by the applicant of £20,000 towards the cost of the zebra crossing is considered reasonable and appropriate. The applicant has confirmed the agreement to this contribution which would be secured via S106 agreement.

#### *Car Parking*

7.4.27 Policy T6 of the London Plan requires car parking to be restricted in line with levels of existing and future public transport accessibility and connectivity. Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public

transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite').

- 7.4.28 Maximum car parking standards relating to specific types of development are outlined within Policies T6.1-T6.4; this covers residential, office, retail, and hotel and leisure development. Supporting text paragraph 10.6.5 of Policy T6 advises that where no standard is provided, the level of parking should be determined on a case-by-case basis taking account of Policy T6 Car parking, current and future PTAL and wider measures of public transport, walking and cycling connectivity.
- 7.4.29 Policy T6 also states that where sites are redeveloped, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy.
- 7.4.30 Disabled parking for non-residential use should adhere to Policy T6.5 of the London Plan which requires 5% of the total parking provision to be designated disabled bays and 5% of the total parking provision to be enlarged bays.
- 7.4.31 In line with Policy T6 provision should be made for infrastructure for electric or other Ultra-Low Emission vehicles for all car parking in new developments.
- 7.4.32 There are 12 existing staff car parking spaces accessed via St. David's Close. The application proposes 6 additional spaces for staff use to be located in front of the proposed new Block A building to the north-west of the site accessed via an existing access, currently used by maintenance vehicles only, from Beckenham Road/South Eden Park Road. This access would still provide access to maintenance vehicles so that they can access the school playing fields to the rear with a new access road located along the north-western side of the site.
- 7.4.33 The six new car parking spaces would include 1 larger space suitable for use by blue badge holders. One active electric vehicle charging point is proposed which would provide EV charging for two cars. Three of the remaining bays would also have passive provision, capable of being upgraded in future to provide electric vehicle charging if needed.
- 7.4.34 It noted that a number of concerns have been raised locally with regards to parking and the need for more on-site parking for staff. However, the Council's Highways Officer has advised that the provision of an additional 6 staff car parking spaces (18 in total), which seeks to strike a balance between minimising the potential for additional staff parking on streets in the vicinity of the site whilst not providing a level of provision that encourages car use in favour of more sustainable travel modes, is acceptable.
- 7.4.35 Staff that car share will be given priority to use this new parking area other than the disabled parking space which will be allocated to accommodate demand by blue badge holders. Accordingly, the provision of car parking on-site for the proposed development is considered to be accordance with policy. A condition requiring a Parking Design and Management Plan would be

secured on any approval to ensure the use of the proposed spaces is appropriately managed.

#### *Cycle parking*

- 7.4.36 Policy T5 of the London Plan sets out the requirements for cycle parking provision. For primary schools 1 space per 8 FTE staff and 1 space per 8 students is required to be provided for long-stay cycle parking and 1 space per 100 students required for short-stay cycle parking. Supporting paragraph 10.5.6 also notes that for nurseries and primary schools, an appropriate proportion of long-stay cycle parking spaces for students may be met through scooter parking.
- 7.4.37 The application proposes 6 cycle parking spaces for staff, 3 for visitors and 20 spaces for pupils including one space suitable for parking a larger bicycle such as a tricycle or hand cycle. In addition to cycle parking, a secure store to provide 30 spaces for scooter parking will be provided adjacent to the eastern point of access to the school from St David's Close.
- 7.4.38 The enclosure for the scooter parking would be connected to the bin storage enclosure and would have a flat roof with a height of 1.6m with a timber clad exterior (to match the proposed new classroom buildings) and double doors to provide access.
- 7.4.39 The provision of cycle/scooter parking for staff and visitors would accord with the London Plan, with the provision for pupils exceeding the requirements of the London Plan to encourage and facilitate an increase in travel by bicycle and scooter. In addition, all cycle parking is shown to be covered and secure which is acceptable. The cycle and scooter parking would be secured by way of a condition on any approval.

#### *Delivery & Servicing, and Construction*

- 7.4.40 Policy T7 of the London Plan requires development proposals to facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.
- 7.4.41 The application is supported by a Delivery and Servicing Plan (December 2022) and a Construction Logistics Plan (December 2022) both prepared by TPP Consulting.
- 7.4.42 Refuse is currently stored in two areas on site, at the corner of the site at the junction of St David's Close with Beckenham Road and to the rear of the car parking area off St David's Close at the western extreme of the site.



- 7.4.43 The development proposals will retain the western refuse store to the rear of the car parking area off St David's Close. A new storage area is proposed close to the eastern access point on St David's Close as well as a new refuse store at the north-eastern extent of the site on Beckenham Road. The application documents state that the new Beckenham Road refuse store will be accessible by way of sliding doors for convenient access by a refuse vehicle stopping on Beckenham Road and that on the day of collection the bins will be moved to this area for collection.
- 7.4.44 The enclosures for the refuse storage would be timber clad (to match the proposed new classroom buildings) with double doors to provide access. The enclosure to the north-eastern extent of the site on Beckenham Road would have a height of 1.45m to match the height of the existing fencing along the boundary and the enclosure close to the eastern access point on St David's Close (which would be attached to the proposed scooter store) would have a height of 1.6m.
- 7.4.45 In terms of refuse collection and storage the details submitted are considered acceptable.
- 7.4.46 The Transport Assessment states that existing deliveries will simply deliver greater quantities of food and supplies as needed. All vehicles will continue to stop on street when visiting the site although the revised refuse storage arrangements mean that refuse collection vehicles will stop further away from the junction of St David's Close with Beckenham Road which is considered to be an improvement over the existing situation. As the existing level of delivery and servicing activity is not predicted to increase from existing levels this is considered to be acceptable.

## 7.5 **Impact on Neighbouring Amenity - Acceptable**

- 7.5.1 Policy 37 (e) 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.
- 7.5.2 The proposed new buildings would be sited away from the boundaries of the site, with the building closest to the immediate neighbour at No. 5 South Eden Park Road, Block A, being located approximately 20m from this adjacent neighbour. The rear of Block A would also be around 35m from the rear of No. 6 St. David's Close. Given this separation and the height of the proposed buildings, there is not considered to be any significant adverse impact on light, outlook or privacy resulting from the proposed development.
- 7.5.3 Concerns raised locally in respect of the impact of the proposal on traffic, noise and air quality are considered separately within the relevant sections of this report.

## 7.6 **Energy and Sustainability - Acceptable**

- 7.6.1 Policy SI 2 of the London Plan - Minimising greenhouse gas emissions – requires major development to be net zero-carbon, reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:
- “1) *be lean: use less energy and manage demand during operation*
  - 2) *be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly*
  - 3) *be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site*
  - 4) *be seen: monitor, verify and report on energy performance.”*
- 7.6.2 Policy SI 2 also requires a minimum on-site reduction of at least 35 per cent beyond Building Regulations for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures.
- 7.6.3 Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:
- “1) *through a cash in lieu contribution to the borough’s carbon offset fund, or*
  - 2) *off-site provided that an alternative proposal is identified, and delivery is certain.”*
- 7.6.4 Part E of Policy SI 2 also states that ‘*major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions*’.
- 7.6.5 Policy SI 4 states that major development should demonstrate through the energy strategy how the proposal will “reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy’.
- 7.6.6 Policies 123 and 124 of the 2019 Bromley Local Plan are consistent with the strategic aims of the London Plan energy policies.
- 7.6.7 The application is supported by an Energy Statement – Version 5 (14<sup>th</sup> June 2023) prepared by Achieve Green. The Energy Statement indicates that for the purpose of Building Regulations, the newly constructed classroom block will be treated as a new building, and the extension will be treated as work on an existing building.
- 7.6.8 The Energy Statement states that fabric performance for the extension will surpass the requirements of Approved Document L2. In addition, the mechanical and electrical specification that is incorporated within the extension will be in full accordance with the requirements of the Building

Regulations. To maintain coherence for the control of heating between the existing main building and the new extension, it is proposed to extend the use of the existing main gas heating plant. Any future upgrade of the existing heating plant, including the potential replacement of the existing gas heating plant with a system of improved efficiency can then be of immediate benefit to both the existing building and the extension.

- 7.6.9 In respect of the proposed new building, CO2 emissions within the building are to be reduced through an enhanced fabric and energy efficient systems, as well as further reduction achieved through the installation of an air source heat pump for primary heating and Domestic Hot Water and a 6.84 kWp (18 panel) photovoltaic system on the roof of the building.
- 7.6.10 The total reduction in emissions resulting from energy efficiency measures and the installation of renewable technology is 70% compared to the regulated emissions from a building designed to just meet Building Regulations (2021) Part L2, which surpasses the target reduction of 35%, as required by the London Plan.
- 7.6.11 A 100% reduction in CO2 emissions would be achieved by way of a cash in lieu payment to the London Borough of Bromley of £1,425 which will be secured by way of a s106 agreement on any approval.
- 7.6.12 A condition necessitating the measures set out in the Energy Statement – Version 5 (14 June 2023) to be incorporated into the final design of the development, as well as the submission of the detailed design of the ASHP's and PV panel's would also be required on any approval. This is to ensure compliance with the stated reductions in emissions are achieved and that the ASHP's and PV panels are appropriate in terms of their siting, scale and appearance.

## 7.7 **Drainage and Flooding - Acceptable**

- 7.7.1 Policy 116 of the Bromley Local Plan (2019) states that all developments should seek to incorporate Sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible. This is supported by Policy SI 13 (Sustainable Drainage) of the London Plan (2021).
- 7.7.2 The application is supported by a Combined Flood Risk Assessment & Drainage Strategy (29<sup>th</sup> November 2022) prepared by Bailiss & Company.
- 7.7.3 The Council's Drainage Officer has advised that the application is acceptable subject to a condition requiring the detailed design of the measures within the Combined Flood Risk Assessment & Drainage Strategy to be submitted and approved in writing prior to commencement of development.
- 7.7.4 Thames Water have raised no objections to the proposed development.

## 7.8 **Environmental Health - Acceptable**

### *Contaminated Land*

- 7.8.1 Paragraph 174 of the NPPF (2021) seeks to ensure that planning policies and decisions “contribute to and enhance the natural and local environment by... preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil [and] water...pollution;...[and] remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”.
- 7.8.2 Policy 118 of the Bromley Local Plan states that where the development of contaminated land, or land suspected of being contaminated, is proposed, details of site investigations and remedial action should be submitted.
- 7.8.3 The application is accompanied by a Main Investigation Report (November 2022) prepared by Soils Limited.
- 7.8.4 The Council’s Environmental Health Officer has advised that our mapping highlights an area of potentially contaminated land to the north of the proposed development of potentially unknown fill. However, the risk posed is relatively low, and so they therefore recommend only an informative to be added to any approval, as advice to the applicant.

### *Air Quality*

- 7.8.5 Policies SI 1 of the London Plan and 120 of the Bromley Local Plan detail the need to tackle poor air quality.
- 7.8.6 The application site falls within Bromley’s Air Quality Management Area (AQMA).
- 7.8.7 The application is supported by an Air Quality Assessment (AQA) (1<sup>st</sup> March 2023) prepared by Redmore Environmental.
- 7.8.8 The Council’s Environmental Health Officer has advised that the supporting AQA demonstrates that the proposal would comply with Bromley and London Plan policies in respect of air quality.

### *Noise*

- 7.8.9 London Plan Policy D14 (Noise) states that development should reduce, manage and mitigate noise to improve health and quality of life. This is supported by Bromley Local Plan Policy 119.
- 7.8.10 The application is supported by a Noise Impact Assessment (NIA) (February 2023) prepared by E3P.
- 7.8.11 The Council’s Environmental Health Officer has advised that the supporting NIA demonstrates that the proposal would comply with Bromley and London Plan policies in respect of noise.

## 7.9 **Statement of Community Involvement**

- 7.9.1 The London Borough of Bromley's Statement of Community Involvement (2016) expects applicants of 'significant' applications to contact local residents and interest groups informing them of the development proposed; and arrange a public meeting or exhibition at a suitable location in close proximity to the application site in order to allow the proposal to be more fully understood by the local community prior to submission.
- 7.9.2 This application is supported by a Statement of Community Involvement which outlines the residential engagement and pre-application engagement undertaken by the applicant prior to submission comprising;
- Pre-Application engagement with Bromley Council
  - Pre-Application engagement with Met Police Secure by Design Officer
  - Erection of consultation boards at the school explaining the proposals
  - Letter drop to pupil parents and nearby local residents to notify them of the proposals
  - Setting up of a dedicated consultation webpage on Hume Planning Consultancy's website, where consultation material has been published and provides an opportunity to provide feedback to the project team
  - Contacting local Ward Councillors to explain the proposals and offer to meet to discuss further.
- 7.9.3 Concerns have been raised by local residents as to the inadequacy of the applicant's consultation process. However, Officers are of the view that the consultation carried out prior to the application being submitted complies with the key principles set out in the Council's Statement of Community Involvement.

## 7.10 **Planning Obligations and CIL**

### *Community Infrastructure Levy (CIL)*

- 7.10.1 The Mayor of London's CIL and the London Borough of Bromley Community Infrastructure Levy (CIL) are material considerations. The proposed development is for the provision of education and as such neither Mayoral nor Bromley CIL is payable on this application. The application has completed the relevant form.

### *Heads of Terms – Infrastructure impact and mitigations:*

- 7.10.2 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be

used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

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

7.10.3 Policy 125 of the Bromley Local Plan (2019) and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

7.10.4 The following planning obligations have identified as necessary to mitigate the impacts of this development should permission be granted:

- Carbon Off-Set Contribution (£1,425)
- Highway Improvements Contribution (£20,000)
- Monitoring (a cost of £500 per Head(s) of term)
- Council's Legal costs for preparing the S106

7.10.5 Officers consider that these obligations meet the statutory tests set out in Government guidance, i.e. they are necessary, directly related to the development and are fairly and reasonably related in scale and kind to the development.

7.10.6 The applicant has agreed, in principle, to enter into a S106 legal agreement to secure the above Heads of Term, should planning permission be granted.

## 7.11 **Public Sector Equality Duty**

7.11.1 Section 149 of the Equality Act (2010) which sets a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions.

7.11.2 In the case of planning, equalities considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic and local) and any relevant supplementary guidance. A further assessment of equalities impacts on protected groups is necessary for development proposals which may have equality impacts on the protected groups.

7.11.3 With regards to this application, all planning policies in the London Plan and Bromley Local Plan and National Planning Policy Framework (NPPF) which have been referenced where relevant in this report, have been considered with regards to equalities impacts through the statutory adoption processes,

and in accordance with the Equality Act 2010 and Council's PSED. Therefore, the adopted planning framework which encompasses all planning policies which are relevant in the officers' assessment of the application are considered to acknowledge the various needs of protected equality groups, in accordance with the Equality Act 2010 and the Council's PSED.

- 7.11.4 It is also necessary to have due regard to the public sector equality duty, which sets out the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations between people who share a protected characteristic and people who do not share it.
- 7.11.5 The protected characteristics to which the Public Sector Equality Duty (PSED) applies include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation, religion or belief and sex.
- 7.11.6 The proposal would provide new and improved education facilities for young children, the justified demand for which has been discussed within Section 7.1 of this report. The building has also been designed to improve access for all, including wheelchair users, with a new lift within the Block B extension to Justin Hall connecting both floors, new ramped access to the rear of Justin Hall and a lift within Block A.
- 7.11.7 There are also negative impacts expected in relation to construction, such as increased vehicular movements, noise and air quality which would have the potential to affect the following equality groups; age, disability, pregnancy and maternity. These impacts are however considered short term and would depend on the measures that would be set out in the Construction Management Plan and other relevant conditions aimed to minimise disruption and mitigate the impacts.
- 7.11.8 In conclusion, it is considered that LB Bromley has had due regard to section 149 of the Equality Act 2010 in its consideration of this application and resulting recommendations to the Plan Sub Committee.

## **8 PLANNING BALANCE AND CONCLUSION**

- 8.1 The applicant has evidenced that there is a demonstrable need for the ongoing use of the existing building with expired permission and the proposed additional educational buildings to cater for children already on the school roll and to meet future expansion. Furthermore, the proposed buildings have been sensitively designed to limit the impact on the Urban Open Space without compromising the educational requirements.
- 8.2 The scale, layout and appearance of the proposed development would respond appropriately to its setting and given its siting would not cause any undue harm to neighbouring amenity.

- 8.3 Whilst it is acknowledged that some landscape clearance has already occurred and is proposed to facilitate the additional building, the proposal seeks to introduce new landscaping and biodiversity enhancements to contribute to the nature conservation value of the site, achieving a Biodiversity Net Gain of +133.90% and an Urban Greening Factor of 0.58 which is a significant benefit.
- 8.4 The proposal would provide an appropriate amount of car parking given its use and location and would not result in any adverse transport impacts. Additional cycle and scooter parking is also proposed as part of the development and this along with the submitted Travel plan will help to encourage more sustainable and active modes of transport. The applicants have also agreed to a contribution towards the construction of a Zebra Crossing on Beckenham Road to improve crossing facilities in the area.
- 8.5 The technical documents submitted in respect of energy, drainage, air quality, noise, and contamination are also considered to be acceptable, and their recommendations should be conditional of any grant of permission given.
- 8.6 Having had regard to the above, it is considered that the proposed development is acceptable. Accordingly, the application is recommended for permission, subject to the prior completion of a S106 legal agreement. In reaching this conclusion Officers have had regard to the statutory provisions of Section 70 of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 which dictate that decisions must be undertaken in accordance with the development plan, unless material considerations indicate otherwise.
- 8.7 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 BE GRANTED SUBJECT TO A S106 AGREEMENT**

**SUMMARY OF CONDITIONS AND INFORMATIVES**

**Standard**

- 3yr time limit
- Compliance with approved plans/documents

**Pre-Commencement**

- Submission of full CEMP.
- Pre-development landscape clearance strategy.
- Tree Protection Measures in accordance with Tree Protection Plan.
- Detailed design of drainage measures.
- Existing and Proposed Site/Slab levels.



### **Above Ground works**

- Secured by Design.
- External Materials.
- Details of rooftop plant.
- Full details of hard and soft landscaping to also meet UGF calculation.
- Full details of biodiversity enhancements.
- Landscape and Ecological Management Plan (LEMP)

### **Prior to Occupation/First Use**

- Compliance with Energy Strategy and Details of PV Panels/ASHP's (to also accord with AQA).
- Car Parking Management Plan and implementation of Car Parking.
- Implementation of EVCP's.

### **Compliance**

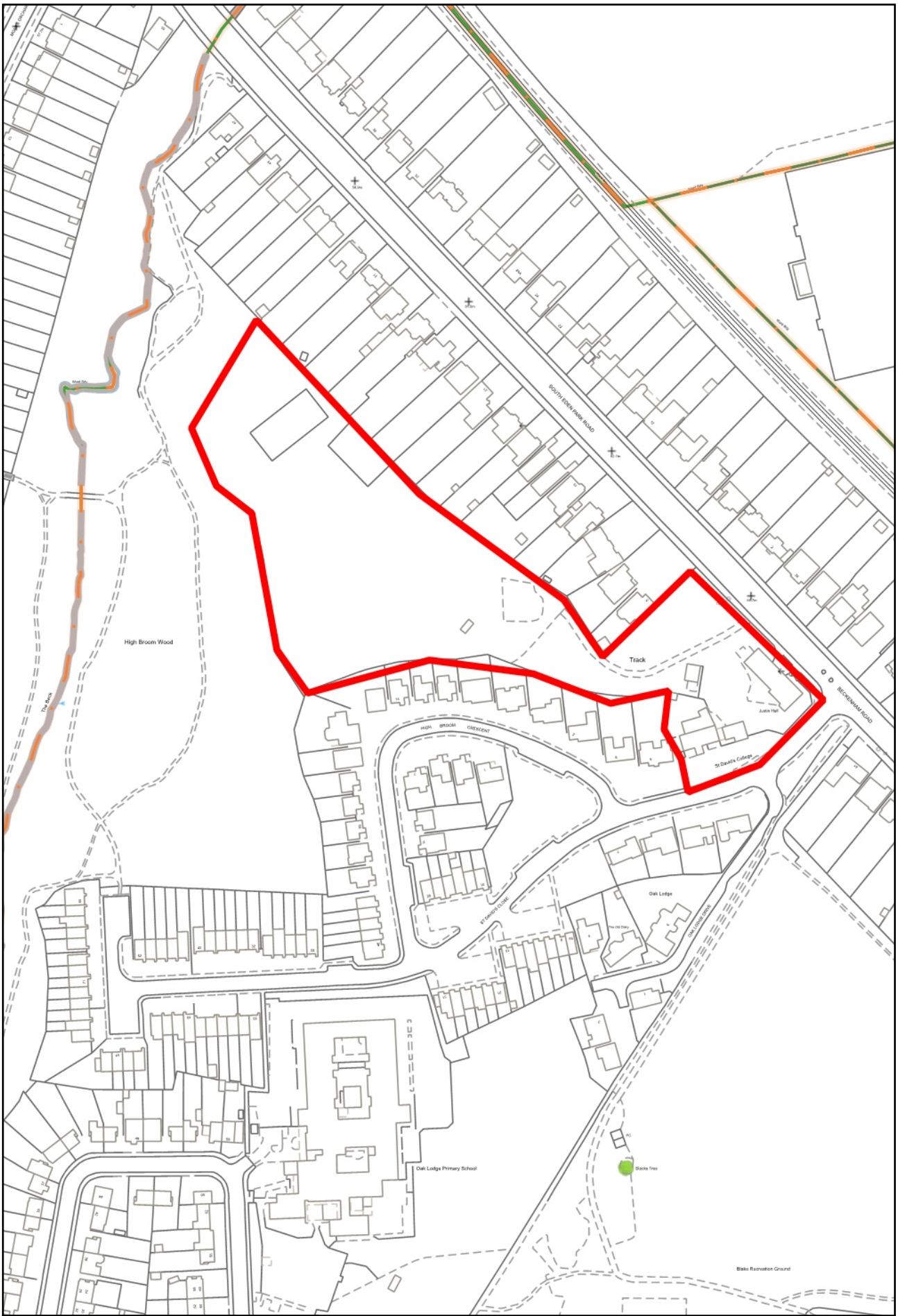
- Temporary permission for retention of Early Years building (building 2) for an additional 5 years.
- Removal of temporary buildings (buildings 3 and 4).
- Compliance with Tree Protection Plan.
- Compliance with Fire Statement.
- Compliance with Travel Plan.
- Compliance with NIA.
- Compliance with AQA.
- Compliance with refuse storage details.
- Compliance with cycle and scooter parking details.
- NRMM compliance

***And delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary.***


### **Informatives**

- Contaminated Land
- Building Regulations Approved Code S technical guidance regarding electric vehicle charge point requirements.
- Thames Water Groundwater Risk Management Permit.
- Use of Thames Water mains water for construction purposes.
- Thames Water minimum pressure.
- Alterations to Street furniture or Statutory Undertaker's apparatus

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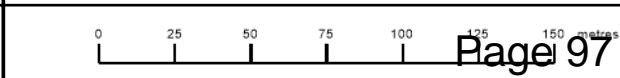
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 **22/04833/FULL1**



08 August 2023

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# Agenda Item 4.3

<b>Committee Date</b>	17.08.2023	
<b>Address</b>	Land At Grangewood Lane Beckenham	
<b>Application Number</b>	23/01225/FULL1	<b>Officer</b> - Russell Penn
<b>Ward</b>	Beckenham Town And Copers Cope	
<b>Proposal</b>	Construction of a detached single storey 2 bedroom dwellinghouse with associated car parking, landscaping and refuse storage.	
<b>Applicant</b>	<b>Agent</b>	
Mr Paul Baker		
8 Hofland Road London W14 0LN United Kingdom		
<b>Reason for referral to committee</b>	<p>Call-In Oppressive, overbearing, intrusive impact on neighbouring houses - green roof planting and maintenance impact on neighbouring houses - design not in keeping with local area - overlapping the curtilage of 2 Grangewood Lane - prevent access of emergency services - parking and vehicular access concerns.</p>	<b>Councillor call in</b>  Cllr Chloe-Jane Ross

<b>RECOMMENDATION</b>	Application Permitted
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<p><b>KEY DESIGNATIONS</b></p> <p>Article 4 Direction Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 12</p>
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<b>Land use Details</b>		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Vacant Land	0
Proposed	Use Class C3 – Residential	77sqm

<b>Residential Use – See Affordable housing section for full breakdown including habitable rooms</b>					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total / Payment in lieu
Market		1			1
Total		1			1

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	1	1	0
Disabled car spaces	0	0	0
Cycle	0	2	2

<b>Electric car charging points</b>	1 passive charging point
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<b>Representation summary</b>	Neighbour letters were sent out on 05/04/2023 and 22/05/2023. An Article 13 site notice was displayed on the site on 06/04/2023
Total number of responses	15
Number in support	0
Number of objections	15

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The site optimisation of the proposed scheme is acceptable and will widen the mix of houses available and contribute towards meeting the needs for new houses.
- The development would not be detrimental to the character and appearance of the area.
- The proposed development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers.
- 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.

## 2 LOCATION

- 2.1 The site is located at the western end of Grangewood Lane and comprises a vacant area of land with no current use. The site is accessed via a private unmade access road leading from Copers Cope Road
- 2.2 A relatively recent development for 8 houses is located to the south of the site, two of which have their back gardens abutting the application site. A small section to the front of the site also adjoins the boundary with No2 Grangewood Lane. To the north flank are the back gardens to No's 13 to 17 Century Way with rear elevations facing south to the site at between 7m to 9m distance. A private pedestrian accessway leading from Century Way separates the site to the rear garden of No's 15 to 17 with No's 13 and 14 adjoining the site. The west of the site is bounded by land owned by Railtrack, there being a narrow margin of open land (approx. 2.8m) adjacent to the platform of New Beckenham Railway Station. A number of trees are situated to the north boundary of the lane in front of the site.
- 2.3 The site is not located within a conservation area.



Location Plan

### 3 PROPOSAL

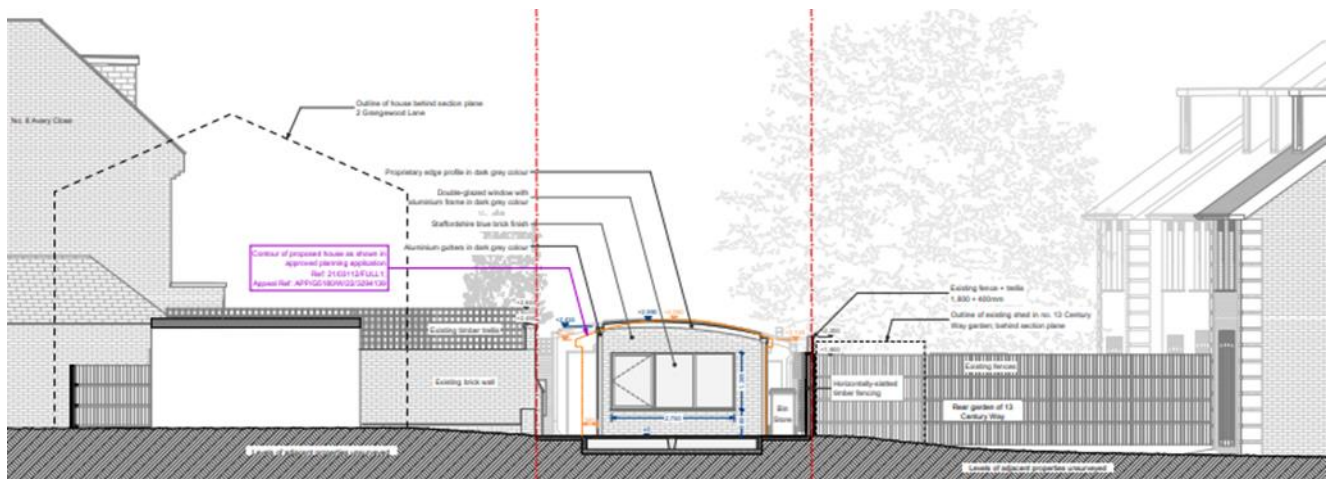
- 3.1 Planning permission is sought for the construction of a detached single storey 2 bedroom dwellinghouse with associated car parking, landscaping and refuse storage.
- 3.2 The dwelling will comprise an irregular but largely rectangular footprint built adjacent to the north boundary and in close proximity to the south flank boundary. A small amenity area is indicated to the rear boundary with the railway line. The design incorporates a lowered internal floor level with an entrance door accessed from a ramped path along the south side of the house. The roof of the house is designed as a single curved linear element along the building's entire length with a sedum blanket green roof installation. The roof eaves are set with gutter levels between 1.8m – 2.2m height relative to levels along the sloping garden access path on the north boundary. The eaves levels on the south side of the building will be similar to those on the north. A parking space with a vehicle turntable and landscaping is provided to the front.
- 3.3 The design is contemporary and the exterior materials finish will use Staffordshire blue brick slip tiling with a dark grey mortar pointing on an external insulation system to all elevations. Window and door openings will be in dark grey aluminium double glazing with matching roof trims and rainwater goods.
- 3.4 The reader is advised that the application is resubmission of a previously consented scheme under reference 21/03112/FULL1. In summary the amendments to the Consented Scheme comprise the following:
- Reconfiguration of the bike store from a horizontal to a vertical cupboard on the front elevation, to allow a wider main bedroom window.
  - Relocation of the refuse storage space from the previously consented location adjacent to the entrance door, integrated into the building, to a new lean-to cabin cabins located beside the bike store, facing the front amenity area.
  - Minor adjustments to the alignment of south facing walls to widen the entrance rampway, increase the distance to the boundary fence with 7/8 Avery Close and also to slightly increase space in Bedroom 2.
  - Adjustment to the front elevation position to compensate for floor area loss following south elevation wall alterations and to increase main bedroom floor area.
  - Relocation of the main entrance door from the east facing to the south facing elevation to improve the internal configuration and increase daylight to the circulation area within.
  - Minor changes to the geometry of the vaulted roof following development of the technical details and external wall adjustments; maintaining the consented ridge height and critical eaves height on the north flank facing the houses on Century Way; raising the eaves by 300mm on the slightly less critical south elevation facing the boundary with 7 & 8 Avery Close.



- Introduction of four sky lights and a row of solar pv panels on the south side of the vaulted roof.
- Relocation of the car parking turntable nearer to the front of the plot, to allow for repositioning of the front elevation and to improve aspect from the front bedroom with existing side gate access for No. 2 Grangewood Lane maintained.

Note: During the course of assessment the location of the turntable has been slightly amended to take account of neighbour representations received.

- Omitting the rebuilding of the west boundary wall adjoining railway land
- Omitting high level windows on west, south and east elevations; minor adjustments to retained glazing proportions in all locations.
- External material change on all elevations from painted render to blue/grey brick tile finish on an external insulation system





*Proposed Birds Eye View*

3.5 The application was supported by the following documents:

- Design and Access Statement & Sustainability Statement
- Construction and Environmental Management Plan

#### **4 RELEVANT PLANNING HISTORY**

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

4.2 14/04349/FULL1: Construction of a two storey 3 bedroom dwellinghouse with associated car parking, landscaping and refuse storage. Withdrawn 09.12.2014.

4.3 16/00740/FULL1: Construction of a two storey 3 bedroom dwellinghouse with associated car parking, landscaping and refuse storage. Refused 19.04.2016

4.4 16/04982/FULL1 Construction of a detached single storey 2 bedroom dwellinghouse with associated car parking, landscaping and refuse storage. Refused 09.01.2017

- Refusal reason stated that the proposed development by reason of its size, design, location and the severely restricted nature of the site would constitute an overdevelopment of the site and would cause significant detriment to the outlook and amenity of the adjoining neighbours.
- The application was appealed and dismissed on 09.08.2017.

4.5 21/03112/FULL1: Construction of a detached single storey 2 bedroom dwellinghouse with associated car parking, landscaping and refuse storage.

- The application was recommended for permission but refused by Members on 17.11.2021 on the grounds that it would result in material harm to the character and appearance of the area or the living conditions of the occupiers of neighbouring dwellings.
- The application was subsequently appealed and allowed on 22.11.2022. The Planning Inspector commented “In respect of this main issue, I therefore find that the proposal would not harm the character and appearance of the area.” The Planning Inspectors comments are addressed in the assessment below.

## 5 CONSULTATION SUMMARY

### A) Statutory

#### Environmental Health Pollution Officer – No objection

- Standing advice received. However, comments received under ref 21/03112/FULL1 remain relevant: No objections within the grounds of consideration. Acoustic condition recommended due to proximity to the railway line. Conditions and informatives recommended re land contamination, construction management, and air quality regarding installation of ultra-low NOx boilers

#### Drainage Officer – No objection

- We accept the use of green roofs, soakaway, permeable paving and Aco channel to attenuate for surface water run-off. Further details of surface water drainage to be sought by condition.

#### Tree Officer – No objection

- No further comments received. However, comments received under ref 21/03112/FULL1 remain relevant: The site is free of tree protective legislation. Tree survey information has been supplied in support of the proposals. The trees recorded on the tree survey do not present a constraint to the proposal. There is little prospect of incorporating new tree planting in the new landscape design. In previous schemes refused, tree protection has been indicated, but I can't see that being necessary in this application. On this occasion, I make no objections and do not recommend any tree specific planning conditions.

#### Network Rai – No objection

- Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland and Wales. As statutory undertaker, NR is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the

operational railway and its assets, ensuring the provision of a safe operational railway.

- Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.
- The applicant/developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works.
- To start the process with our Asset Protection team, the applicant / developer should use the Asset Protection Customer Experience (ACE) system found on Network Rail's Asset Protection website. This website also provides more information about our Asset Protection team and the services they offer.

#### Thames Water – No objection

- No comments to make.

### **B) Local Groups**

No Comments.

### **C) Adjoining Occupiers**

#### Character (addressed in para 7.3)

- Design not in keeping with locality.
- Land area compressed and over densified.
- Overdevelopment of the area.
- Property appears bigger than previously allowed.
- Incongruous development in conflict with the pattern and grain of the surrounding development and local character.

#### Neighbouring amenity (addressed in para 7.6)

- Encroachment will cause issues of privacy and noise nuisance.
- Development still has an oppressive, overbearing, intrusive impact on adjacent property.
- Turntable and siting will impede access to No2.
- Height of building is above fence line.
- Causes overshadowing of neighbour gardens.
- Bigger, more visible, more imposing and would cause loss of amenity especially in regards to 2 Grangewood Lane.
- Concerns with change in outlook and overbearing presence of building.

- Privacy concerns from new building impacting the use of adjacent back gardens.
- Overlooking and light pollution to surrounding houses.

#### Highways and parking (addressed in para 7.5)

- Concerns with access for emergency service vehicles to new dwelling and to adjacent dwellings.
- Only small car fits turntable.
- Will add to increasing traffic in area.
- Concerns regarding the impeded use of Grangewood Lane in terms of vehicle access and highway safety

#### Accommodation standards (addressed in para 7.4)

- Courtyard, bedroom, living rooms lack natural light.
- Security concerns regarding safe and secure access.
- Amenity space small and unsuitable next to a railway line.

#### Noise and disturbance (addressed in para 7.6)

- Concerns with extra noise and disturbance from siting a dwelling at this location.

#### Other comments (addressed in section 7)

- Concerns with maintenance access for green roof.
- Green roof seeds will cause weed issues.
- Housing targets are not a reason to allow this scheme.
- Trellis structure inadequate to screen new dwelling.
- Concerns with impact of the construction process on Grangewood Lane and properties adjacent to access on Century Way.
- Comments regarding the construction management plan adequacy.
- Comments regarding the Party Wall Act implications.
- Comments re site measurements accuracy by 16mm difference.
- Boundary wall should not be knocked down.
- Concerns with turntable location.
- Concerns regarding impact to neighbour trees in Avery Close.

## **6 POLICIES AND GUIDANCE**

6.1 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.

6.2 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.

6.3 The National Planning Policy Framework was revised and published on 20th July 2021. The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (January 2019). The NPPF does not change the legal status of the development plan.

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

#### 6.5 **National Planning Policy Framework 2021**

#### 6.6 **London Plan 2021**

- D1 London's form and characteristics
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of change
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small sites
- H5 Threshold Approach to application
- H8 Loss of existing housing and estate redevelopment
- H9 Ensuring the best use of stock
- H10 Housing Size Mix
- S4 Play and informal recreation
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T7 Deliveries, servicing and construction

## 6.7 Bromley Local Plan 2019

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
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
121	Ventilation and Odour Control
122	Light Pollution
123	Sustainable Design and Construction
124	Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

## 6.8 Supplementary Planning Guidance

Housing: Supplementary Planning Guidance (March 2016)  
Housing Design Standards - London Plan Guidance (June 2023)  
National Design Guide (September 2019)

## 6.9 Urban Design Guide - Supplementary Planning Document (July 2023)

DG1: Reinforcing Local Character and Identity  
DG3: Continuity and Enclosure  
DG5: Architectural Design  
DG6: Materials and Detailing  
DG7: Housing Design  
DG11: Landscape Design  
DG14: Inclusive Design  
DG18: Healthy Homes  
DG20: Sustainable Design

## 7 ASSESSMENT

### 7.1 Resubmission

7.1.1 The application is a further submission leading on from the 2021 application approved at Appeal as detailed above. The main changes are detailed above and

are assessed further below in this report. The conclusions of the Planning Inspector in relations to the 2021 application are also given significant weight.

## 7.2 Principle of Development – Acceptable

- Housing Supply

7.2.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 2nd November 2021. The current position is that the FYHLS (covering the period 2021/22 to 2025/26) is 3,245 units, or 3.99 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.

7.2.2 The NPPF (2021) 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.

7.2.3 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.2.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.

7.2.5 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.



7.2.6 This application includes the provision of one residential dwelling and would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

- Optimising Sites:

7.2.7 Policy H1 Increasing Housing Supply of the London Plan states that to ensure housing targets are achieved boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. Policy 1 of the Local Plan and Policy H1 of the London Plan set the context in the use of sustainable brownfield sites for new housing delivery.

7.2.8 Policy H2 Small Sites of the London Plan states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to significantly increase the contribution of small sites to meeting London's housing needs.

7.2.9 The London Plan does not include a prescriptive density matrix and promotes a design-led approach in Policy D3 to optimise the capacity of sites. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity. Policies D2 and D4 are also relevant to any assessment of development proposals, including whether the necessary infrastructure is in place to accommodate development at the density proposed.

7.2.10 Local Plan Policies 4 and 37 accord with paragraph 130 of the National Planning Policy Framework, which requires development to be sympathetic to local character whilst optimising the potential of sites.

7.2.11 In this case the site is considered to be infill development as opposed to backland development as the site directly adjoins the private access road, although historically the site may have been garden land, the character of the site through the passage of time is now different. Therefore, as the site is located in a residential location in a residential area, the Council will consider infill 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, biodiversity or open space will need to be addressed. Therefore, the provision of an additional dwelling unit on the land appears acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

### 7.3 Design – Acceptable

- 7.3.1 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.
- 7.3.2 Paragraph 126 of the NPPF (2021) states that beautiful and sustainable 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.
- 7.3.3 Paragraph 130 of the NPPF (2021) 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.
- 7.3.4 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.5 Policy D3 of the London Plan relates to ‘Optimising site capacity through the design-led approach’ and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.
- 7.3.6 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.3.7 Policy D5 of the London Plan relates to ‘Inclusive Design’ and states that development proposal should achieve the highest standards of accessible and inclusive design.

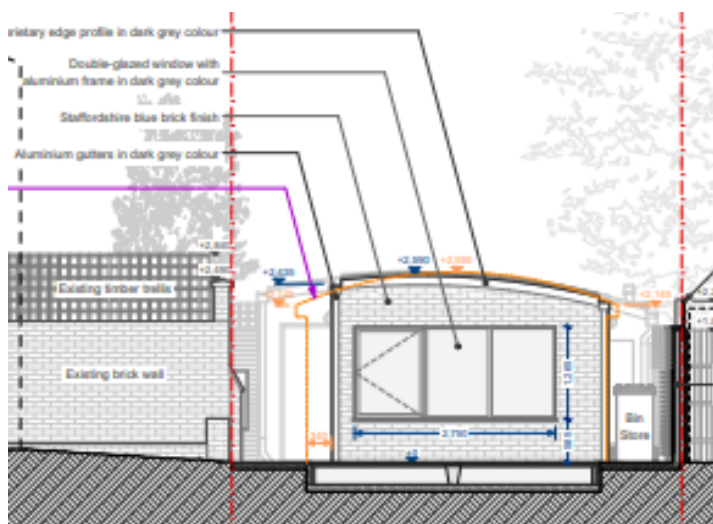
- 7.3.8 Policy H2 of the London Plan states that Boroughs should also recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.
- 7.3.9 Policy 4 of the Local Plan details that all new 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.
- 7.3.10 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.
- 7.3.11 The Councils Urban Design Guide identifies six overarching principles (performance indicators) that are considered essential components in delivering good quality design, and which are widely documented as being among the key characteristics of successful well designed places. These are: Contextual (Character and Identity); Responsive (Architecture and Landscape); Connected (Movement and Connectivity); Inclusive (Access and Inclusion); Healthy (Health and Well-being); and Sustainable (Sustainable Design, Adaptability and Resilience). In addition to the six overarching design principles development proposals are assessed against three broad design considerations; connection (in relation to form and layout), contribution (in relation to visual and functional quality), and clarity (in relation to the quality of user experience).
- 7.3.12 In this case, the site is prominently situated at the end of Grangewood Lane. There is no evidence of building foundations on the site to suggest there have been any previous developments and it is assumed that the plot was once residential garden associated with Grangewood, Copers Cope Road. No's 1, 2 and Southcroft all represent historical infill properties to the rear of No89, resulting in the formation of the private access road leading to the site at the same width as the access road itself. As a result, the site is relatively narrow and elongated. North of the site are

the properties of Century Way which are in relatively close proximity of the site with garden depths ranging to approximately 7m to 9m. To the south are No's 7 and 8 Avery Close with rear garden boundaries adjoining the other flank site boundaries at a similar proximity. Consequently, the development potential of the site is therefore substantially constrained in terms of its potential in terms of footprint, height and scale.

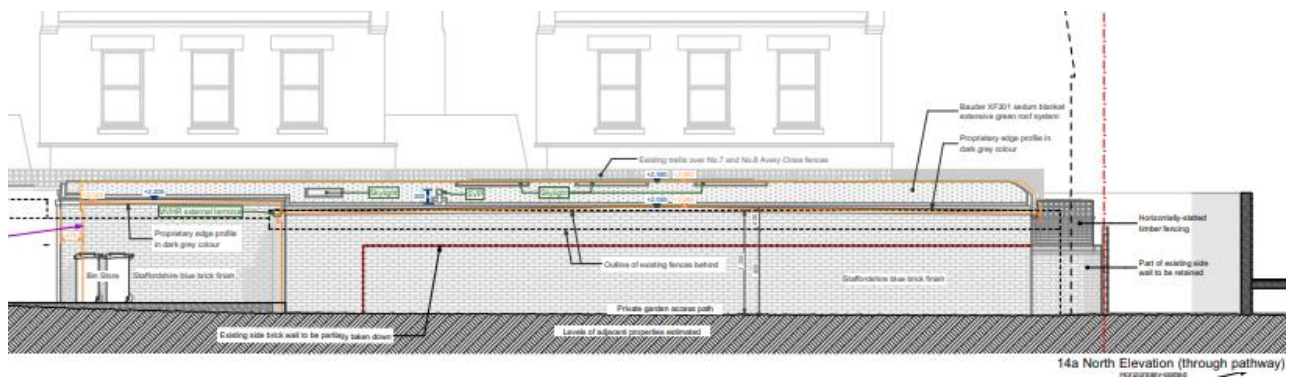
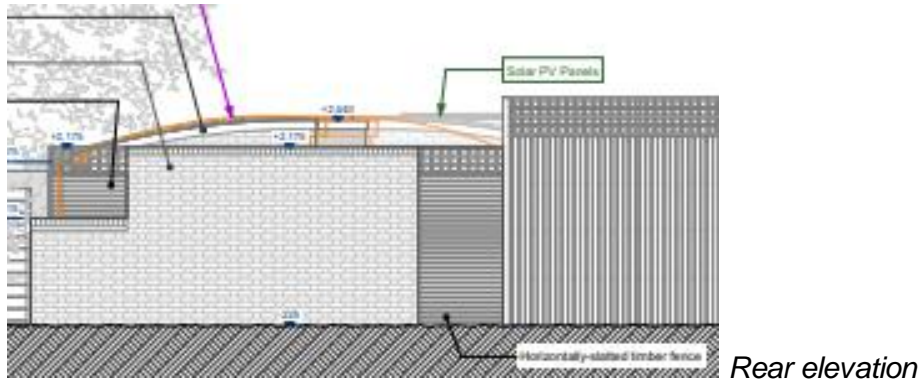
7.3.13 In terms of the design-led approach it is acknowledged that an innovative design approach is required on this site which responds to the particular characteristics of the site, its surroundings and the needs of existing and future residents.

7.3.14 It is also of importance to note that in the 2021 Appeal the Planning Inspector commented “The planning site history indicates the proposed development has been refined through various design iterations. In its current form, its design represents a unique and considered response to the considerable site constraints. While it would fill the width of the site, the proposal would retain space to the front and rear, commensurate to the scale of the development and its urban setting. The proposed dwelling’s muted finish and its modest frontage, massing, roof form, and overall height would appear subservient to its surrounding context. It would not appear unduly obtrusive in its setting but, instead, would form an imaginative and respectful addition to the character and appearance of the area.”

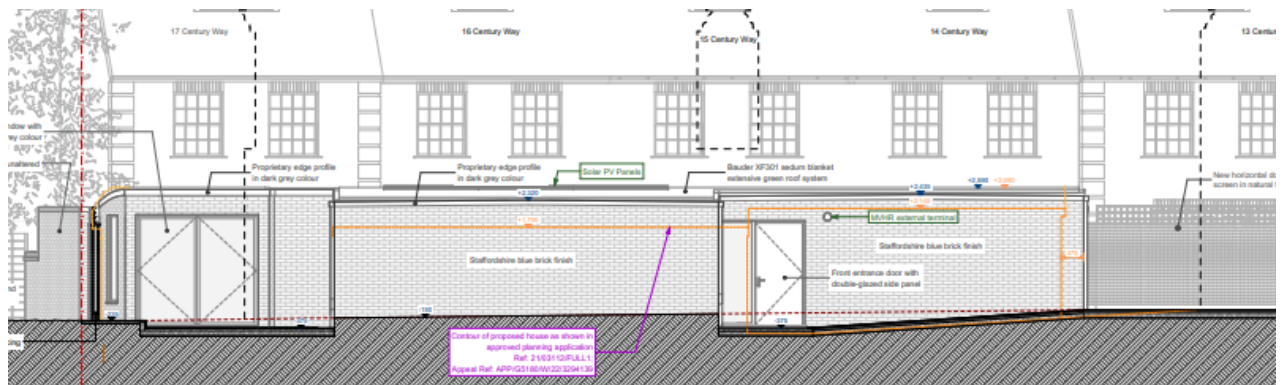
7.3.15 Taking into account the conclusions of the Planning Inspector as detailed above, the variations as listed and proposed to the building would appear minimal in context. On balance, it is considered that the revised design, scale and height of the development and proximity to the boundaries will remain to be at a scale and design that is not sufficiently overbearing to neighbouring property or out of context with its setting at this location to warrant withholding planning permission on this basis.



Front elevation



North elevation through pathway.



South elevation

## 7.4 Standard of residential accommodation – Acceptable

7.4.1 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.

- 7.4.2 Policy D6 of the London Plan relates to 'Housing quality and standards' states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. The policy also prescribes internal space within new dwellings and external spaces standards that are in line with the National Technical Housing Standards.
- 7.4.3 Furthermore, The Housing Design Standards - London Plan Guidance (June 2023) is a list of housing standards that are applicable to all self-contained residential applications (Use Class C3).
- 7.4.4 Policy D7 of the London Plan - Accessible Housing, states that to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and; all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
- 7.4.5 Part M compliance has been stated within the submitted Design and Access Statement. A compliance condition is recommended with any permission in this regard.
- 7.4.6 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.
- 7.4.7 Policy D6 of the London Plan and the nationally described space standard requires a Gross Internal Area of 70m<sup>2</sup> for a two bedroom four person dwelling house on a single level. The floor space size of the house is indicated as 77m<sup>2</sup>. On this basis the floorspace provision is considered acceptable.
- 7.4.8 The shape, room size and layout of the rooms in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. In terms of amenity space, a small rear courtyard area is provided with an area of 18m<sup>2</sup> which is considered suitable for the unit occupancy level. The front door to the proposed dwelling is located down a short

side walkway. It would however remain visible from the lane, which itself benefits from natural surveillance.

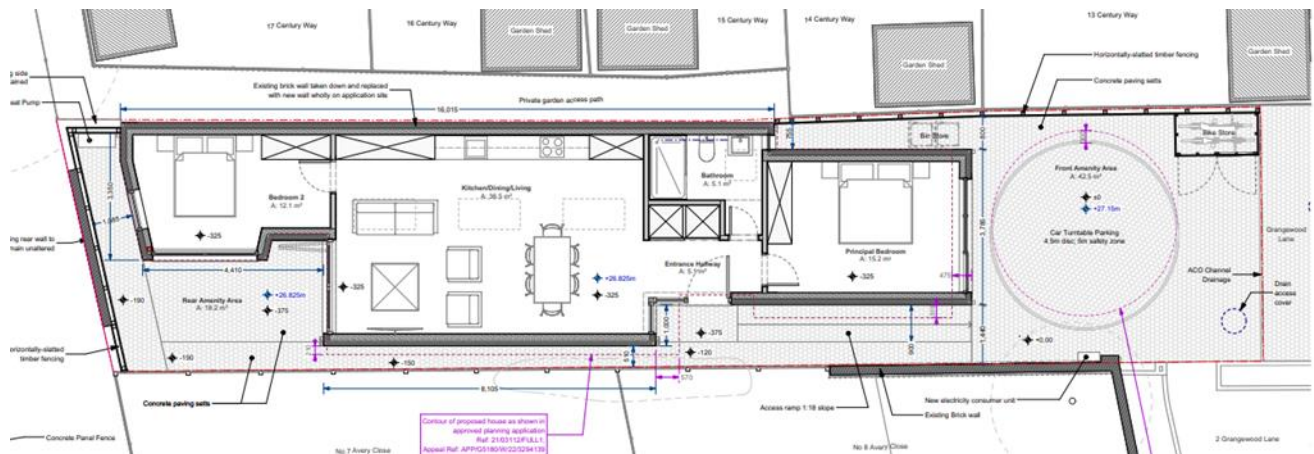


Diagram of Internal Layout

## 7.5 Highways – Acceptable

7.5.1 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.

7.5.2 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.

7.5.3 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

7.5.4 A single parking space has been provided utilising a turntable to allow entrance and exit in a forward gear. The Council's Highway Officer has commented that a single space is required for a two bedroom property of this nature and not raised any objections to the scheme. The positioning of the turntable has been moved northwards in this revised scheme to allow greater room for pedestrian access to No2 Grangewood Lane. This is welcomed. Given the incorporation of the turntable it is considered that an adequate car parking provision has been made. In terms of occasional visitor vehicles to a single property it is not considered requisite that a provision should be made for this for a single unit.

7.5.5 On balance the car parking as laid out would not give rise to parking congestion and hazardous vehicle movements at and within the vicinity of the site that may have otherwise been detrimental to the safety of pedestrians, the safe and free flow of traffic on Grangewood Lane.

- Cycle parking

7.5.6 Cycle parking is required to be 2 spaces for a new dwelling. Two spaces are indicated located externally in a dedicated containment unit to the frontage area. Further details of the containment structure are recommended to be sought by planning condition.

- Refuse storage

7.5.7 All new developments shall have adequate facilities for refuse and recycling. Refuse storage is indicated on the external north flank of the front bedroom close to the front parking area. It is assumed a future occupier will place the receptacles at a suitable collection point on collection days. Given the single unit nature of the application it is not deemed necessary that this process should be the subject of a planning condition. However, it is recommended that visual screening of the external bin store area is required which can be sought by planning condition.

- Fire safety

7.5.8 Policy D12 of the Draft London Plan states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they identify suitably positioned unobstructed outside space for fire appliances to be positioned on; appropriate for use as an evacuation assembly and are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire including appropriate fire alarm systems and passive and active fire safety measures; are constructed in an appropriate way to minimise the risk of fire spread; provide suitable and convenient means of escape, and associated evacuation strategy for all building users; develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in; provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

7.5.9 It is noted that some concerns have been raised in this regard from representations received. For developments of this type with a single unit of occupancy the matter of fire safety compliance is covered by Approved Document B of the Building Regulations. The developer has taken account of this in their design as documented in the submitted Fire Safety Report.

## 7.6 Neighbouring Amenity – Acceptable

7.6.1 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.



- 7.6.2 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.
- 7.6.3 In terms of outlook, the fenestration arrangement will provide front outlook and limited courtyard outlook for the habitable rooms. No outlook is provided to the flanks north and south to the adjoining property boundaries.
- 7.6.4 It is noted that concerns have been raised in the locality regarding the impact of the structure in terms of the dwelling being overbearing, a sense of enclosure being caused and a loss of outlook to properties on Century Way. Officers consider that these objections have been largely mitigated by the single storey massing of the proposed structure.
- 7.6.5 It is also noted that the Planning Inspector previously commented that, "Despite its proximity, the proposal would therefore not appear oppressive, overbearing or result in an undue sense of enclosure. As such, I find it would not unacceptably harm the outlook from these neighbouring properties." "Due to the proposal's modest height however, I do not consider it would result in any considerable adverse sense of overbearing or enclosure for neighbouring occupiers"
- 7.6.6 Given the limited changes to the now revised scheme as detailed above, on balance and taking into account the limited depths of the rear gardens, the structure at the revised boundary heights now proposed is not considered to limit daylight and outlook or create a sense of enclosure to an extent that will warrant withholding planning permission on this basis.
- 7.6.7 Consideration is also made in respect of the level of occupation of the site in that noise and disturbance will increase from a previously unoccupied open site. On balance there will be an increased impact of this nature, however, in an urban environment the increase in terms of potential occupier noise is not considered unduly unacceptable at this location.

## 7.7 Sustainability – Acceptable

- 7.7.1 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 7.7.2 Paragraph 9.2.3 of the London Plan states that Boroughs should ensure that all developments maximise opportunities for on-site electricity and heat production from solar technologies (photovoltaic and thermal) and use innovative building materials and smart technologies. This approach will reduce carbon emissions, reduce energy costs to occupants, improve London's energy resilience and support the growth of green jobs.

7.7.3 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.

7.7.4 A green roof is included over the curved flat roof of the building which is welcomed. A compliance condition is recommended in this regard.

7.7.5 An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

#### 7.8 Sustainable Drainage – Acceptable

7.8.1 Policy SI 13 Sustainable Drainage of the London Plan states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

7.8.2 Policy 116 of the Local Plan details that all developments should seek to incorporate sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible.

7.8.3 The Councils Drainage Officer has reviewed the submitted details in respect of surface water drainage. It is recommended that further detail of a scheme for the provision of surface water drainage shall be submitted by planning condition with any permission.

#### 7.9 Air Quality - Acceptable

7.9.1 Policy SI 1 Improving Air Quality, outlines in summary that development proposals should not lead to further deterioration of existing poor air quality and shall minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro fitted mitigation measures.

7.9.2 Policy 120 of the Local Plan states that developments which are likely to have an impact on air quality or which are located in an area which will expose future occupiers to pollutant concentrations above air quality objective levels will be required to submit an Air Quality Assessment.

7.9.3 The site is located within the Bromley AQMA (2020). Therefore, it is considered prudent for the development to incorporate Ultra Low NOx boilers as necessary. A condition is recommended in this regard with any permission.

#### 7.10 Tress and Landscaping – Acceptable

7.10.1 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.

7.10.2 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.

7.10.3 The Council Tree Officer has previously reviewed the site and advised the trees recorded on the tree survey do not present a constraint to the proposal. An indicative landscaping layout primarily of hard landscaping has been submitted as shown on the proposed ground floor site plan drawing that details the areas given over to external areas for future occupiers. No objections are raised in this regard. A landscaping condition can secure further soft planting at ground level by way of planters for instance to improve bio diversity on this site.

## 7.11 CIL

7.11.1 The Mayor of London's CIL and the Borough CIL are material considerations. CIL is payable on this application and the applicant has completed the relevant form.

## 7.12 Other matters

7.12.1 Boundary wall ownership rights are outside the planning remit. The plans indicate the boundary wall is within the application site and the applicant has signed Certificate A accordingly.

7.12.2 A Construction and Environmental Management Plan has been submitted as part of this application. The details have been reviewed and are considered sufficient to manage the short term impacts of the construction process. A compliance condition is recommended.

7.12.3 Access for Green roof maintenance can be carried out from the site area to the front of the site. A recommended planning condition will ensure that the green roof will be maintained in perpetuity.

7.12.4 The pedestrian access to the rear of properties adjoining the site fronting onto Century Way will be unaffected by the resultant finished scheme.

## **8 CONCLUSION**

8.1 Taking into account the above, the proposed 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 site optimisation and unit type of the proposed scheme is acceptable and that the development would not be detrimental to the character and appearance of the 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.

8.2 On balance the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply.

8.3 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:** Application Permitted

**Subject to the following conditions:**

**Standard condition**

1. Standard time limit of 3 years
2. Standard compliance with approved plans

**Pre-commencement**

3. Details of sustainable surface water drainage.

**Prior to above ground works**

4. Details of landscaping for hard and soft areas.
5. Details of materials.
6. Details of refuse storage containment.
7. Details of lighting scheme.
8. Details of cycle parking
9. Details of an acoustic assessment re railway line

**Prior to occupation/use**

10. Parking arrangements to be installed as approved.
11. Details of electric car charging point.
12. Green roof installation compliance.

**Compliance conditions**

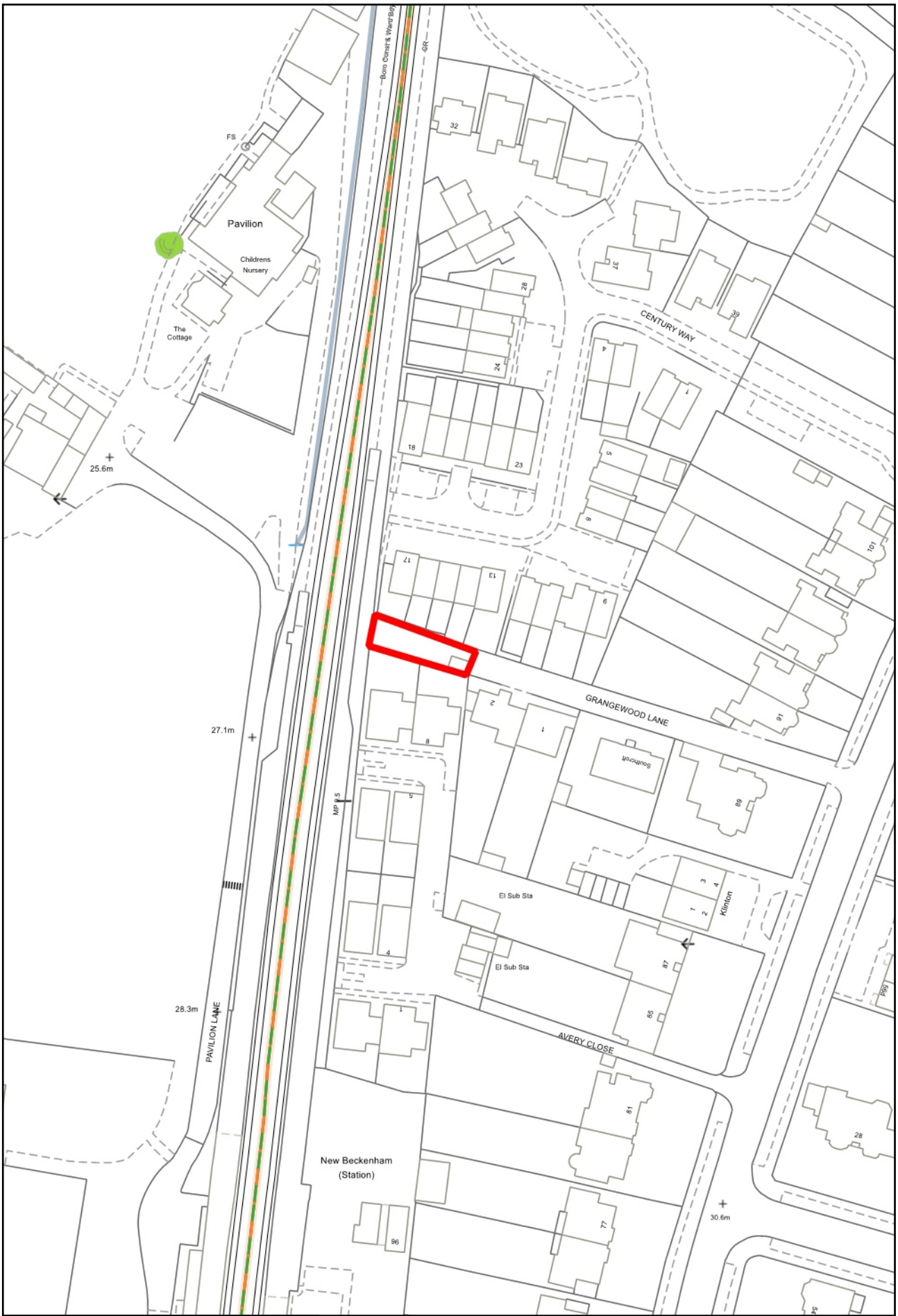
13. No additional pipes or plumbing.
14. Removal of all permitted development rights.
15. Implementation in accordance with approved slab levels
16. Compliance with Part M of the Building Regulations.
17. Installation of ultra-low NOx boilers.
18. Turntable installation and retention permanently.
19. No access to railway land.
20. Construction and Environmental Management Plan compliance.
21. Fire safety compliance.

**Delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary.**


#### **Informatives**

- 1. Reminder regarding submission of pre commencement conditions.**
- 2. Contact naming and numbering Officer at the Council.**
- 3. Reminder of CIL payments.**
- 4. Reminder regarding Part M compliance.**
- 5. Reminder regarding Part B compliance.**
- 6. Compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017**
- 7. Contact Environmental Health re contamination.**
- 8. Contact Network Rail prior to works.**
- 9. Energy efficiency measures.**

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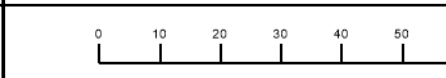
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