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DATE: 5 June 2024

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

Councillor Peter Dean (Chairman)
Councillor Tony Owen (Vice-Chairman)
Councillors Will Connolly, Charles Joel, Keith Onslow, Chris Price, Shaun Slator,
Ryan Thomson and Gemma Turrell

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre,
Stockwell Close, Bromley, BR1 3UH on **THURSDAY 13 JUNE 2024 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 020 8461 7588

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

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

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

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 8TH FEBRUARY 2024**
(Pages 1 - 8)
- 4 **PLANNING APPLICATIONS**

Report No.	Ward	Page No.	Application Number and Address
4.1	Beckenham Town & Copers Cope	9 - 30	(23/01054/FULL1) - Crystal Palace Football Club Academy, Copers Cope Road, Beckenham, BR3 1NZ.
4.2	Hayes & Coney Hall	31 - 52	(23/02065/FULL1) - 40 Croydon Road, West Wickham , BR4 9HR
4.3	Beckenham Town & Copers Cope	53 - 82	(23/04907/FULL1) - Crystal Palace Football Club Academy, Copers Cope Road, Beckenham, BR3 1NZ.
4.4	Bromley Common & Holwood	83 - 100	(24/00109/FULL1) - Holwood House, Westerham Road, BR2 6HB
4.5	Clock House	101 - 118	(24/00159/FULL1) - Borough Council Depot, Churchfields Road, Beckenham, BR3 4QY.
4.6	Bromley Common & Holwood	119 - 136	(24/00182/FULL1) - London Borough of Bromley, Waldo Road, Bromley, BR1 2QX.
4.7	Penge & Cator	137 - 170	(24/00218/FULL1) - 57 Kangley Bridge Road, Lower Sydenham, London SE26 5BA
4.8	Kelsey & Eden Park	171 - 190	(24/00351/FULL1) - Sports Pavilion, Creswell Drive, Beckenham
4.9	Shortlands & Park Langley	191 - 202	(24/01221/FULL6) - 97 Ravensbourne Avenue, Bromley, BR2 0A

- 5 **CONTRAVENTIONS AND OTHER ISSUES**

NO REPORTS

6 TREE PRESERVATION ORDERS

NO REPORTS

The Council's [Local Planning Protocol and Code of Conduct](#) (Chapter 30, Section 7, Page 19) sets out how planning applications are dealt with in Bromley.

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PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 8 February 2024

Present:

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

20 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Onslow, and Councillor Michael attended as substitute. Apologies also received from Councillor Thomson.

21 DECLARATIONS OF INTEREST

There were no declarations of interest.

22 CONFIRMATION OF MINUTES OF MEETING HELD ON 12TH OCTOBER 2023

The Minutes of the meeting held on 12th October 2023 were agreed and signed as a correct record.

23 PLANNING APPLICATIONS

23.1 DARWIN

(22/04228/FULL6) - Jubilee Cottage Cudham Lane South Cudham Sevenoaks TN14 7PA

In a presentation given by Planning, Members heard that this was an application for the formation of an additional vehicular access to create a carriage driveway. Since the Report/Agenda was published, there had been an objection statement received from a neighbour. Ward Member, Councillor Andrews, was unable to attend the meeting but had provided a written statement expressing his concerns and considerations (circulated to Members and attending Officers prior to the meeting).

Members discussed the application, acknowledging that the site was on a busy and tricky road and that

the plan would make it safer for residents and traffic. It was stated that conditions could be added regarding the importance of using porous materials for the driveway. Concerns were raised regarding the effect of the proposal on the existing hedgerows and trees, with the suggestion that this was covered under an additional condition. The removal of Permitted Development Rights along the front of the property was also recommended should approval be given.

Members having considered the report and objections, **RESOLVED** that **PERMISSION BE GRANTED** as recommended, subject to the conditions as set out in the report **and the following conditions:**

6. Should any tree or part of the hedge along the front boundary die, be removed or become seriously damaged or diseased as a result of the construction works it shall be replaced in the next planting season with another of similar size and species to that originally planted.

Reason: In order to comply with Policies 37, 73 and 74 of the Bromley Local Plan and in the interest of the visual amenities of the area.

7. The surface water drainage system indicated on the approved drawings shall be completed and permanently retained thereafter.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy SI13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting this Order) no development permitted by Class A (gates, fences, walls etc) of Part 2 of Schedule 2 of the Order shall at any time be constructed on the site frontage without the prior approval in writing of the Local Planning Authority.

Reason: In the interest of road safety and to comply with Policies 32 and 37 of the Bromley Local Plan

9. The driveway hereby permitted shall include

the use of porous materials to ensure adequate drainage and reduce the risk of surface water run-off.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy SI13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan.

**23.2
DARWIN**

**(23/02241/PLUD) - 5 Leaves Green Crescent,
Keston BR2 6DN**

This application was for the siting of a caravan/ mobile home within the rear garden area of the existing property for purposes incidental to the enjoyment of the dwellinghouse as such (Lawful Development Certificate Proposed).

A presentation was given by Planning in which Members were informed that this application was originally discussed at the Plans 4 Sub-Committee meeting on 11th January 2024, but was deferred without prejudice for Officers to provide further information. These details included the legal definition of a mobile home/caravan, and to include relevant legislation, and case law.

Page 18 of the Report provides an update on the information requested, with Planners stating that the additional information did not warrant a change to the initial recommendation for the Certificate of Lawfulness to be granted.

It was highlighted to Members that an identical LDC application (22/04204/PLUD) was previously refused in April 2023 and was currently at the appeal stage. After assessing additional information provided by the applicants to address the reasons for refusal, the Council had decided not to contest the appeal case.

Since the Report/Agenda was published, there had been additional comments received in objection from a neighbour. Ward Member, Councillor Andrews, was unable to attend the meeting, but had provided a written statement expressing his concerns and considerations (circulated to Members and attending Officers prior to the meeting).

An oral representation in support of the application was then given by the applicant. It was stated that no

other considerations should be taken into account other than was the siting of the caravan lawful in this case, and the applicant expressed his frustrations at the Council's response to previous applications. The application should purely be a question of lawfulness and the applicant could see no law that existed to prevent the caravan being sited as per the application.

In response to a question regarding the location of a nearby tree with a TPO, the applicant confirmed that the siting of the caravan would not affect the tree.

The Legal Representative highlighted to Members that under an application for a Certificate of Lawfulness of proposed use or development, it is up to the applicant to specifically state the basis on which the determination should be made i.e., to confirm the proposed use for which a certificate is sought. Concerns that in the future an alternative use could take place cannot be used as the basis for making a decision. The applicant has not applied for the caravan to be used as a separate dwelling, but to be used as a music/hobby/study room, a digital mixing area with a bathroom and a store incidental to the use of the main house. The LDC would confirm the use for which it is applied and would be carefully drafted to refer to the specific use applied for.

During discussions, Members still expressed their concerns regarding whether in the future the caravan would be used for residential purposes. It was also mentioned that, if approved, an informative could be added regarding the TPO and how the caravan is brought in/sited.

Members having considered the Report, objections and representations, **RESOLVED** that a **LAWFUL DEVELOPMENT CERTIFICATE BE GRANTED** as recommended on the basis of the documents submitted with the application, **with the amended informative:**

The applicants should be aware that a separate TPO consent application should be submitted if there are any potential impacts on the protected oak tree (TPO 2874) including during assembly and siting of the caravan hereby permitted. If the applicant requires to prune the tree, details of this should be specified in a separate TPO consent application for further assessment.

**23.3
CRYSTAL PALACE &
ANERLEY**

**(23/02944/ADV - Crystal Palace Park, Thicket Rd,
Penge, SE20 8DT)**

Members were informed that the application was for 8 x non-illuminated information signs/donor recognition plates to be displayed on existing railings surrounding the lake and dinosaur sculptures in Crystal Palace Park.

Following the presentation from Planning, the Chairman stated that it was felt this was a straight-forward application with no objections and there should be no reasons for refusal.

Members having considered the Report, and representations, **RESOLVED** that **ADVERTISING CONSENT BE GRANTED** as recommended, subject to the conditions set out in the Report.

**23.4
CHISLEHURST**

**(23/03457/FULL1) - Suite 6, Royal Parade Mews,
Chislehurst, BR7 6TN**

This Application was withdrawn from the Agenda prior to the meeting pending receipt of further information identified as necessary in order for the application to be considered.

**23.5
CRYSTAL PALACE &
ANERLEY**

**(23/03655/FULL1) - Betts Park, Croydon Rd,
Penge, SE20 8TJ**

The presentation from Planning informed Members that the application was for the installation of a cast stone obelisk with concrete core on an existing stone plinth, to create a monument of approximately 6m in height within Betts Park. The Friends of Betts Park applied for funding from the Council's Jubilee Fund to restore the historic monument. Page 106 of the Report explains the full reasons for the location of the monument.

Members agreed with the Chairman that there were no real grounds for refusal of the application.

Members having considered the Report, and representations, **RESOLVED** that **PERMISSION BE GRANTED** as recommended, subject to the

conditions set out in the Report.

**23.6
ST MARY CRAY**

**(23/04083/FULL6) - 51 Sweeps Lane, Orpington,
BR5 3PE**

Planners gave a presentation informing Members that the application was to reduce the height and depth of the existing extension to address the Enforcement Notice currently in place. The Enforcement Notice was issued in May 2022 and required the removal of the unauthorised extension.

During discussions, Members felt that the proposals were still too large with not too much change to the current extension and constituted an overdevelopment of the site.

Planners informed Members that the applicant previously had approval for an extension (now expired), and they were now attempting to bring the size down to a similar size to that which was previously approved.

In response to a Member's question regarding whether the application should be deferred to allow Planning Officers to visit the site to measure up etc, Planning stated that an Officer had already carried out a site visit.

Members voted on the motion to refuse the application on the basis of the bulk and size of the development, that it was out-of-keeping with the street scene and the impact on neighbouring amenities, but the motion was not carried.

Members having considered the Report, and representations, **RESOLVED** that the application **BE DEFERRED without prejudice to seek a reduction in size.**

**23.7
FARNBOROUGH &
CROFTON**

**(23/04349/FULL6) - Briarfield, Hazel Grove,
Orpington, BR6 8LU**

Planning confirmed that the application seeks permission for the demolition of the existing garage and garden room and the construction of a two storey side/rear extension, part two storey front extension plus additional single storey side extensions.

The development would also include the roof ridge height being raised with new crown top roof and central lantern to create loft conversion with rear dormers and side rooflights, and general elevational alterations and remodelling with extended driveway.

In an update Members were informed that two letters of support had been received since the Report/Agenda was published.

Ward Councillor and Committee member, Councillor Joel, had visited the site and confirmed that there were lots of houses of similar design within the area with the plans complementing the existing street scene.

The Chairman highlighted to Members that although this was a large proposal/development, it was set back from the road with little or no impact to neighbouring properties. The current property is of no significant heritage interest, the plans are in-keeping with surrounding properties and there have been no local objections to the plans.

In response to a question, Planning confirmed that the plan is for extensions and alterations to the current house. Some of the existing house is to be retained with substantial changes and extensions.

Members having considered the Report and representations, **RESOLVED** that **PERMISSION BE GRANTED** as recommended, subject to the conditions as set out in the Report.

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CONTRAVENTIONS AND OTHER ISSUES

NO REPORTS

25

TREE PRESERVATION ORDERS

NO REPORTS

The Meeting ended at 7.58 pm

Chairman

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Agenda Item 4.1

Committee Date	13.06.2024	
Address	Crystal Palace Football Club Academy Copers Cope Road Beckenham BR3 1NZ	
Application Number	23/01054/FULL1	Officer - Susanna Stevenson
Ward	Beckenham Town And Copers Cope	
Proposal	Excavation and construction of a basement to provide indoor sports therapy pools and plant room (related to the approved use as a football academy), together with extensions and elevational alterations to the former Gambado Sports Hall and lean-to building, car parking, external store and landscaping (part retrospective)	
Applicant	Agent	
c/o Agent	Mr Aaron Zimmerman	
c/o Centro Planning Consultancy 104C St. John Street London EC1M 4EH United Kingdom	104C St John Street London EC1M 4EH United Kingdom	
Reason for referral to committee	Call-In	Councillor call in
	Call-In	Yes - concern regarding the lack of visitor drop-off/pick-up zone provided under 19/04644/FULL1, potential reversing movements onto Copers Cope Road, lack of adequate on-site traffic management and parking, and lack of detail on spoil removal.

RECOMMENDATION	PERMISSION
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area Biggin Hill Safeguarding Area Biggin Hill Safeguarding Area Green Chain London City Airport Safeguarding</p>
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London City Airport Safeguarding
 London City Airport Safeguarding
 Metropolitan Open Land
 Smoke Control SCA 12

Land use Details

	Use description	Floor space (GIA SQM)
Approved	Football Academy (Class F1)	1520 sqm
Proposed	Football Academy (Class F1)	+213 sqm (proposed plant room in basement, extension to stair core, link to adjacent building, alterations to ground floor entranceway and connection to adjacent building).

Vehicle parking (within red line application site)	Approved number of spaces	Total proposed including retained spaces	Difference in spaces (+ or -)
Standard car spaces	2	2	N/A
Disabled car spaces	1	1	N/A

Representation summary	<p>The application was advertised by way of a site notice and press advertisement.</p> <p>Local residents were notified of the application originally on 5th April 2023.</p> <p>Local residents were again notified of the application following the receipt of amendments (to revert to layout of drop off/pick up area and parking approved under reference 19/04644/FULL1), with letters sent on 23rd April 2024.</p>
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Total number of responses	5
Number in support	0
Number of objections	5

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- No significant harm to neighbouring occupiers would result as a consequence of the development, including the rooftop plant and the window alterations/increase in window openings.
- The proposal has an acceptable visual impact and would not significantly harm the character and appearance of the area.
- The proposal would not increase the intensity of the use of the Academy site, and would not result in an increase in trips to/from the site – no significant highways impacts would arise.
- The provision of enhanced sporting facilities within the extent of the previously approved building is considered acceptable in principle in land use terms, and the proposal would cause no additional harm to the openness and character of the Metropolitan Open Land.

2. LOCATION

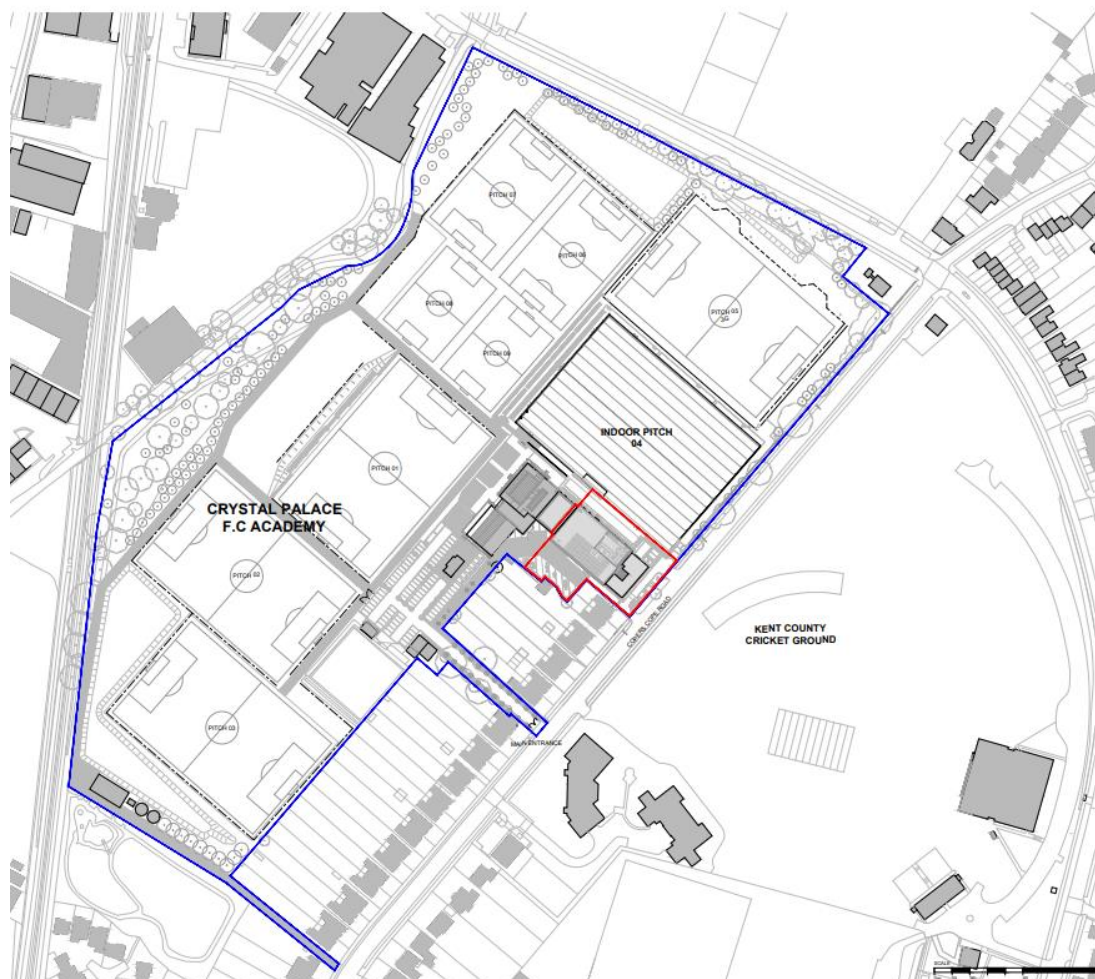


Figure 1 – site location/block plan

- 2.1 The site is located on the north-western side of Copers Cope Road and comprises a private sports ground. The building the subject of this application comprises a former sports hall which more recently was used as the Gambados children's play space/centre. Land around the building has been landscaped and altered from the previous arrangements detailed in 2.2 below following planning applications submitted since 2019.
- 2.2 The overall site has passed from comprising a mix of a gym, the Gambados space, and Goals 5-a-side Soccer Centre, to being used exclusively by the Crystal Palace FC Academy.
- 2.3 The site has been altered significantly since the commencement of the Academy use of the site, and following applications for planning permission submitted since 2019. The red line application site comprises the building (former Gambados Centre) and smaller areas adjacent to the building, to the front, sides and rear.



Figure 2 – aerial view of application site

- 2.6 Opposite the site on copers Cope Road is further sports pitches and related development including Kent County Cricket Ground and CPFCs first team's training ground.
- 2.7 The red line application site is bounded to the south western and north eastern sides and to the north western rear by the large, covered pitch and landscaped areas associated with the Academy. The nearest residential property to the application site is No. 169 Copers Cope Road which lies to the south west of the site and within the Area of Special Residential Character.



Figure 3 – Front elevation facing Copers Cope Road (13/05/24)

- 2.8 The entire site (red line application site and blue line indicating land in applicant's ownership) is within Metropolitan Open Land (MOL) and the South East London Green Chain.
- 2.9 The main vehicular access to the site lies between Nos. 153 and 155 Copers Cope Road. Historically, the site included a one-way system with vehicles entering the site from this access point, and exiting between the application building and No. 169 Copers Cope Road.
- 2.10 The site is in an area with PTAL rate of between 1b and 2 (on a scale of 0 – 6b, where 6b is the most accessible). Lower Sydenham Station is located approximately 300m to the north of the site.

3. PROPOSAL

- 3.1 Part retrospective planning permission is sought for development comprising the excavation and construction of a basement to provide indoor sports therapy pools and plant room (related to the approved use as a football academy), together with extensions and elevational alterations to the former Gambado Sports Hall and lean-to building, car parking, external store and landscaping.
- 3.2 The building in question formerly comprised the Gambados play centre and is located close to the boundary of the wider site with Copers Cope Road, positioned between the existing covered indoor pitch, the former Gambados car park and the boundary of the site with No. 169 Copers Cope Road.

- 3.3 The planning permission granted under reference 19/04644/FULL1 related to development described “Erection of a covered full-size football pitch, creation of an artificial full-size pitch with floodlighting, and regrading of the site to create a full-size show pitch with spectator seating and six training pitches (two full-size, two 3/4 size and two half-size). External alterations and lobby and link extensions to the existing buildings. Installation of maintenance/store sheds, water tanks and under-pitch infrastructure. Associated highway and landscaping works” and covered a much larger application site.
- 3.4 Application reference 19/04644/AMD3 sought a non-material amendment to the planning permission “to include alterations to approved floorplans to provide indoor sports therapy pools.” The scope of the amendment was not considered to comprise development capable of being implemented as a non-material amendment, in part in view of the proposal including engineering operations associated with the formation of a basement, as well as elevational alterations which were considered material – therefore warranted consideration of the scope of the works as part of a formal application for full planning permission.
- 3.5 In total, the proposals would provide 213 sqm of new floorspace over and above that previously granted – with this related to alterations to the ground floor entrance and links to the adjacent buildings, a proposed plant room and pool/hydrotherapy complex in the basement and an extension to the stair core. Furthermore, the proposal includes external plant situated on the roof of the building, with screens surrounding the plant.



Figure 4 – CGI showing proposed front of building and rooftop works

- 3.6 Elevational alterations and external materials form part of the application. While the submitted drawings include reference to internal mezzanine and first floor construction, these aspects have been indicated for information only – since these specific works do not constitute development and do not form part of the application which is limited to the matters above.



Figure 5 – CGI showing proposed front/side elevation

- 3.7 The amended proposals include the additional installation of obscure glazed vertical windows within the southern elevation. Internal space served by the windows is not defined – reference to “future fit out” but the annotation on plan and elevation confirms obscure glazing.
- 3.8 With regards to external appearance/external works, the following images show the approved development and proposed development.

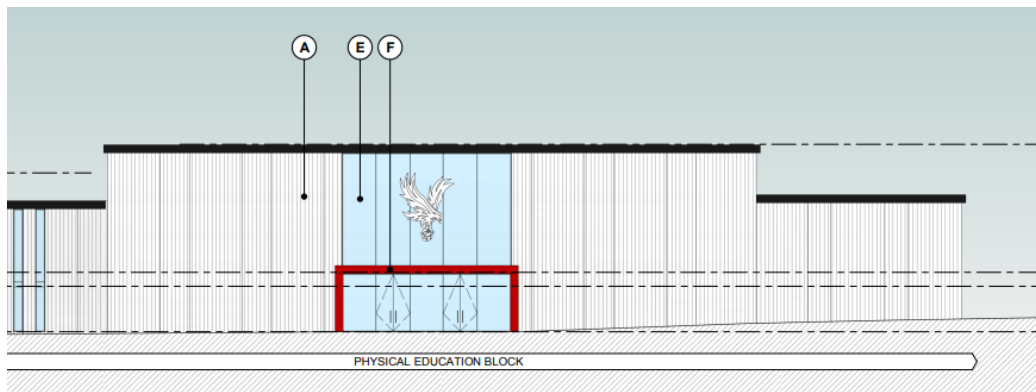


Figure 6 - Approved Part South Elevation

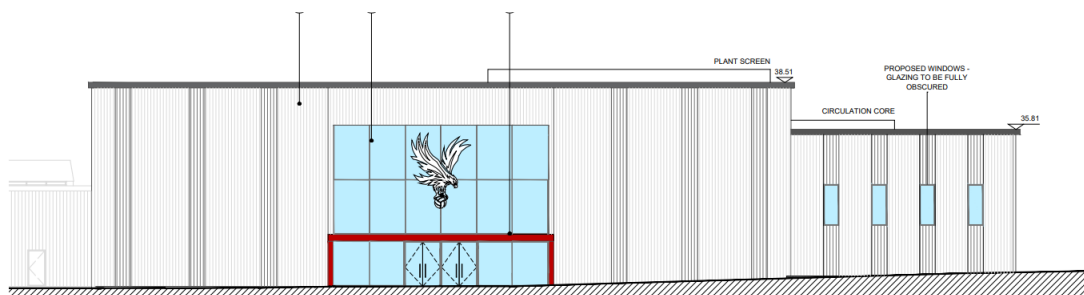


Figure 7 – Proposed Part South Elevation

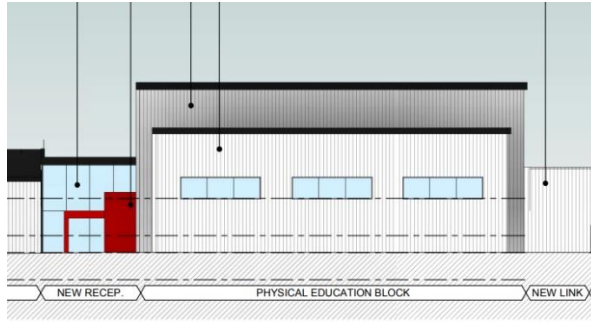


Figure 8 - Approved Part East (Front) Elevation

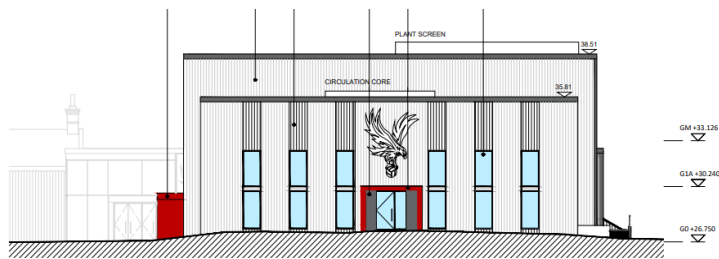


Figure 9 - Proposed Part East (Front) Elevation

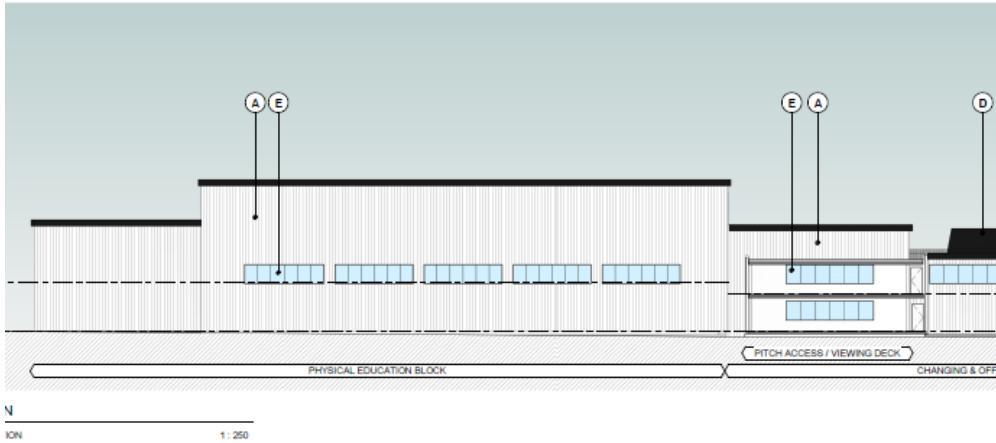


Figure 10 - Approved north elevation (facing covered pitch)

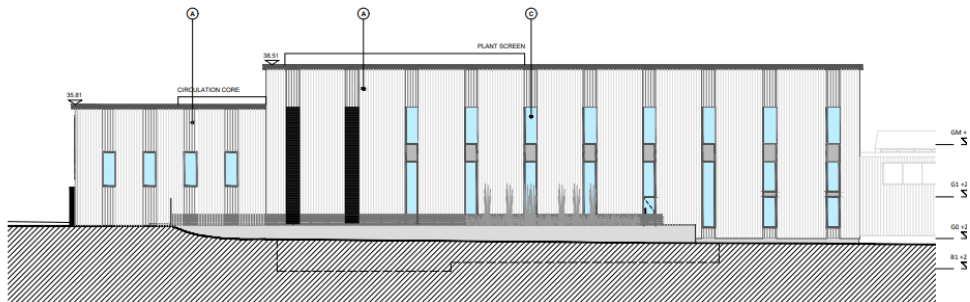


Figure 11 - Proposed north elevation (facing covered pitch)

- 3.9 Within the excavated space at basement level the accommodation comprises a swimming pool with hydrotherapy pools adjacent, along with plant. The applicant confirms that this additional space would be for the exclusive use of the youth academy (and agrees to a condition to this effect).



Figure 12 – Approved basement layout

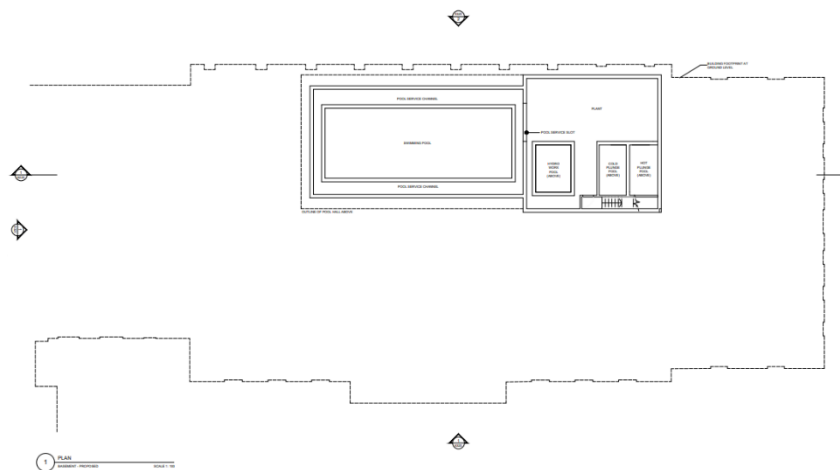


Figure 13 – Proposed basement pools

- 3.10 As originally submitted, the proposals included alterations to the parking layout to the front/side of the building, including an occasional coach parking bay which was indicated to be perpendicular to the street. Revised drawings received on 22nd April 2024 with covering letter reverted the external layout at ground level to that granted planning permission under reference 19/04644/FULL1, including a coach bay parallel to the front elevation of the building.

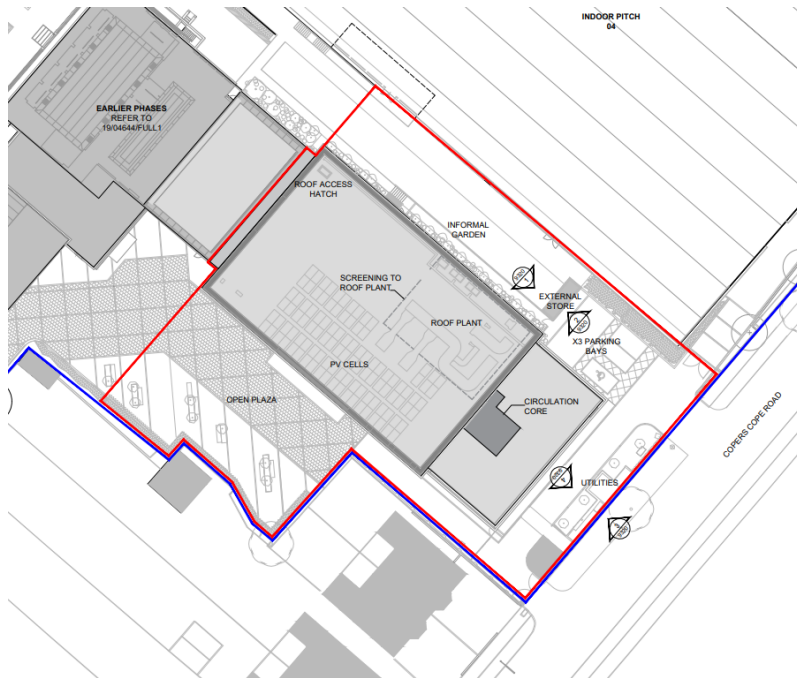


Figure 14 – Proposed block plan (consistent with 19/04644/FULL1)

3.11 The application has been submitted with the following supporting documents:

- Planning Statement
- Design and Access Statement (amended 22/4/24)
- Land contamination assessment
- Phase 1: Desktop study and preliminary risk assessment (contamination)
- Fire Statement
- Sustainable Design and Construction Statement
- Acoustic Assessment (28/3/24)

3.12 The development has partially commenced in terms of the internal fit out and some external works.

4. RELEVANT PLANNING HISTORY

4.1 The application site has an extensive recent planning history, with the relevant planning history summarised below.

4.2 Members are advised that there are currently several other applications pending determination, comprising 23/01759/FULL1 (relating to the installation of a flue/plant associated with the under pitch heating, and modifications to a building adjacent to the main vehicular access to the site), 23/04907/FULL1 (relating to floodlighting), and 24/01521/FULL1 (recently received, relating to the construction of a small refreshment kiosk to the north of the application building).

4.3 19/04644/FULL1

Planning permission was granted under 19/04644/FULL1 for development across the site, which included in relation to the host building, the provision of a first floor mezzanine to provide classrooms, breakout area and circulation space, a single storey lobby extension, and internal reconfiguration to provide classrooms/education space, dining and kitchen area for visitors, staff and players, physio and medical room, main hall PE space, changing rooms, offices and meeting rooms and a plant room.

Externally, the planning permission included site-wide alterations/development. In terms of those aspects of the development granted under reference 19/04644/FULL1 to the current proposal, highways and parking proposals included the provision of a coach parking drop-off bay immediately to the south of the refurbished Gambado building, and the reconfiguration of access/egress arrangements.

4.4 15/01407/ELUD

A Lawful Development Certificate was granted for the existing use of the premises as a children's indoor play centre (former D1 use).

4.5 14/04622/SCHPA

Prior approval was required and refused for the change of use of part of the play centre to provide a registered child care nursery. The application was refused on the basis that as the existing use was considered to fall within Class D1 of the Use Classes Order, the permitted development change afforded by Class K, Part 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) did not apply.

4.6 04/04202/FULL1

Planning permission was granted for the construction of an entrance canopy and doors and elevational alterations to the application building.

5. CONSULTATION SUMMARY

A) Statutory

Highways: No objection

The therapy pools would be ancillary to and in the service of the overall purpose of the site as a professional football youth academy. As a consequence, the proposal would not result in additional trips. It is recommended that a planning condition be used to prevent the pool being used independently of the academy.

Drainage: No objection

Environmental Health: No objection

Noise report conclusions are acceptable, demonstrating that the cumulative noise levels from plant installed as part of Phases 3 and 4 of the development will comply with the limits quoted in Condition 11 of the consent under reference 19/04644/FULL1. Condition recommended.

Thames Water: No objection

Comments refer to the location of a strategic sewer and refer to the need for a condition to provide that in the event of piling taking place, a piling method statement is to be submitted. Informatives recommended.

Environment Agency: No objection

Conditions are recommended, relating to surface water drainage and procedure should contamination be identified, the need for piling and foul water drainage and informatives also recommended, relating to piling and surface water drainage.

London Fire Brigade: No objection

Comments provided in response to initial queries are noted. The Building Control Body will be expected to be consulted with regards to the required hose laying distance.

B) Local Groups

North Copers Cope Road Action Group (NCCRAG)

The North Copers Cope Road Action Group (NCCRAG) has expressed concerns, including by way of providing a background to the current application along with a Highways Technical Note.

The comments received include a background to the objection, referring to a lack of genuine and accurate community engagement

Concerns on current application

- Lack of ability (due to retrospective nature of the application) to impose conditions on the construction work involved in the basement excavation
- General concern at the aggravation of the existing traffic situation and in relation to the conditions set by the Council in relation to the development granted planning permission in 2019.
- Concern that coaches parked between the ex-Gambado building and the indoor sports pitch would need to back out of the site – adverse impact on road safety and failure to comply with the original plan approved in March 2020 where the in-out access in front of the building was designated as a coach drop-off area
- No indication of where the new drop off/pick up point for coaches will be

- An up-to-date transport plan should be provided setting out traffic movements on the site and on the public highway
- Application should be considered in tandem with 21/02984/RECON which sought to allow the retention of the existing one-way system and the relocation of the gate posts at the beginning of the driveway
[NB – 21/02984/RECON was withdrawn on 6th June 2023 at the request of the applicant, with stated intention of bringing the driveway into full accordance with the approved drawings and conditions]

TN01: Highways Technical Note (08/05/23) (provided by NCCRAG)

- Highways report prepared in support of the scheme states that matches with up to 150 spectators can take place without the need for a car park management plan. On-site car park only capable of accommodating 87 vehicles – so would result in overspill parking
- Unrealistic dwell-time at the security hut cited. Insufficient space on the access road to prevent queuing vehicles across the footway/highway
- Suggests review/reconsideration of the suitability of the security hut, ensure two-way operation at the security hut, alter security checks to avoid queuing, allow barred vehicles to enter the site and turn to exit, consider reduction in speed limit to 20MPH, implement more stringent Event Management Plan.

C) Local Residents

Highways (addressed at 7.4)

- The academy already causes traffic/congestion – concern at impact of additional traffic on road safety
- Construction traffic has blocked the highway – retrospective nature of the proposal means that this impact is not able to be mitigated through a condition
- Construction works have impacted on trees, grass verges and pavement edges

Visual amenity (addressed at 7.2)

- Impact on Metropolitan Open Land

Impact on neighbouring amenity (addressed at 7.3)

- Noise impact associated with the rooftop plant
- Loss of privacy associated with additional windows

Site wide issues (addressed at 7.5)

- Lack of community engagement and failure to comply with the measures/conditions set out in the original permission.
- External fences/walls in the wider site have been neglected.
- Works are intended only to benefit the academy.
- The duration of the works to the site has been significant, and plans are constantly changing without thought or consideration of the impact on the local 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 National Planning Policy Framework was published in December 2023. 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.

National Planning Policy Framework 2023

NPPG

The London Plan (2021)

- GG3 Creating a healthy city
- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of change
- D14 Noise
- G3 Metropolitan Open Land
- S5 Sport and recreation facilities
- T4 Assessing and mitigating transport impacts

Bromley Local Plan (2019)

5	Parking of Commercial Vehicles
20	Community Facilities
21	Opportunities for Community Facilities
26	Health and Wellbeing
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
44	Areas of Special Residential Character
50	Metropolitan Open Land
54	South East London Green Chain
57	Outdoor Recreation and Leisure
58	Outdoor Sport, Recreation and Play
69	Development and Nature Conservation sites
70	Wildlife Features
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
115	Reducing Flood Risk
116	Sustainable Urban Drainage Systems
117	Water and Wastewater Infrastructure Capacity
119	Noise Pollution
120	Air Quality
121	Ventilation and odour Control
122	Light Pollution
123	Sustainable Design and Construction
124	Carbon Dioxide Reduction, Decentralised Energy Networks and Renewable Energy
125	Delivery and Implementation of the Local plan

Supplementary Guidance

Urban Design SPD (Bromley 2023)

7. ASSESSMENT

7.1 Principle of development (including acceptability in relation to MOL)-ACCEPTABLE

- 7.1.1 Metropolitan Open Land is strategic open land within the urban area. It plays an important role in London's green infrastructure – the network of green spaces, features and places around and within urban areas. MOL protects and enhances the open environment and improves Londoners' quality of life by providing localities which offer sporting and leisure use, heritage value, biodiversity, and health benefits through encouraging walking, running and other physical activity.
- 7.1.2 The London Plan affords Metropolitan Open Land (MOL) the strongest possible protection, with Policy G3 of the LP stating that national Green Belt Policies as set out in the National Planning Policy Framework, apply to Metropolitan Open Land, the effect being that MOL is effectively offered the same protection as Green Belt. Bromley Local Plan Policy 50 is consistent with the London Plan.
- 7.1.3 The NPPF sets out that the construction of new buildings should be regarded as inappropriate development in the Green Belt, with listed exceptions including the provision of appropriate facilities for outdoor sport and recreation, and the extension/alteration of a building provided that it does not result in disproportionate addition. In each case, there is the requirement that the facilities/development preserve the openness of the Green Belt and do not conflict with the purposes of designation.
- 7.1.4 With regards to potential impact on the MOL, this specific application would have very limited additional or different impact on the openness of the MOL and the purposes of land designation. In terms of built development, the "benchmark" against which the current proposal can be compared is the building as proposed under reference 19/04644/FULL1. The differences between the current proposal and that which was previously approved comprise mainly the excavation of a basement floor, elevational alterations to alter/increase fenestration and modest amendments to the roof comprising the installation of a stair core "box" and plant screening.
- 7.1.5 As can be seen in the comparison drawings showing in figures at 3.8 of this report, the external appearance, bulk, scale and massing of the building is largely unchanged. The alterations to the fenestration/addition of windows would not increase the impact of the development with regards to MOL openness. The enlargement of basement accommodation does provide additional internal floorspace, but this is not widely appreciable from outside of the building which itself is sited towards the periphery of the site rather than projecting into the retained open land.

7.2 Design and impact on visual amenity - ACCEPTABLE

- 7.2.1 Due to the way this site has developed gradually over time, the existing group of buildings on the site display a mixture of historic and more modern architectural styles. The current proposals do not significantly alter the design approach and materials palette considered acceptable in 19/04644/FULL1, where it was observed that the materials utilised would have resulted in a “high quality finish for the development.”
- 7.2.2 The current proposals would not result in a disproportionate addition to the existing building, and where the building has been amended through the installation of a circulation core related to the flat roof part of the front “lean-to” building, and plant/screening on the rear flat roof, this is not considered likely to be widely appreciable from outside of the application site owing to the elevated position of these elements and the perspective view of the building from street level.
- 7.2.3 The proposals do include elevational alterations associated with amended fenestration and the installation of additional (obscure glazed) windows in the southern elevation. The materials and design of these alterations are consistent with the design ethos of the building and are not considered to result in significant visual impact over and above the approved works. The building presents an attractive and unified appearance to the frontage of the site.

7.3 Impact on neighbouring residential amenity - ACCEPTABLE

- 7.3.1 With regards to the impact of the proposals on neighbouring amenity, it falls to consider particularly the potential impact of alterations to/increase in window openings in terms of potential impact on privacy, as well as the potential impact of the rooftop plant associated with noise occasioned by its operation.
- 7.3.2 The application submission makes very clear on the submitted plans/elevations that the proposed additional windows in the front section of the southern elevation, where these would face towards the side boundary of the site with No. 169 Copers Cope Road, would be obscure glazed. It would be wholly reasonable in the context of the lack of detail on the potential future use of the internal space served by the windows, and in the interest of neighbouring amenity, to impose a condition requiring that these windows be obscure glazed and fixed shut.
- 7.3.3 Where amended fenestration is proposed in the northern and front elevations of the building, this would not give rise to any loss of privacy or overlooking to neighbouring properties, since the front windows face towards the highways and the northern windows towards the remainder of the application site.
- 7.3.4 The proposals include the installation of plant, with screening, upon the roof of the main building. An acoustic impact assessment was submitted on 27th March 2024 which assesses the impact of sound from the rooftop plant of the application building on No. 169 Copers Cope Road. The assessment takes into account the installation of a noise control louvre system. The assessment also

takes into account the barrier effects of the host building as existing and the intended hours that the plant on this building would be operational.

- 7.3.3 The assessment has been reviewed by the Environmental Health team and the conclusions within it are considered acceptable, as the report demonstrates that the cumulative noise levels from plant installed as part of phase 4 (host building) and phase 3 of the development will comply with the limitations set out in condition 11 of permission 19/04644/FULL1. It is recommended that a condition be imposed to ensure that the final plant selection and mitigation complies with the content of the report.

7.4 Highways and transport - ACCEPTABLE

- 7.4.1 The current proposals do not include any alteration to the existing/approved parking or access arrangements.
- 7.4.2 The site wide access and parking arrangements were conditioned under permission 19/04644/FULL1, but for completeness and avoidance of doubt, it would be possible to re-impose such conditions that are relevant to this specific proposal.
- 7.4.3 There are no technical objections from the Highways Officer to the proposals, with comments provided in the context of information available in the application submissions as well as the Highways Technical Note provided by the Copers Cope Road Action Group.
- 7.4.4 The Highways Technical Note submitted as part of the wider objections to the development raises issues that relate to areas of the site outside of the red line plan and which speak to the wider use/development of the site as permitted under reference 19/04644/FULL1 (where planning permission was granted subject to the completion of a legal agreement and subject to a number of planning conditions). While the comments and notes provided include reference to the conditioned Event Management Plan and in relation to access and egress via the manned security gates, as well as referring to the potential for a 20MPH speed limit on Copers Cope Road, these issues are not considered to be directly relevant to the specific scope of this application, which does not seek to change the use of the ex-Gambado building or wider site, and would provide enhanced facilities for the existing, unincreased intensity use of the site as a football academy, rather than giving rise to increased vehicular and pedestrian trips.

7.5 Other Matters

- 7.5.1 It is noted that concerns have been raised regarding the quality, frequency and level of community engagement in the plans and proposals relating to the Crystal Palace Academy site. These concerns are noted and acknowledged, but are not considered to represent a material planning consideration that can be taken into account in the assessment of this specific proposal.

7.5.2 As referred to in section 4.0 (Planning History) above, there are several other current applications relating to the wider Academy site, although each is denoted by a separate red-line application site. The incremental nature of the multiple submissions has elicited concern from local residents. This is acknowledged, but the assessment of this specific application must be related to the particular scope of these specific proposals.

7.5.4 Should Members grant planning permission for this proposal, it is important to note that the conditions imposed on the original grant of planning permission under reference 19/04644/FULL1 would remain applicable insofar as they relate to the operation of the academy site, including hours of use, spectator numbers, event management, car parking arrangements and other matters which were conditioned in the grant of planning permission, and the legal agreement entered into would remain unaltered.

8. CONCLUSION

8.1 Taking into account the above, and subject to conditions, it is not considered that the proposals would have a significant impact on the visual and residential amenities of the area, the highways and transports impacts would be acceptable, and the openness of the Metropolitan Open Land would not be undermined as a consequence of the proposals.

8.2 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

As amended by documents received on 22nd April 2024, 28th March 2024, 18th January 2024, 21st April 2023.

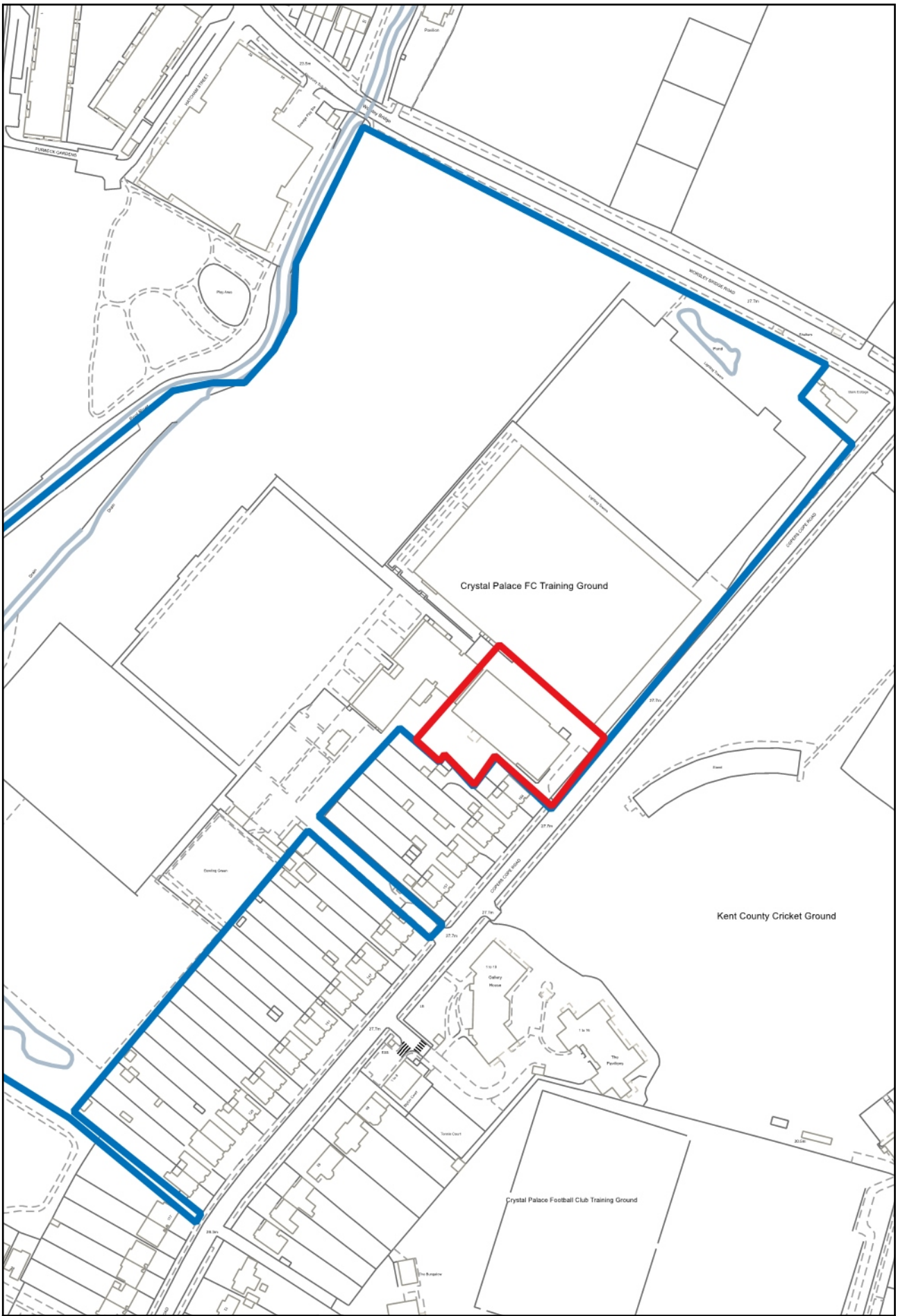
Subject to the following conditions:

- 1. Standard Time Limit (3 years)**
- 2. Standard Accordance with Approved Plans**
- 3. Materials (as per submission)**
- 4. Noise mitigation (rooftop plant)**
- 5. No piling without piling method statement**
- 6. Contamination (in event of contamination discovery)**
- 7. Foul Water Drainage system to be provided**
- 8. No surface water drainage infiltration without consent**
- 9 Use – limited to Academy**
- 10 Hours of operation (consistent with 19/04644/FULL1- Mon to Sat 8am to 10pm, Sundays and Bank Holidays 8am to 9pm)**


Informatives


- 1. Reminder of compliance with conditions, and details approved pursuant to conditions on 19/04644/FULL1, including details approved under refs. 19/04644/CONDIT (conditions 4, 5, 6, 7, 8, 9), 19/04644/CONDT1 (conditions 10, 11, 12, 13, 15, 17, 18, 19, 20, 22, 23, 24, 25), 19/04644/CONDT2 (condition 25(ii)), 19/04644/CONDT3 (condition 11), 19/04644/CONDT4 (condition 12), 19/04644/CONDT5 (condition 13)**
- 2. Reminder that consideration of 19/04644/FULL1 condition 14 remains outstanding.**
- 3. Thames Water – groundwater risk management, property protection (sewage flooding, minimum water pressure, construction within 3m of water mains)**
- 4. Environment Agency (Piling and surface water drainage)**

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.



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 Ordnance Survey 100017661.


23/01054/FULL1



05 June 2024

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Agenda Item 4.2

Committee Date	13.06.2024		
Address	40 Croydon Road West Wickham BR4 9HR		
Application Number	23/02065/FULL1	Officer - Russell Penn	
Ward	Hayes And Coney Hall		
Proposal	Demolition of existing single storey structure, reconfiguration of side car parking provision, incorporating additional parking/accessible spaces; an EV charging bay; installation of traffic control raising arm barrier systems to the Croydon Road access. Removal of existing entrance canopy and construction of new entrance lobby structure. Installation of security fencing to side compound area; with the incorporation of vehicle access and pedestrian gates. Enclosure of the existing side under-croft and rear compound areas. New fenestration arrangement introduced to first floor level fronting onto Kingsway.		
Applicant	Agent		
Mr Mark Craft	Mr James Todd		
19 Colonial Way Watford WD24 4JL	2 Hallam Road Priory Park East Kingston Upon Hull HU4 7DY		
Reason for referral to committee	Call-In	Councillor call in Cllr Alexa Michael - In summary, general concern about traffic safety and speeding in the immediate area with motorists 'cutting through' the Wickes forecourt and speeding on to the small strip of Croydon Road. Opportunity to improve traffic safety and reduce speeding at this location.	

RECOMMENDATION	Application Permitted
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KEY DESIGNATIONS

Article 4 Direction
 Biggin Hill Safeguarding Area
 London City Airport Safeguarding
 Locally Listed Building
 Smoke Control SCA 51

Land use Details

	Use Class or Use description	Floor space (GIA SQM)
Existing	Use Class E - Commercial, Business and Service	2693m ²
Proposed	Use Class E - Commercial, Business and Service	2905m ²

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	28	34	6
Disabled car spaces	1	2	1
Cycle	0	16	16

Electric car charging points

One electric vehicle charging point provided.

Representation summary

Neighbour letters were sent out on 07/06/2023.

An Article 13 site notice was displayed on the site on 12/06/2023

Total number of responses

4

Number in support

0

Number of objections

4

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development will improve the quality of the employment floorspace on an important employment site helping to secure its long term contribution to the local economy of the London Borough of Bromley.
- The development will not be detrimental to the character and appearance of the area.
- The proposed development will have a high quality design and will help maintain the heritage status if an important Locally Listed heritage asset.
- The development would not have an unacceptable impact on the amenity of neighbouring occupiers.
- The proposal will not have an adverse impact on the local road network or local parking conditions

2 LOCATION

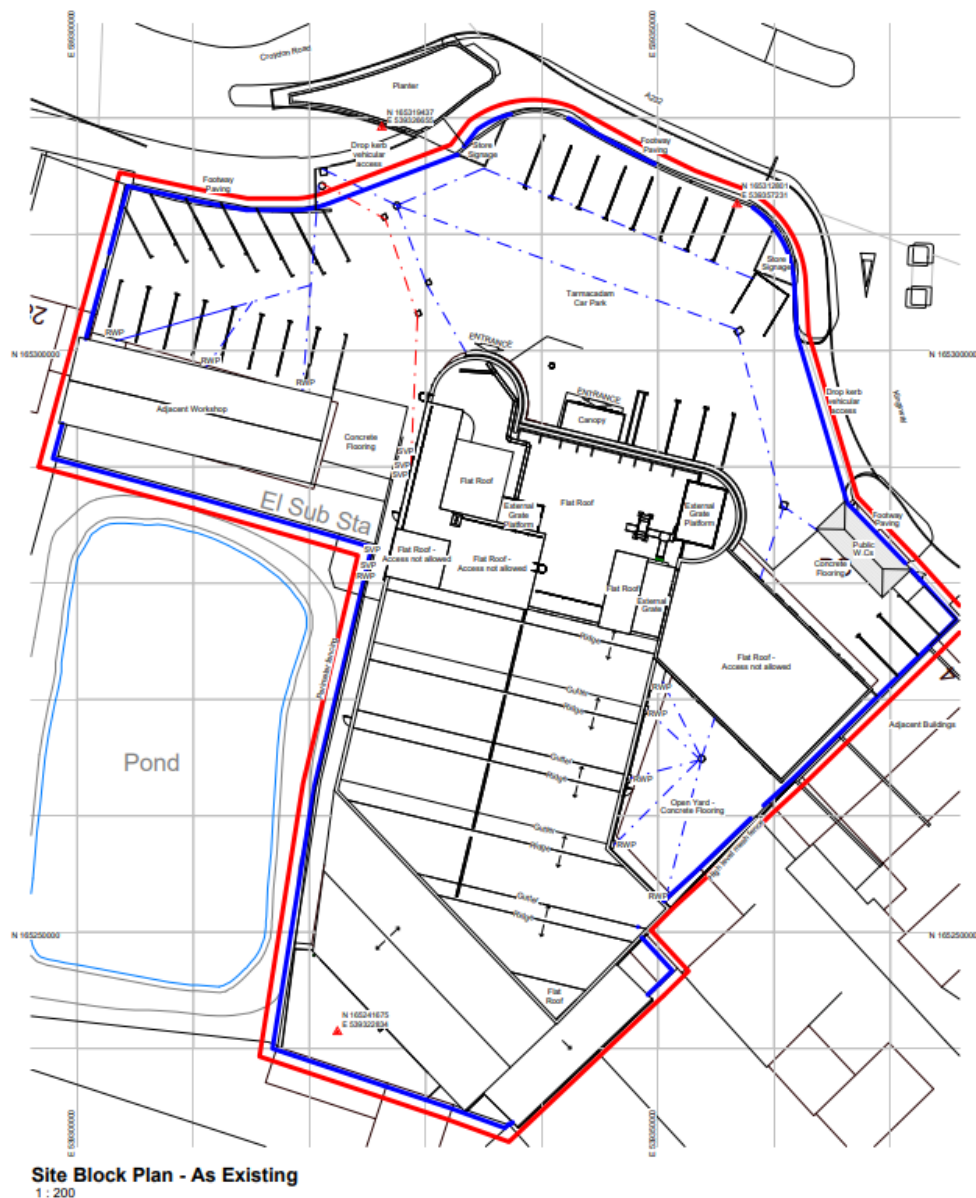


Figure 1: Site Location Plan

- 2.1 The application site (No. 38 to 40 Croydon Road) is located to the southern side of Croydon Road (A232 – Red Route). The site adjoins a pair of semi-detached houses and a Thames Water balancing pond to the west. To the east of the site is a row of three storey mixed use buildings on Kingsway. The rear of the site are the rear gardens of No.2 South Walk, No.2 Church Drive and No.1 to No.4 Kingsway House.
- 2.2 The site comprises a detached single storey building located to the front of the Thames Water balancing pond, a part two and part three storey Locally Listed building with various late additions and extensions attached to the top, rear and side of the locally listed building. There are external plants and telecommunication equipment located at the roof levels of the locally listed building.
- 2.3 The Locally Listed building is occupied as a DIY retail shop with a warehouse storage area to the rear. The first floor of the building is currently vacant and was last occupied in July 2019 as an office and day care centre by the National Autistic Society (Class E). The second and third floors are also vacant office use. Previously occupied by M-Media, up until January 2022. At roof level there is plant and equipment, installations.
- 2.4 The existing car park to the front of the site, immediately adjacent to Croydon Road (A232), is accessed from both ends via Kingsway and Croydon Road. Both entrances provide vehicular and pedestrian access through the site.
- 2.5 The former public toilet located in the forecourt of the site, was last operated as an independent office.
- 2.6 The application site forms part of the shopping frontage of Croydon Road, Coney Hall Neighbourhood Centres and Shopping Parade.
- 2.7 The public transport accessibility of the site is rated at 2, on a scale between 0 to 6b where 0 is worst and 6b is excellent.
- 2.8 The site lies within Flood Zone 1 meaning the site has a low probability of flooding from river tidal sources.
- 2.9 The site is not located within a conservation area. The two-storey main building (ground and first floor) is locally listed. There are no other listed buildings in the vicinity.



Figure 2: Aerial View - Existing

3 PROPOSAL

3.1 Planning permission is sought for the demolition of the existing single storey structure, reconfiguration of site car parking provision, incorporating additional parking/accessible spaces; an EV charging bay; installation of traffic control raising arm barrier systems to the Croydon Road access

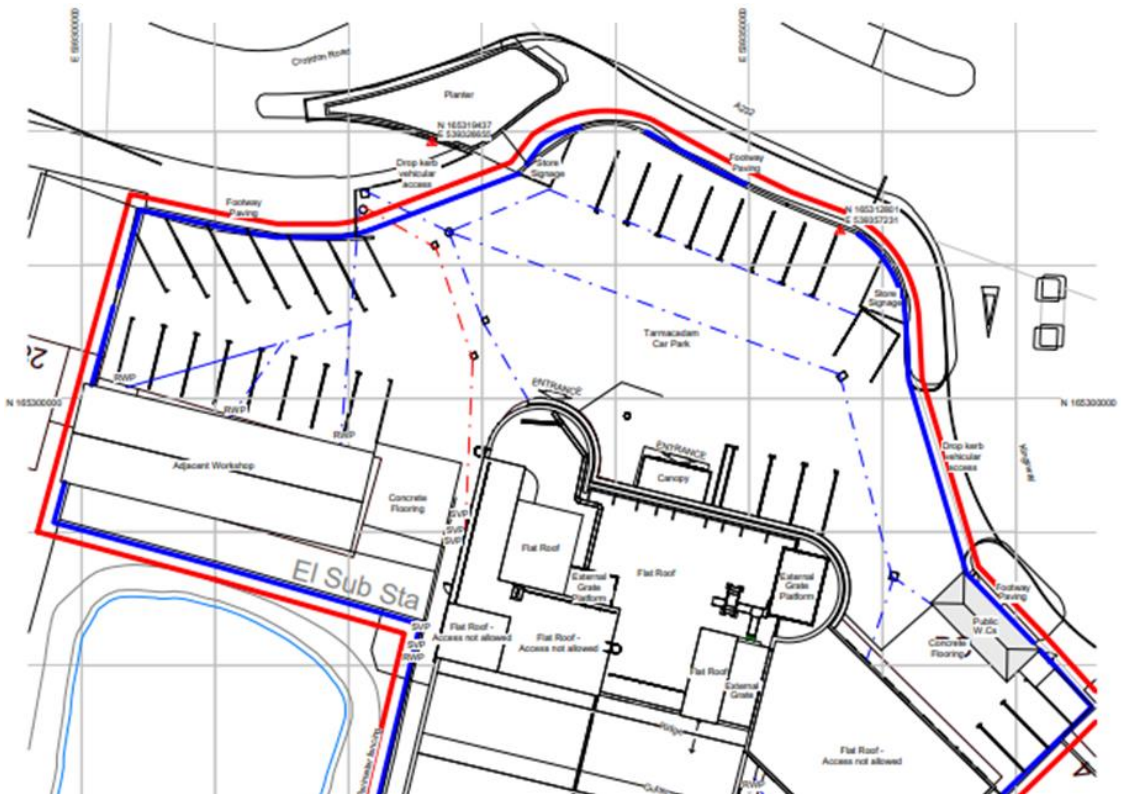


Figure 3: Existing car park

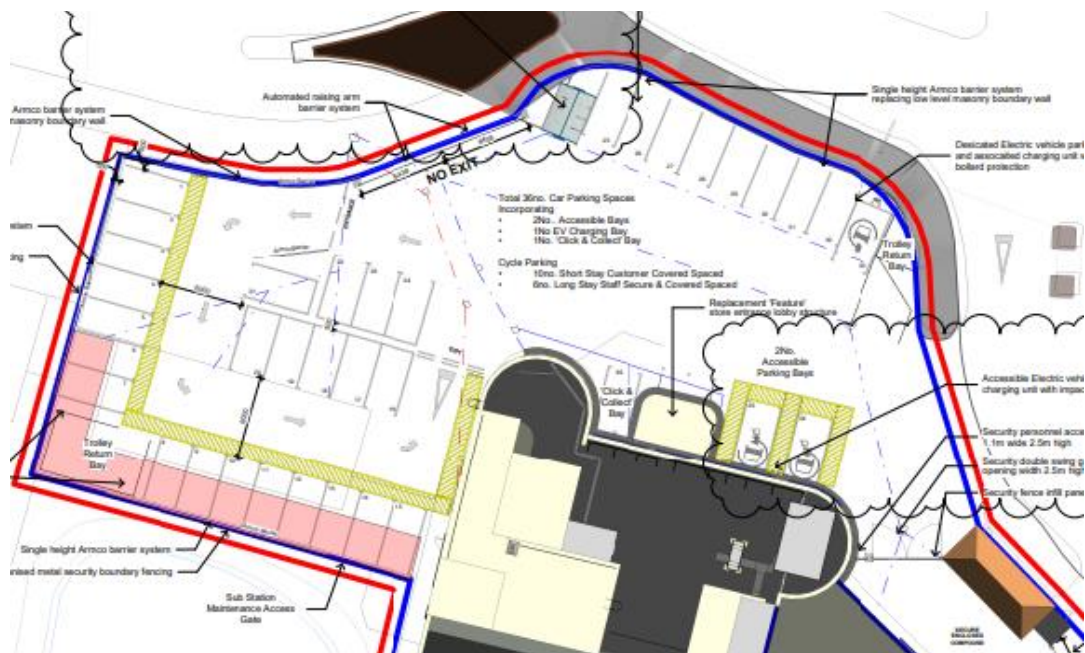


Figure 4: Proposed car park

- 3.2 The number of car parking spaces is proposed to increase to 36 incorporating two accessible bays, one electric vehicle charging bay, and one click and collect bay.
- 3.3 The existing outbuilding will be demolished.



Figure 5: Existing Outbuilding will be demolished

- 3.4 Planning permission is also sought for the removal of existing entrance canopy and construction of new entrance lobby structure.



Image 6: Entrance Canopy As Existing



Image 7: Entrance Lobby As Proposed

Figure 6: Existing and Proposed Entrance Canopy

- 3.5 Further works include the installation of security fencing to the side compound area with the incorporation of vehicle access and pedestrian gates. Enclosure of the existing side under-croft and rear compound areas.

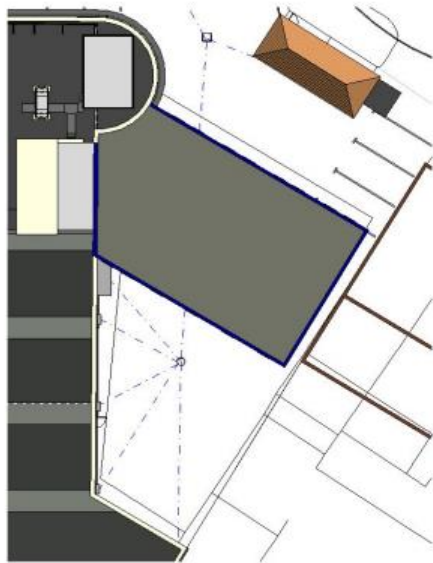


Image 8: Side Compound & Undercroft (Existing)

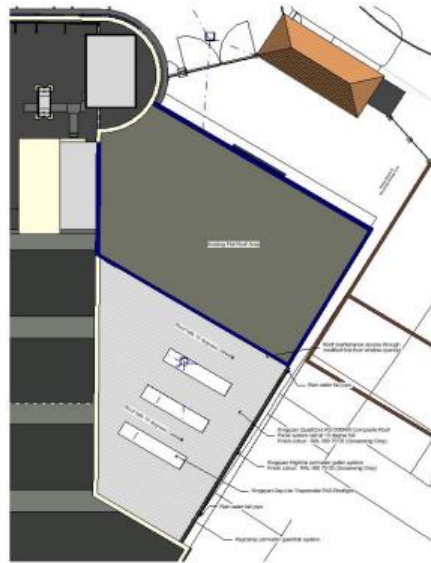


Image 9: Side Compound & Undercroft (Proposed)

Figure 7: Existing and Proposed side compound and undercroft



Figure 8: Location of proposed gates

3.6 Finally, a new fenestration arrangement is introduced to first floor level fronting onto Kingsway.



Image 10: Fenestration(Existing)



Image 11: Fenestration (Proposed)

Figure 9: Existing and Proposed Fenestration Arrangements

3.7 The application was supported by the following documents:

- Planning and Heritage Statement
- Transport Technical Note March 2024

4 RELEVANT PLANNING HISTORY

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

- 4.2 83/01341/FUL: Change of use of buildings from brochure storage to Ancillary storage for adjoining diy centre. Approved 28.07.1983
- 4.3 96/02623/FUL: Change of use of first floor from offices to autistic day care centre. Approved 15.01.1997
- 4.4 97/00033/FUL: Change of use of second floor from residential flat to offices retrospective application. Approved 19.02.1997
- 4.5 11/02936/FULL1: External metal fire escape ladder to flank elevation. Approved 01.12.2011
- 4.6
- 4.7 18/02922/FULL1: Realignment and reconfiguration of existing car park to provide 31 parking spaces including two disabled spaces. Approved 13.09.2018
- 4.8 21/00091/FULL1: Demolition of existing warehouse and late additions to retail/office building (No.38 to No. 40 Croydon Road), retention and alteration to front façade and internal stair and erection of part 3 to part 5 mixed use development with basement, ground floor comprising of two retail units (Use Class E(a)) and community unit (Use Class E(a)/F) and 61 residential units at upper floors. Associated car parking, public realm and associated works. Approved subject to Legal Agreement 14.09.2022

5 CONSULTATION SUMMARY

A) Statutory

Environmental Health Pollution Officer – No objection

- Standing advice received. Officers consider noise pollution and air quality to be the main considerations at this site. Conditions recommended for further information in relation to any gas boilers being low NOx and a submission of a Construction and Environmental Management Plan.

Drainage Officer – No objection

- No comment.

Highway Authority Officer – No objection

- Croydon Road is part of Transport for London Road network. The access to the site is via Kingsway which is a LBB road. The site is located in PTAL rate of 2 on a scale of 0 – 6b, where 6b is the most accessible.
- The applicant was asked to submit a drawing showing the Swept Path Analysis of vehicles overlaid on the proposed site layout to demonstrate that the vehicles can manoeuvre safely and efficiently within in and out of site layout. I have now seen the Swept Path Analysis and am satisfied with it.
- The previous application 18/02922/FULL1, was for 31 car parking spaces whereas this application is for 35 parking spaces. I have reviewed my initial concern regarding intensification of the use of existing entrance from Kingsway close to Croydon Road. I feel that the proposals would not expect to have any significant detrimental impacts on the operation of the A232. However, as there is a barrier with the new parking layout and all the customers will use the access from Kingsway for entrance and exit so TfL should be consulted once again as they are the highway authority.

Tree Officer – No objection

- I do not object to the proposals. The previous scheme 21/00091/FULL1 had outlined tree constraints and the losses were not forming a reason for refusal.

Transport for London – No objection

- TfL have no further comment.
- Note: The above final comment from TfL is expanded upon in the Highways section of this report below.

B) Local Groups

Bromley Biodiversity Partnership:

- Bromley Biodiversity Partnership has commented and raised issue with the loss of the area of land indicated as reclaimed with the removal of vegetation and relocation of boundary fencing. It is commented that the loss of this vegetation would result in a large local biodiversity loss in a very urban area and cause a reduction in ecosystem services including carbon uptake by existing mature/semi mature trees and other vegetation and protection of soil biodiversity and therefore soil structure and water retention. It is further opined that there are no documents supplied with this planning application which mention any kind of mitigation for biodiversity, any biodiversity net gain or any attempt to lower carbon losses such as through the use of solar panels.

C) Adjoining Occupiers

Highways and parking (addressed in para 7.3)

- Comments that the closure of the exit to Croydon Road will increase use of Kingsway as entrance/exit and result in queueing and potential highway issues.
- New car parking layout will appear more industrial.

Support

- It is beneficial for the building to have a face lift.

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 the determination must be made in accordance with the development plan and any national development management policies taken together, unless material considerations strongly indicate otherwise..

6.3 The National Planning Policy Framework was revised and published on 19th December 2023. 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 2023

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
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of change
- D14 Noise
- E4 Land for industry, logistics and services to support London's economic function.
- E7 Industrial intensification, co-location and substitution

HC1	Heritage conservation and growth
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
T7	Deliveries, servicing and construction

6.7 Bromley Local Plan 2019

30	Parking
32	Road Safety
33	Access for All
34	Highway Infrastructure Provision
37	General design of development
39	Locally Listed Buildings
83	Non-Designated Employment Land
77	Landscape Quality and Character
96	Neighbourhood Centres, Local Parades and Individual Shops
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

National Design Guide – (September 2019)

6.9 Bromley Supplementary Guidance

Urban Design Guide - Supplementary Planning Document (July 2023)

DG2: Preserving and Enhancing Heritage Assets
DG5: Architectural Design
DG6: Materials and Detailing
DG11: Landscape Design
DG14: Inclusive Design
DG20: Sustainable Design

7 ASSESSMENT

7.1 Land use

7.1.1 Policy 83 of the Bromley Local Plan explains that the Council will seek improvements to the quality and quantity of employment floorspace on sites containing employment uses outside designated SILs and LSISs.

7.1.2 The alterations to the building will facilitate the implementation of an improved business floorspace use as per the existing use of the property. Given the context of the mixed residential and commercial uses in the immediate vicinity, the principle of the minor extensions, alterations of the existing building on the site together with external car parking improvements is considered acceptable subject to an assessment of the impact of the proposal on the appearance/character of the locally listed building and surrounding area, the residential amenity of nearby residential occupiers, car parking and traffic implications, sustainable design and energy, community safety and service/refuse arrangements

7.2 Design and Heritage Impacts - Acceptable

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 Paragraph 131 of the NPPF (2023) states 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.

7.2.3 Paragraph 135 of the NPPF (2023) requires Local Planning Authorities to ensure that developments: a) 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; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) 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); d) 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; e) 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 f) 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.

- 7.2.4 The NPPF sets out in Section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. In this case the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application under Para 209 of the NPPF. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.2.5 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.6 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.
- 7.2.7 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.
- 7.2.8 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.
- 7.2.9 Policy HC1 part D of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 7.2.10 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.

7.2.11 Policy 39 of the Local Plan details buildings on the Local List are considered to be non-designated heritage assets in the National Planning Policy Framework (NPPF). A proposal to alter, extend or for the change of use of a locally listed building will be permitted provided that it is sympathetic to the character, appearance and special local interest of the building and it respects its setting.

7.2.12 Guidance at DG2 of LB Bromley Urban Design Guide states that proposals shall demonstrate an understanding of the significance of heritage assets, setting and place, including their evidential, historical, aesthetic and communal value. Where a proposal will cause harm to a heritage asset, clear and convincing justification should be provided.

7.2.13 The existing building was originally designed as a car showroom in 1935 and was designed by English architects Leslie H. Kemp and Frederick E. Tasker. The building was listed between June 1975 and December 1982 in recognition of its historic and architectural merits.

7.2.14 The listing description states: -

Large modernist motor garage building on corner of Croydon Road and Kingsway. Two storeys under a flat roof; red brick walls. A streamlined aesthetic is achieved by a linear built form with a curved corner to the left end and a curved forward return to right end. G/f was originally mostly open for motor vehicles with entrance doors to first floor accommodation on return at right end of façade. G/f is presently infilled with mid-late 20th C aluminium glazing with a projecting entrance canopy, both of no interest. Deep painted concrete fascia with projecting base and cornice between g/f and f/f adds to the streamlined effect. First floor dominated by linear windows gracefully following the curved walls and separated by simple brick piers. Windows have slender metal frames with two horizontal glazing bars creating three panes, flush brick cills and a projecting concrete drip mould over. The flat roof is concealed by a brick parapet with concrete coping. Later additions of no interest. Interior has very impressive Art Deco stairwell in terrazzo with a light fitting in the shape of a motor tyre. This led to the first floor restaurant which had a roof garden. Rest of interior not inspected.

To designs of Leslie Kemp & Tasker Architects, London. Bec. UDC Ref. 6921(1934). Called 'Kent's Finest motor garage' in a Morell's of Bromley Brochure of 1936. Original drawings show a f/f café with an orchestra stage and roof garden. The building retains much of its original external form and is worthy of inclusion on the local list.

7.2.15 The locally listed building is considered as a landmark building in the area and is one of the few original Art Deco buildings remaining in the Borough. Since the building was occupied as a DIY store in 1977, a number of unsympathetic late additions and extensions have been constructed attached to the locally listed building with office accommodation and warehousing to the rear of the original building. At present there are a number of unattractive telecommunication equipment installed at the roof level.

7.2.16 In respect of the proposed physical alterations to the building, as detailed above, these would be clearly seen in the heritage context and from public viewpoints and adjacent viewpoints.

7.2.17 The Councils Conservation Officer has not raised a heritage objection to the proposals to the building. The proposals would represent an improvement in terms of the overall appearance of the building when compared with the existing condition of the building. As such, it is considered that the heritage merits of the proposal would outweigh any harm arising from this proposal in this instance.

7.2.18 As regards the alterations to the external car parking area, the revised layout and associated gates and minor structures are not considered to harm the heritage setting of the building.

7.3 Highways – Acceptable

7.3.1 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. Paragraph 109 of the NPPF (2023) 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. 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.

7.3.2 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.

7.3.3 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.

7.3.4 The main additional purpose of this proposed development is to improve the existing parking layout and egress arrangement. The vehicular access to the existing car park is via Kingsway with a secondary exit onto Croydon Road.

7.3.5 The car parking area currently has legal provision for 28 car parking spaces. It is stated that the aisle width between the perpendicular and echelon parking at the west of the site varies in width from 2.5m to 3.5m, which is not sufficient to accommodate a turning manoeuvre. Due to this, a maximum of 22 spaces are currently accessible at any one time.

7.3.6 It is proposed to increase the overall number of parking spaces to 36 spaces incorporating two accessible bays, one electric vehicle charging bay, and one click and collect bay. The principle of increased parking provision has been approved by

both the local highway authority and TfL under the 2018 full planning permission. This has been reviewed again and it is concluded that a minor increase in parking provision is acceptable within the relevant standards.

- 7.3.7 It is also proposed to close off the egress onto Croydon Road to eliminate the site being used as a rat-run. An automated raising arm barrier system in two raising sections of 6.438m each would be installed at the secondary exit. This is to allow egressing manoeuvres at Wickes discretion.
- 7.3.8 It is noted that neither the use nor the associated commercial and office floor space would be changed. A Transport Note including a traffic survey data and junction capacity assessment has been submitted in support for the proposed new parking and egress arrangement. The Transport Note indicates that there is an under provision of parking spaces due to a poor parking layout currently. The egress into Croydon Road is also often abused by drivers not visiting the store resulting in conflict between shoppers visiting the shop and road users driving through the car park. The general closure of the secondary exit would eliminate the issue of vehicles using the site as a rat run.
- 7.3.9 TfL has initially raised concern regarding to the performance and safety of Croydon Road which forms part of the Transport for London Road Network. The closure a secondary exit would have a potential impact in terms of additional vehicle movement at the junction between Kingsway and Croydon Road and further information was requested in a revised traffic survey to collate the turning counts and trip attraction. This was recorded in a survey in February 2024.
- 7.3.10 This assessment indicates that the uplift of vehicle movements at the junction between Kingsway and the A32 would see an increase in total vehicle trips of approximately 50% in the AM peak hour and 25% in the PM peak hour following the closure of the Croydon Road exit.
- 7.3.11 Due to the fact that traffic currently egressing onto Croydon Road does so to travel westbound only, it is forecast that all of the vehicle trips will route via the Kingsway / A232 junction. The 2018 planning application undertook a similar modelling assessment of the Kingsway / A232 junction which was accepted. The increase in vehicle trips at the junction presented under this assessment is less intensive than has previously been approved by TfL and LBB Bromley.
- 7.3.12 Two electric vehicle charging points would be installed in dedicated bays for the purpose. It is considered that this would be adequate for the number of additional spaces proposed. A planning condition requiring details of electric charging point is recommended.
- 7.3.13 The Council's Highway Officers and TfL Officers have raised no objections to the proposed parking layout and ingress/egress arrangements. As such, it is considered that the proposal would be acceptable in terms of layout and would not have an adverse impact on highway safety.

7.4 Neighbouring Amenity – Acceptable

- 7.4.1 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.
- 7.4.2 The site is close to residential property to the east, west and south and there is a row commercial shop with residential flats above facing Kingsway. The development would increase the number of parking spaces from 22 to 36. However, there is no change in terms of the number of the retail unit capacity or floor area of the existing building. Given the proximity to the commercial parade and main road, it is considered that any noise or air pollution associated with this proposal would not be significantly different from the existing arrangement. As such, it is considered that the proposal would not have an adverse impact on the residential amenities enjoyed by the neighbouring properties.

7.5 Sustainability – Acceptable

- 7.5.1 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.
- 7.5.2 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.
- 7.5.3 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.
- 7.5.4 An informative is recommended with any approval to ensure that the development strives to achieve these objectives. For a non major scheme, energy and water efficiency can only be secured under the building regulation regime as standard, in order to meet the requirements of Policies 123 and 124 of the Local Plan and Policy SI 2 of the London Plan.

7.6 Sustainable Drainage – Acceptable

- 7.6.1 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.
- 7.6.2 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.

7.6.3 The building footprint or hard surfaced areas will not increase significantly except for the small area of land reclamation in the car park. Surface water drainage is shown to be integrated into the car parking area. The Councils Drainage Officer has not raised any concerns in this regard. Further details of the indicated drainage system is considered prudent to be sought by planning condition to prevent the discharge of surface water from private land on to the highway.

7.7 Air Quality - Acceptable

7.7.1 Policy SI 1 of the London Plan 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.

7.7.2 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.

7.7.3 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

7.8 Green Infrastructure/Natural Environment - Acceptable

7.8.1 Paragraph 180 of the NPPF (2023) 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.

- Trees and landscaping

7.8.2 London Plan Policy G7 focuses on London's urban trees, setting out that development proposals should ensure that, wherever possible, existing trees of value are retained. If the removal of trees is necessary, there should be adequate replacement based on the existing value of the benefits of the trees removed.

7.8.3 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.

7.8.4 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.

7.8.5 The layout plans appear to indicate that there are eight trees in the land reclamation area of the site that would require removal to facilitate the scheme. It is noted that a different scheme to redevelop the site (ref 21/00091/FULL1) for housing also involved removal of these trees and no objection was raised in this regard.

7.8.6 Given the above material consideration the Council's Tree Officer has advised that there is no trees protected under any tree preservation order, no objection is raised in respect of any necessary works to remove these trees.

- Biodiversity Net Gain

7.8.7 London Plan Policy G6 states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively. Policy G6 Part D further advises that "Development proposals should 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."

7.8.8 Under the Environment Act 2021, all development that falls under the Town and Country Planning Act 1990 requires that all planning permissions granted in England (with a few exemptions), have to deliver at least 10% biodiversity net gain (BNG) if submitted from 2nd April 2024.

7.8.9 While the commentary of BBP is noted in respect of the land indicated for reclamation into the site area at the rear of the demolished single storey structure, this application was received prior to the statutory requirement and is not required to achieve the BNG in law in the current transitional period.

7.9 CIL

7.9.1 The Mayor of London's CIL and the Borough CIL are material considerations. CIL is not payable on this application and the applicant has completed the relevant form.

8 **CONCLUSION**

8.1 Taking into account the above, the existing site and employment use will be retained in its entirety for commercial uses retaining the economic prosperity of the commercial premises which is deemed acceptable. The proposed development would have high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the development would not be detrimental to the significance of the heritage asset of the locally listed building or the character and appearance of the locality.

8.2 The proposal would not have an adverse impact on the local road network, local parking conditions or an adverse impact on highway safety and residential amenities in the area, through the removal a secondary exit onto Croydon Road and realignment, reconfiguration of the private commercial parking layout to increase car parking provision at the site.

- 8.3 It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.
- 8.4 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:

1. **Standard time limit of 3 years**
2. **Standard compliance with approved plans**
3. **Construction and Environmental Management Plan**
4. **Details of lighting scheme.**
5. **Details of highway drainage**
6. **Details of materials.**
7. **Parking arrangements to be installed as approved.**
8. **Details of a servicing and delivery plan.**
9. **Enclosed service compound area to remain in perpetuity.**
10. **No mechanical works or operation of machinery allowed outside building or servicing compound area.**
11. **No external storage on roofs of buildings.**


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. **Land contamination monitoring**
3. **Air quality neutral benchmarks.**



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 Ordnance Survey 100017661.


23/02065/FULL1



05 June 2024

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Agenda Item 4.3

Committee Date	13.06.2024	
Address	Crystal Palace Football Club Academy Copers Cope Road Beckenham BR3 1NZ	
Application Number	23/04907/FULL1	Officer - Susanna Stevenson
Ward	Beckenham Town And Copers Cope	
Proposal	Installation of 4 no. 21.3m floodlighting columns to serve central pitch (Pitch 01).	
Applicant	Agent	
c/o Agent	Mr Aaron Zimmerman	
c/o Centro Planning Consultancy 104C St. John Street London EC1M 4EH United Kingdom	104C St John Street London EC1M 4EH United Kingdom	
Reason for referral to committee	Call-In	Councillor call in
	Call-In	Yes Councillor Tickner –concern regarding hours of use, traffic congestion, light pollution, impact on neighbouring amenity and wildlife Councillor Connolly – resident concern regarding light pollution and effect on local wildlife

RECOMMENDATION	PERMISSION
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KEY DESIGNATIONS Article 4 Direction Biggin Hill Safeguarding Area Flood Zone 2 Flood Zone 3 Green Chain London City Airport Safeguarding
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Metropolitan Open Land
Smoke Control SCA 12

	Use Class or Use description
Existing	Football academy grass pitch
Proposed	Football academy grass pitch

Representation summary	Letters sent to neighbouring residents 4 th January 2024. Site notice displayed 4 th January 2024. Press advertisement published 10 th January 2024.
Total number of responses	48
Number in support	0
Number of objections	48

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would provide floodlighting to support the existing use of the site as a Football Academy
- The proposal would not result in the intensification of the use of the site – since the existing planning conditions relating to number of spectators and hours of operation would be applied to the proposed floodlit pitch
- There are no objections to the proposal from the Environmental Health and Highways Officers
- Sufficient information has been provided to demonstrate that the impact of the floodlighting (glare/lightspill) would not adversely impact on neighbouring residential amenity
- The design of the floodlighting is streamlined and the height of the columns would limit the number of columns to 4. There would be no significant adverse impact on the openness of the site, and the proposal would support the existing/future outdoor sports use of the site
- Sufficient information has been provided to demonstrate that the proposal would not impact adversely on wildlife within/adjacent to the site (including along the Pool River corridor).

2. LOCATION

- 2.1 The wider application site is located on the north-western side of Copers Cope Road and comprises a private sports ground – the Crystal Palace Football Club Academy. The application site comprises Pitch 1, which is located broadly centrally within the wider area associated with the Academy. Pitch 1 is indicated in red in Figure 1 below and is located approx. 73m from the north western boundary of the site with the former Footzie site, approx. 180m from the boundary of the site with Worsley Bridge Road and approx. 91m from the boundary of the site with the railway line. The separation between the pitch and the nearest residential gardens of dwellings fronting Copers Cope Road is approx. 47m.

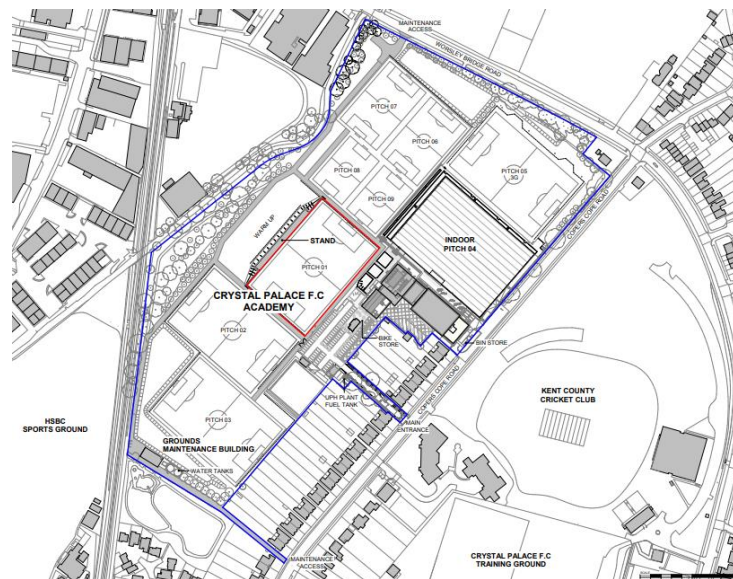


Figure 1 – Site location plan (pitch outlined in red)

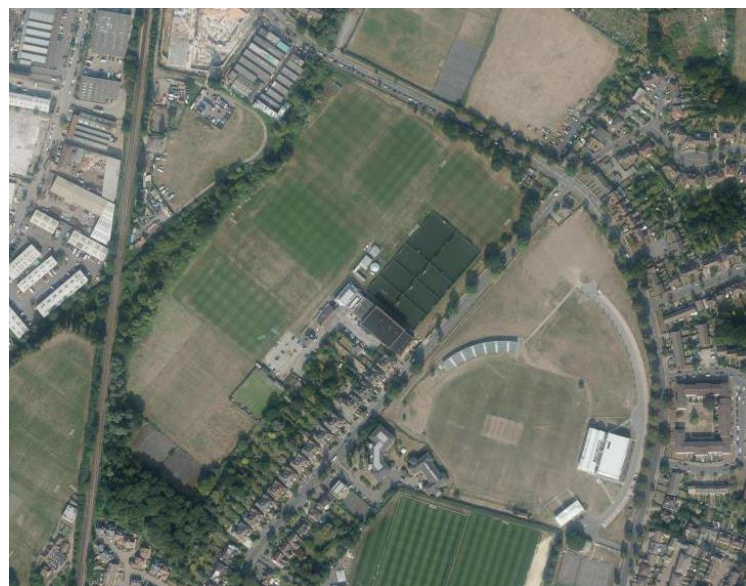


Figure 2 – Aerial view of application site

- 2.2 The overall site has passed from comprising a mix of a gym, the Gambados space, and Goals 5-a side Soccer Centre, to being used exclusively by the Crystal Palace FC Academy.
- 2.3 The site has been altered significantly since the commencement of the Academy use of the site, and following applications for planning permission submitted since 2019.
- 2.4 The nearest residential properties to the pitch are those located fronting Copers Cope Road, with further residential flatted buildings recently constructed/under construction at the former Footzie Site, which is located to the north, on the other side of the Pool River.



Figure 3 – Pitch 1, facing north towards Footzie Site

- 2.5 The entire site (red line application site and blue line indicating land in applicant's ownership) is within Metropolitan Open Land (MOL) and the South East London Green Chain.



Figure 4 – From Pitch 1 towards ball-stop netting and railway line

- 2.6 The site already includes 8 no. 15m floodlighting columns positioned around the astroturf pitch (Pitch 05) which is located towards the western corner of the site.



Figure 5 – From side of Pitch 1 facing towards Worsley Bridge Road

- 2.7 The main vehicular access to the site lies between Nos. 153 and 155 Copers Cope Road. Historically, the site included a one-way system with vehicles entering the site from this access point, and exiting between the application building and No. 169 Copers Cope Road.



Figure 6 – From car park towards Pitch 1 and development at Footzie site

- 2.8 The site is in an area with PTAL rate of between 1b and 2 (on a scale of 0 – 6b, where 6b is the most accessible). Lower Sydenham Station which is located approximately 300m to the north of the site.

3. PROPOSAL

- 3.1 It is proposed to install 4 no. floodlights, one at each corner of the show pitch (pitch 1). Each floodlight would be 21.3m in height.

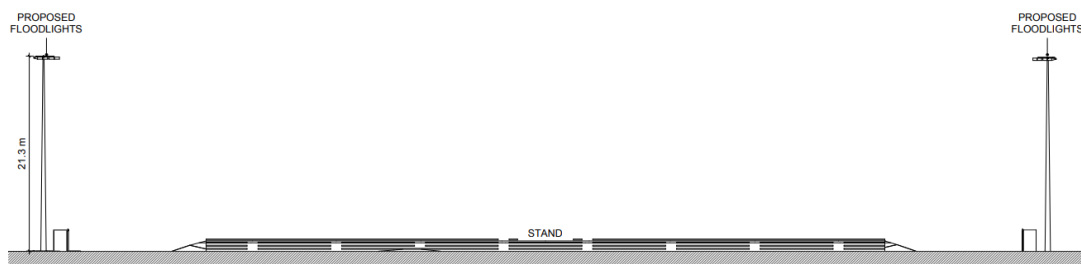


Figure 7 – side elevation showing floodlights, with stand beyond

- 3.2 The floodlights would be set into a pre-cast concrete base with the columns comprising galvanised steel poles with integrated electrical component enclosures, above which a pole-top LED luminaire/lighting array would be fixed. Each column would carry 7 no. LED lights. Figure 8 below shows the appearance of each LED unit.



Musco TLC 1500 Floodlight

Figure 8 – Image of proposed floodlight (7 to be attached to each luminaire)

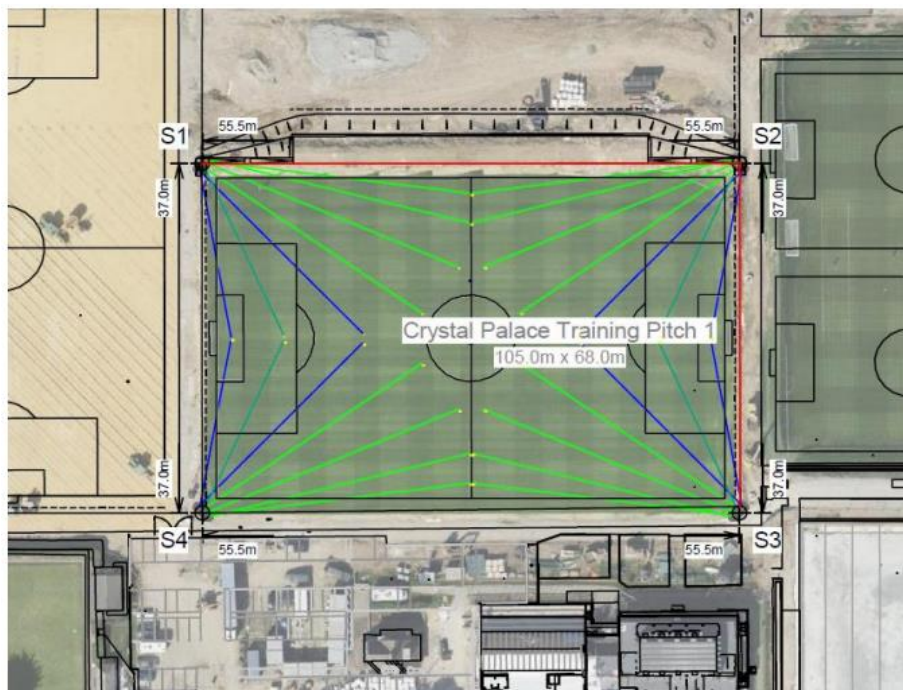


Figure 9 – Proposed floodlighting columns S1, S2, S3 and S4

3.3 The application has been submitted with the following supporting documents:

- Planning Statement
- Design and Access Statement (prepared by Lighting Consultants, including information on light spillage/coverage)
- Brochure detail of proposed light structure system
- Lighting system plotting of light spillage/coverage

- 3.4 The Planning Statement sets out the background to the application, and includes confirmation that conditions imposed on planning permission 19/04644/FULL1 which are relevant to the scope of the proposal would be acceptable, stating also that there would be no change to the hours of use of the site.
- 3.5 It is stated that the purpose of the lighting is to allow matches to be played after sundown, with the need for the floodlights having arisen over the last winter. The match schedule for competitive academy fixtures requires games to be played after sunset, and the club is required to host outdoor matches in winter. The requirements for competitive games includes the need for spectator seating. Under permission reference 19/04644/FULL1 planning permission was granted for some spectator seating around the host outdoor pitch (the pitch which is the subject of this application) and the solution to meet the requirements for seating in tandem with lighting has led to the submission of this application for planning permission.
- 3.6 Additional information was provided on 25th March 2024 to state:
- Premier League 2 (PL2) is equivalent to the under-21 league. PL2 rules state that apart from 3 fixtures per season, all PL2 games must “be played at either a Stadium or a PL approved alternative venue” and “For the Academy to be approved as an alternative venue, there must be floodlights. Fixtures in this competition have to be played either Friday after 7pm, Monday after 7pm or Saturday or Sunday afternoons.”
 - Currently, the main pitch at the academy is not an approved venue. The Club has had to rent from Sutton United for most home matches
 - While the EFL Youth Development Rules state floodlighting not required if planning permission is refused, they also state that the academy has to meet the requirements of the PL2 rules which are less flexible in that regard. Appendix 1 of the PL2 rules relates to venue criteria and includes that floodlights must have an average lux value of 250 lux minimum
 - Details of home matches for 2023/2024 athletic year provided. 20 in total, 15 of which kicked-off at 19.00 – nearly all of which played at Sutton United

4. RELEVANT PLANNING HISTORY

- 4.1 The application site has an extensive recent planning history, with the relevant planning history summarised below.
- 4.2 Members are advised that there are currently several other applications pending determination, comprising 23/01759/FULL1 (relating to the installation of a flue/plant associated with the under pitch heating, and modifications to a building adjacent to the main vehicular access to the site), 23/01054/FULL1 (relating to the former Gambados Building), and 24/01521/FULL1 (recently received, relating to the construction of a small refreshment kiosk to the north of the application building).

4.3 22/00063/FULL1

Planning permission was granted for the formation of a maintenance vehicle site access from Worsley Bridge Road.

4.4 21/03379/FULL1

Planning permission was refused for the installation of a fuel tank for the storage of heating oil (retrospective application)

4.5 21/02984/FULL1

Planning permission was granted for the erection of a security hut and access controls with associated works to the site access road.

4.6 21/02760/FULL1

Planning permission was granted for the construction of open-air canopy covering for spectator seating stand.

4.7 19/04644/FULL1

Planning permission was granted under 19/04644/FULL1 for development across the site, which included in relation to the host building, the provision of a first floor mezzanine to provide classrooms, breakout area and circulation space, a single storey lobby extension, and internal reconfiguration to provide classrooms/education space, dining and kitchen area for visitors, staff and players, physio and medical room, main hall PE space, changing rooms, offices and meeting rooms and a plant room.

Externally, the planning permission included site-wide alterations/development. In terms of those aspects of the development granted under reference 19/04644/FULL1 to the current proposal, highways and parking proposals included the provision of a coach parking drop-off bay immediately to the south of the refurbished Gambado building, and the reconfiguration of access/egress arrangements.

4.8 15/01407/ELUD

A Lawful Development Certificate was granted for the existing use of the premises as a children's indoor play centre (former D1 use).

4.9 14/04622/SCHPA

Prior approval was required and refused for the change of use of part of the play centre to provide a registered child care nursery. The application was refused on the basis that as the existing use was considered to fall within Class D1 of the Use Classes Order, the permitted development change afforded by Class K, Part 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) did not apply.

4.10 08/00148/DET

Details were approved relating to landscaping, bicycle parking/floodlights and community use agreement pursuant to conditions 2,4,6 and 10 of permission 04/02725 granted for 10 five-a-side football pitches/5m high netting and eighteen 8m high floodlights

4.11 04/02725/FULL1

Planning permission granted for Artificial playing surface for 10 five-a-side football pitches, 5m high side netting and eighteen 8m high floodlights

4.12 04/04202/FULL1

Planning permission was granted for the construction of an entrance canopy and doors and elevational alterations to the application building.

5. CONSULTATION SUMMARY

A) Statutory

Highways (LBB): No objection

Comments of Environmental Health should be sought regarding light spillage

Network Rail: No objection

No informatives/conditions required.

Drainage: No objection

Environmental Health: No objection

It has been confirmed that compliance with the parameters of Table 4 "The Reduction of Obtrusive Light" produced by the Institute of Lighting Professionals can be achieved (within the lighting design document and the Design and Access Statement). No objections on this basis.

Sport England: No objection

The application is considered to accord with exception 2 of the Playing Fields Policy and paragraph 103 of the National Planning Policy Framework.

Environment Agency: No objection

The application has been assessed as having low environmental risk. No comments.

Orpington Field Club & Bromley Biodiversity Partnership: No objection

No objection so long as the restriction in the hours of lighting as set out in the Planning Statement are adhered to.

B) Local Groups

North Copers Cope Road Action Group (NCCRAG)

The North Copers Cope Road Action Group (NCCRAG) has expressed concerns, including by way of providing a background to the current application, along with a Highways Technical Note.

The comments received include a background to the objection, referring to a lack of genuine and accurate community engagement, and the deliberate “toning down” of the scope of the development which was proposed in application 19/04644/FULL1 (with regards to underpitch heating, covered stand and future floodlighting submissions).

Concerns on current application

- Proposed floodlighting would constitute inappropriate development on Metropolitan Open Land and no very special circumstances have been advanced to justify inappropriate development
- If minded to approve, the planning application should not be granted until the applicant has provided detail including justification for the development and information on potential intensification of the use of the site/hours of operation and highways/traffic/parking impacts
- Reference to Rule 320 of the Premier League Youth Development Rules – which allows for the requirement for floodlighting to be waived in planning permission is refused for it
- In the past few years very few matches have been played on the show pitch, and very local clubs have been used for matches – Dulwich Hamlet, Sutton United, Bromley FC and Selhurst Park (all of which have covered stands for 500 spectators, and floodlighting)
- The site has been subject to incremental changes, impacting detrimentally on the MOL and on neighbouring amenity and in the absence of information, will increase the use of the Academy site
- Conditions imposed on previous permission restrict the maximum number of people on site to 360 and the number of spectators to 150 (unless an Event Management Plan has been submitted to and approved by the LPA)
- There is doubt that if conditional permission is granted, those conditions will be complied with (in view of on-going issues associated with the use of the site/compliance with approvals)
- The proposal will lead to an increase in the number of matches played at the site and the number of spectators

- Data collated indicates that from 2019/2020 – 2023/2024 the use of the site has increased in intensity and in relation to later starts from 3pm (3 occurrences increased to 29), home matches (33 increased to 49) and Friday/Saturday/Sunday matches (38 increased to 68)
- Most matches take place on Fridays and at the weekend
- No provision made to address parking and traffic concerns for spectators
- No proper Bat Survey has been undertaken – a live bat survey should be undertaken, and government advice with regards to impact on wild birds should be taken into account
- Impact on the residential development at former Footzie site
- The planning application form refers to work commencing in March 2024
- Reference to development at the 1st team training ground (on other side of Copers Cope Road)
- Impact on residential amenity associated with foot traffic, noise, pollution and congestion

C) Local Residents

Highways (addressed at 7.4)

- Concern that the proposal will give rise to additional traffic and unacceptable parking impacts – the games can be popular and over 250 spectators currently visit Sutton Utd (where the games are currently played)
- A condition on the original permission requires that no more than 150 spectators shall visit the site unless an Event Management Plan has first been submitted to/approved by the LPA
- Additional information required regarding an increased intensity of use of the site, including car and coach movements
- Lack of parking on site
- Impact on highways safety
- Club fail to control on-street parking, including of coaches
- Poor transport connections

Visual amenity (addressed at 7.2)

- Floodlighting columns are unsightly
- Impact on Green Belt (Metropolitan Open Land)

Impact on neighbouring amenity (addressed at 7.5)

- Will lead to light pollution to the rear of the houses backing onto the grounds
- Visual impact of the floodlighting columns
- Noise disturbance associated with the extra traffic and people exiting the site at 10pm

Wildlife impact (addressed at 7.3)

- Impact on bats, their prey, and other wildlife, including hedgehogs
- Assessment of impact on bats/bat population should go beyond a desk-top study
- Independent ecological survey should be undertaken

Site wide and other issues (addressed at 7.6)

- Concern regarding the display of the site notice
- Limited information provided regarding the frequency of the use of the lights
- Will waste energy
- Concern that the proposal will lead to a “stadium by stealth”
- Floodlighting not required – the games could be played on the artificial pitch which is already floodlit or at the club’s main ground
- Concern that the floodlights will effect the use of the site i.e. frequency, duration, number of visitors, traffic
- Club has not complied with terms of previous applications, including conditions
- Repeated applications at the site – Club should have made full disclosure at the outset
- Anti-social behaviour associated with additional footfall, including littering
- Club should be forced to open the facilities for local community/residents
- Lack of community engagement
- Site should be located in a less sensitive area

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 published in December 2023. 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.

National Planning Policy Framework 2023

NPPG

The London Plan (2021)

- GG3 Creating a healthy city
- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D11 Safety, security and resilience to emergency
- D13 Agent of change
- D14 Noise
- G3 Metropolitan Open Land
- S5 Sport and recreation facilities
- T4 Assessing and mitigating transport impacts

Bromley Local Plan (2019)

- 26 Health and Wellbeing
- 30 Parking
- 31 Relieving Congestion
- 32 Road Safety
- 33 Access for All
- 37 General Design of Development
- 44 Areas of Special Residential Character
- 50 Metropolitan Open Land
- 54 South East London Green Chain
- 57 Outdoor Recreation and Leisure
- 58 Outdoor Sport, Recreation and Play
- 69 Development and Nature Conservation sites
- 70 Wildlife Features
- 72 Protected species
- 73 Development and Trees
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure Capacity
- 119 Noise Pollution
- 122 Light Pollution

Supplementary Guidance

Urban Design SPD (Bromley 2023)

7. ASSESSMENT

7.1 Principle of development (including acceptability in relation to MOL) - ACCEPTABLE

- 7.1.1 Metropolitan Open Land is strategic open land within the urban area. It plays an important role in London's green infrastructure – the network of green spaces, features and places around and within urban areas. MOL protects and enhances the open environment and improves Londoners' quality of life by providing localities which offer sporting and leisure use, heritage value, biodiversity, and health benefits through encouraging walking, running and other physical activity.
- 7.1.2 The London Plan affords Metropolitan Open Land (MOL) the strongest possible protection, with Policy G3 of the LP stating that national Green Belt Policies as set out in the National Planning Policy Framework, apply to Metropolitan Open Land, the effect being that MOL is effectively afforded the same protection as Green Belt. Bromley Local Plan Policy 50 is consistent with the London Plan.
- 7.1.3 The NPPF sets out that the construction of new buildings should be regarded as inappropriate development in the Green Belt, with listed exceptions including the provision of appropriate facilities for outdoor sport and recreation (exception in paragraph 154b), subject to the requirement that the facilities/development preserve the openness of the Green Belt and do not conflict with the purposes of designation.
- 7.1.4 Policy 54 relates to the South East London Green Chain and requires that development proposals respect the character and function of the area, and measures are taken to protect the designated area including as appropriate the use of suitable screening, landscaping and enhancement of wildlife habitats.
- 7.1.5 Policy 57 of the Bromley Local Plan states that proposals for development related to outdoor recreational uses on land designated as Green Belt, MOL or Green Chain will be permitted provided that the proposal constitutes appropriate development or use of land.
- 7.1.6 Policy 58 of the BLP states that the Council will support the enhancement of outdoor sport and recreation facilities provided that:
- a - Proposals address nature conservation, Green Belt and Open Space Policies, and
 - b - Any loss from a proposed development is re-provided to an equivalent or higher standard in terms of quantity and quality in a suitable location, or the development is for alternative sports and recreation provision, the need for which clearly outweighs the loss, and
 - c -The activity and associated car parking do not adversely affect the countryside, nature conservation, or amenities of adjoining occupiers in ways which cannot be mitigated though planning conditions or obligations.
- 7.1.7 Representations have stated that the proposal would constitute inappropriate development, for which Very Special Circumstances would be required to be demonstrated to outweigh the harm by inappropriateness of the development. While

these comments are noted, the proposal would provide appropriate facilities for outdoor sport and recreation, which would comprise an exception under paragraph 154(b) of the National Planning Policy Framework. The specific paragraph does not speak to necessity or justification for the need for the facilities. As such it is not considered that the proposal would comprise inappropriate development in principle, subject to further consideration of the impact of the proposal on the openness of the Metropolitan Open Land.

- 7.1.8 While the proposed floodlighting columns would each be considerably high, it is noted that the installation is limited to 4 no. tall columns, each positioned at a corner of the pitch, and that floodlighting at height can allow for the provision of fully directional lighting, reducing glare and light spillage beyond the playing surface, as well as the overall number of lighting columns required to light the defined area.
- 7.1.9 In terms of the Metropolitan Open Land impact associated with the design of the floodlighting, the supporting columns themselves would be streamlined and of minimal visual impact, and although the pole top luminaires would have some visual bulk, in general views the bulk would not be significant and against the sky backdrop and in the context of the openness of the site, it is not considered that the proposal would undermine MOL site openness.
- 7.1.10 The proposal would support the established sports and outdoor recreation use of the site and it is considered that since the proposal is to provide appropriate facilities for outdoor sport and recreation, in principle the proposal would comply with Policy 50 of the Local Plan and the exceptions in paragraph 154(b) of the NPPF relating to Green Belts, subject to further consideration of the requirements set out in Policy 58 of the BLP with regards to nature conservation, impact on neighbouring amenity and the design of the installation.

7.2 Design and impact on character/visual amenity - ACCEPTABLE

- 7.2.1 Design is a key consideration in the planning process, with good design being an important aspect of sustainable development, and indivisible from good planning.
- 7.2.2 The NPPF requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, optimising the potential of sites, sustaining an appropriate level of green space and supporting local facilities and transport networks. Places should be created 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.
- 7.2.3 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.4 The submitted design and access statement, prepared by the lighting contractor, includes 3d visual representations of examples of similar (though not identical) lighting arrangements at other academy venues including Fulham FC Training Academy and the Manchester City FC Academy.

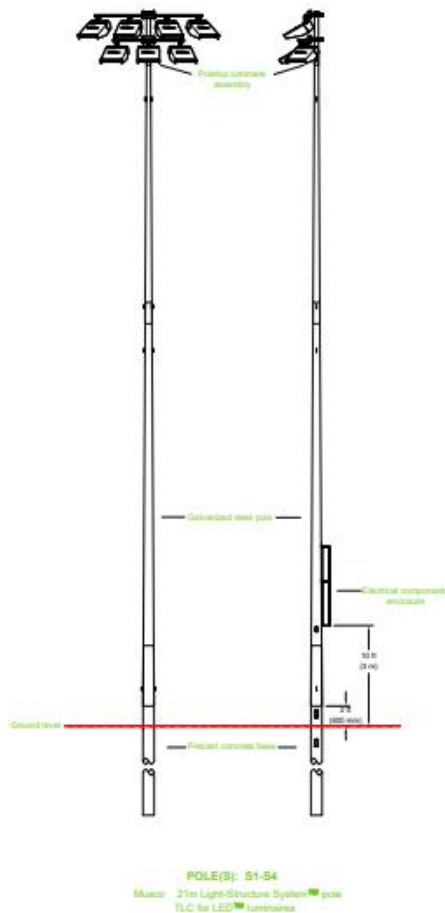


Figure 10 – Proposed floodlighting column

7.2.5 The proposed development will introduce floodlighting within an existing dark area of the site, but modern floodlighting systems are increasingly capable of limiting wider visual impact through the use of streamlined lighting mounts, a reduced number of columns required to light a defined area, and by including directional floodlighting. The applicant has provided detail on other examples of similar lighting installations, as well as substantial detail on light spillage (horizontal and vertical).

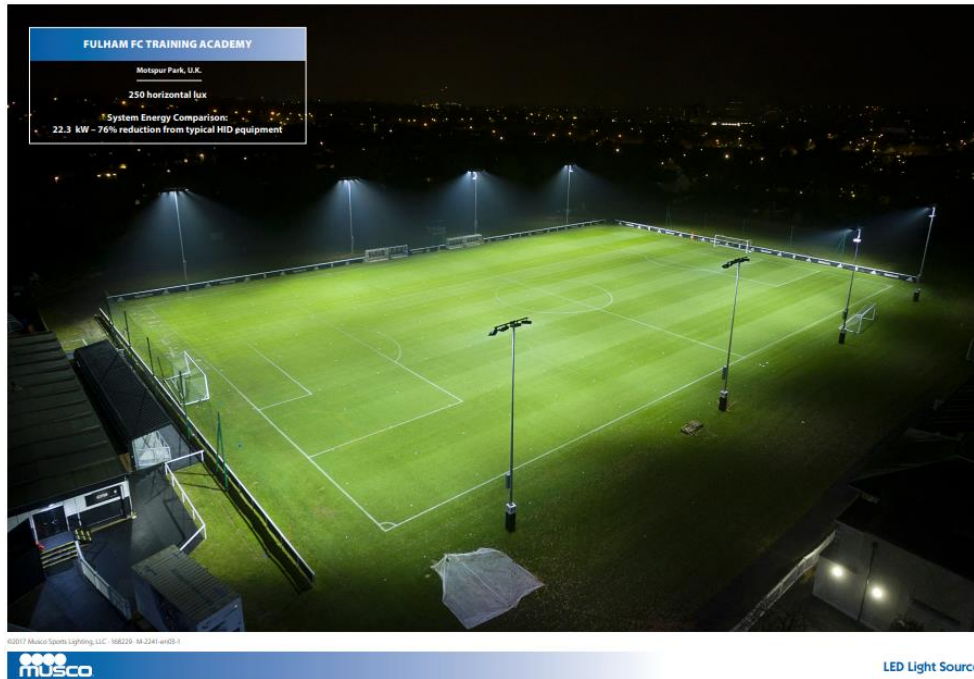


Figure 11 – Lighting system at Fulham FC Academy site

7.2.6 The installation would be appreciable as one supporting the outdoor sports use of the site, and within the wider site there are upright features including ball-stop netting and frames, and the artificial pitch visible from Copers Cope Road and Worsley Bridge Road benefits from its own (albeit lower height) floodlighting. As such it is not considered that the design of the proposal would be out of character with the long-established outdoor sports use of the site, and the design would be “legible” contextually with the site’s land use and the area in general. While the columns would be visible at distance from neighbouring sites, this visibility is not considered to equate to harm, or to result in a lowering of the visual amenities of the area. The design of the floodlighting would be of an acceptable design, and would be typical of other sports ground developments.

7.3 Impact on wildlife/biodiversity - ACCEPTABLE

7.3.1 The application has been submitted with an Ecology Lighting Strategy Review (December 2023) which was commissioned in order to assess potential impacts and develop suitable mitigation measures if impact identified, in relation to ecological features of the site and surroundings, including bats. It identifies, from a desk study, that 5 species of bat are present in the local area, assumed to be using the river corridor for commuting and foraging purposes. The desk study included available detail on the Pool River Site of Importance for Nature Conservation.

7.3.2 The lighting proposals have been assessed against the baseline ecology of the site and in the context of the Bat Conservation Trust guidance “Landscape and Urban Design for Bats and Biodiversity” as well as the Institute for Lighting Professionals (ILP) publication “Bats and Artificial Lighting in the UK.” It is noted that the application has also been submitted with a Design and Access Statement prepared by the

lighting engineers, along with additional supporting information, indicating the technical specification of the proposed lighting system, and providing detail on light spillage and glare.

7.3.3 The applicant's Ecology Lighting Strategy Review concludes that in view of the design of the lighting system, including directional LED luminaires, there is considered to be minimal ecological impact arising from the proposal. It is stated that for the watercourse corridor and most of the semi-natural vegetation surrounding it, the predicted lux levels would be 0.0 (zero) and the closest peripheral zones of the Pool River corridor would experience lux levels ranging from 1.0 to 0.0.

7.3.4 It is acknowledged at Paragraph 4.2.1 of the report that roost sites should remain unilluminated – and this would be the case on the basis of the lighting modelling submitted with the application. The report concludes that:

- the technical specification and design of the lighting would have exceptional upward and rearward shielding for light spillage
- the species of bat in the local area do not include the most light-averse species
- the urban setting of the site is subject to light pollution generally at a higher level than a rural landscaping setting (where the most light-averse bats will be more prolific)
- the majority of the corridor of the River Pool would register at 0.0 (zero) lux on the horizontal and vertical planes, with the light spill not exceeding 1.0 at the closest edge of the river corridor

7.3.5 The application, including supporting documents, has been reviewed by the Bromley Biodiversity Partnership(BBP)/Orpington Field Club(OFC), as is the practice in applications where there is some concern at potential impact on wildlife and ecology. It has been confirmed that following review there are no objections from the BBP/OFC from the perspective of wildlife/biodiversity impact, subject to a condition relating to the hours of floodlighting operation.

7.3.6 It is noted that comments have referred to the potential impact of the proposal on wild birds. Again, there are no objections to the proposal from the BBP/OFC with regards to the wider implications of the development on wildlife (in addition to impact on bats).

7.4 Highways - ACCEPTABLE

7.4.1 It is acknowledged that a significant number of objections have been received which express concern at the impact of the proposal on the adjacent highway, on road safety and with regards to parking and Public Transport Accessibility. Where concerns relating to the highways/parking implications of the site's wider use on the surrounding area are noted, it falls in the assessment of this specific application to consider in what ways, if any, the proposed floodlighting would alter or worsen the impact of the site's operation as approved within the planning history of the site.

7.4.2 To this end, the applicant was asked to provide clarification on the need, purpose and implications (in terms of number of fixtures) of the proposal, all the time framed by the requirements of the pre-existing conditions imposed on permission reference

19/04644/FULL1 with regards to hours of operation, number of spectators and intensity of use.

7.4.3 The applicant provided a response to objections, and general additional/explanatory information, which is summarised as follows:

- The Premier League 2 (PL2) is the FA's new name for the under-21 league
- The PL2 rules require that apart from 3 fixtures per season, all PL2 fixtures (including cup and international fixtures) must be played at either a stadium or approved alternative venue
- In order for the Academy to be approved as an alternative venue, floodlighting is required
- The competition fixtures have to be played on either after 7pm on Fridays and Mondays, or on Saturday/Sunday afternoons
- While acknowledged that EFL 2022-2023 Youth Development Rules state that floodlighting is not required where planning permission for floodlighting has been refused (Rule 320), the rules also require compliance with the requirements of the PL2 rules which are less flexible (EFL rule 178, EFL rule 184, PL2 rule 43, PL2 Rule 44, PL2 Appendix 1).
- Details provided of home matches for 2023/2024 (played at Sutton United), indicating 14 such games with a 19.00 kick off, and 1 game played at Selhurst Park (final game of the season). This information applying for the period 14/08/23 – 16/04/23.
- The playing of home matches at Sutton United is greatly inconvenient to players – meaning that almost every match is an away-match and means the Academy is reliant on third-party agreement/booking
- The playing of Academy games at Selhurst Park is a treat – only 2 matches per the 2023/2024 season. Hosting all PL2 matches at Selhurst Park would be unsustainable in terms of conflict with pitch maintenance for the premiership matches, as well as the operating burden/preparation involved in “opening up” a full premiership stadium for PL2 matches
- All matches played at the Academy site would comply entirely with the approved use of the site – planning condition 28 of the 19/04644/FULL1 condition requires an Event Management Plan for events with more than 150 spectators, and PL2 matches are attended by far fewer people than the limit in this condition
- The pitch will not be rented to third parties – will be used by the Academy alone

The home matches for the 2023/24 athletic year are listed below.

14/08/23 – CPFC v Man United – CPFC Academy 13.00 KO
28/08/23 – CPFC v Fulham – Selhurst Park 12.00 KO
27/09/23 – CPFC v Athletic Bilbao – Sutton United 19.00 KO
01/10/23 – CPFC v Liverpool – CPFC Academy 14.00 KO
24/10/23 – CPFC v AS Monaco – Sutton United 19.00 KO
30/10/23 – CPFC v WBA – Sutton United 19.00 KO
10/11/23 – CPFC v Ipswich – Sutton United 19.00 KO
06/12/23 – CPFC v Benfica – Sutton United 19.00 KO
11/12/23 – CPFC v Middlesbrough – Sutton United 19.00 KO
18/12/23 – CPFC v West Ham – Sutton United 19.00 KO
17/01/24 – CPFC v Feyenoord – Sutton United 19.00 KO
22/01/24 – CPFC v Birmingham – Sutton United 19.00 KO
26/01/24 – CPFC v Brighton – CPFC Academy 13.00 KO
26/02/24 – CPFC v Wolves – Sutton United 19.00 KO
01/03/24 – CPFC v Leicester – Sutton United 19.00 KO
11/03/24 – CPFC v Aston Villa – Sutton United 19.00 KO
29/03/24 – CPFC v Tottenham – Sutton United 12.00 KO
08/04/24 – CPFC v Everton – Sutton United 19.00 KO
12/04/24 – CPFC v Chelsea – Sutton United 19.00 KO
16/04/24 – CPFC v Everton – Selhurst Park 19.00 KO

Fixtures marked in **bold** type were or will be played over sunset or after dark.

Figure 13 – Information provided by applicant listing time/venue of home matches for the 2023/2024 season

7.4 No technical objections are raised to the proposal by the Highways Officer. If planning permission is granted it would be prudent and practical to reimpose those conditions of the permission 19/04644/FULL1 that speak to the scope of the application i.e. hours of floodlighting operation, number of spectators, use by Academy, all with the aim of preventing an intensification of the use of the site.

7.5 Impact on neighbouring residential amenity - ACCEPTABLE

7.5.1 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.

7.5.2 The proposed hours of operation of the floodlighting have been provided and are considered to be reasonable in the scope of existing lighting installation at the ground, the relationship between the proposed floodlighting and the existing activities/operation of the site and the extant (and repeated) conditions relating to hours of use and number of persons/spectators at the site.

7.5.3 The application has been submitted with a Design and Access statement which provides modelling of the light spillage associated with the proposal.

7.5.4 The Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light set out various parameters for assessing the impact of outdoor

lighting, these parameters being informed by the type of area in which the lighting is sited. A suburban area is defined as “small town centres or suburban locations” and given the annotation “E3” and a rural area is defined as “village or relatively dark outer suburban locations” and given the annotation “E2.” Within an E3 (suburban area) the allowable light intrusion at the façade/windows of neighbouring dwellings should not exceed 10 lux, and within an E2 (rural) area the luminance should not exceed 5 lux.



Figure 12 – Image of horizontal light spill contours

7.5.6 Figure 12 shows the horizontal light spill levels associated with the floodlighting, with the outer “ring” representing a light level of 2 lux, the middle (green) ring a light spill level of 5 lux and the inner (light blue) ring a light spill of 10 lux. What the diagram indicates is that even at the rear boundary of gardens of dwellings fronting Copers Cope Road, and in relation to the residential development to the north of the site, the maximum lux level of light spill would be consistent with the parameter applicable to a rural area (E3), with is more exacting than that applicable to a suburban area (E2). The levels stated refer to window/façade impact. The submission indicates that the window/façade light spill at the rear wall/windows of the dwellings fronting Copers Cope Road would be 0 lux.

7.5.7 Figure 13 below shows the vertical light spill contours. These are also indicated to be within the acceptable range.

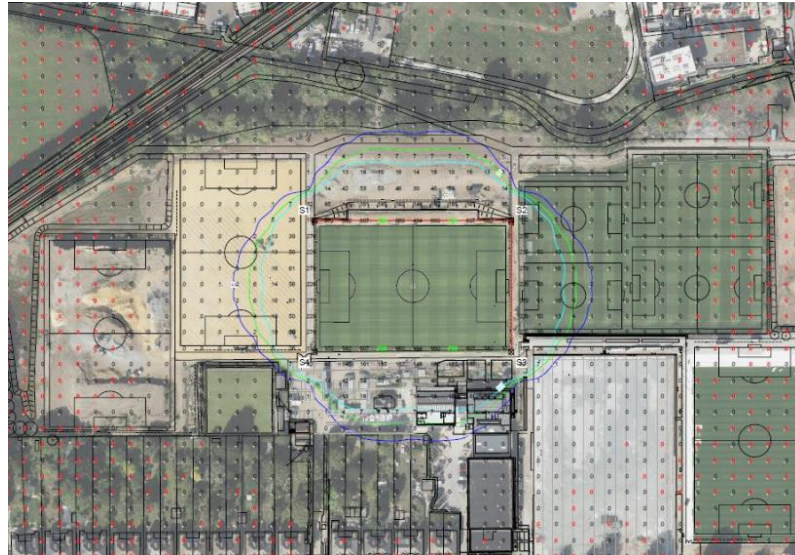


Figure 13 – Image of vertical light spill contours

7.5.7 The lighting design calculations indicate that there will be negligible amount of direct light spillage. The information also speaks to “sky glow” (also known as the Upward Light Ratio) and the application documents confirms that the proposed system would achieve 0% ULR where the ILP guidance states that 5% and 2.5% ULR is allowable in suburban and rural areas respectively. This is illustrated in Figure 14 below:

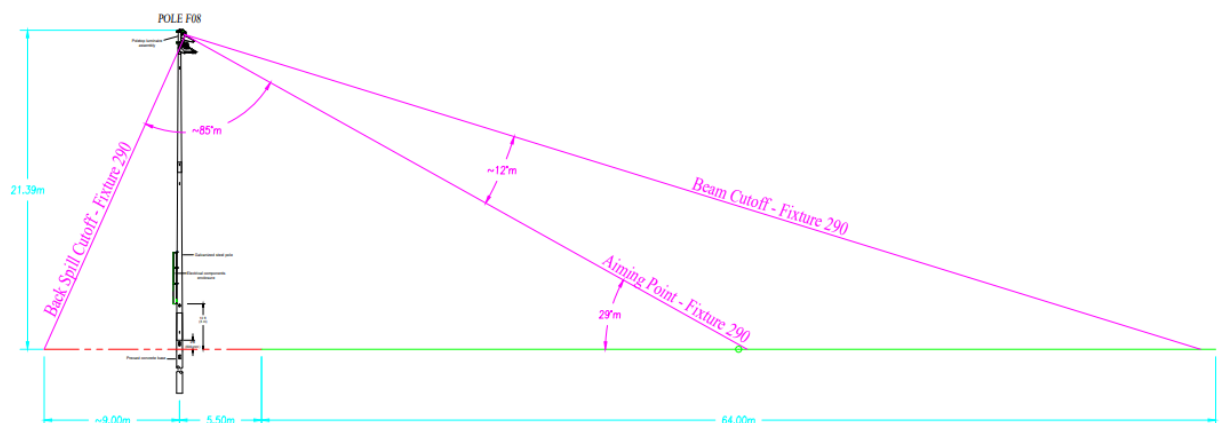


Figure 14 – Beam cut-off image

7.5.8 The application including this information has been reviewed by the Environmental Health team and no technical objections are raised in respect of the proposals with regards to the impact of the floodlighting on neighbouring residential amenity.

7.5.9 Representations have been received which refer to the impact of the proposal with regards to noise and disturbance associated with the use of the site. However, as previously stated, existing conditions associated with the intensity of the use of the site could be repeated if permission is granted. In this context, and taking into account the existing hours of use of the site, it is not considered that the refusal of planning permission on the grounds of impact on neighbouring amenity would be justified.

7.6 Other matters

- 7.6.1 It is acknowledged that representations, including from the North Copers Cope Road Action Group, have referred to the incremental nature of development on the site, and concerns in relation to compliance with conditions (referencing the recent retrospective applications for planning permission and on-going investigation of the site).
- 7.6.2 While these comments are understandable and speak to a concern over the relationship between the Club and neighbouring residents, it is axiomatic that this application be considered on the basis of the specific development proposed rather than in the wider context of the planning history of the site. The application submission relates to the installation of floodlighting to the show pitch, where at present construction works as permitted under reference 21/02760/FULL1 are on-going to construct a covered spectator stand. The floodlighting would, if permitted, have specified hours of illumination and the use of the pitch would be subject to hours of operation and spectator numbers equivalent to those of the wider site application granted under reference 19/04644/FULL1.

8. CONCLUSION

- 8.1 It is acknowledged that there is significant local concern regarding the incremental alterations/additions to the scope of works at the site, querying why floodlighting and aspects the subject of other on-going applications were not included in the “master” application 19/04644/FULL1, and expressing scepticism at the extent to which the Academy will abide by conditions imposed within any future application.
- 8.2 While these concerns are noted and understood, the scope of the assessment of this specific application is limited to the development at hand – in this instance, the installation of 4 no. floodlights for the pitch 1, and it is considered that conditions could be reasonably imposed such that would address concerns over the impact of the proposal on wildlife, neighbouring residential amenity and the visual amenities of the area. There are no objections to the proposal from the Highways Officers, and the use of the site would be consistent with the existing use in terms of the hours of operation and people on/visiting the site. In this context it is recommended that planning permission be granted.
- 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:

- 1. Time limit for commencement of development**
- 2. Accordance with the submitted plans/documents**

- 3. Floodlighting hours of illumination**
- 4. Use of pitch to accord with sitewide operation (number of spectators)**
- 5. Floodlighting to be used only by Crystal Palace Football Club Academy**
- 6. Floodlighting verification report – following installation**

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.

DRAFT CONDITIONS ONLY

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

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and documents submitted with the application, unless previously agreed in writing by the Local Planning Authority.

Reason: To prevent any unacceptable deviation from the approved plans/proposal.

3. The floodlighting shall not be switched on before 08:00 on any day and shall be switched off no later than 22:00 on Monday to Saturday inclusive, and no later than 21:00 on Sundays and bank holidays.

Reason: In order to minimise the impact of floodlighting on local residential amenity and to comply with Policy 122 of the Bromley Local Plan

4. No football match(es) with more than 150 spectators shall take place unless an Event Management Plan has first been submitted to and approved by LB Bromley. The Event Management Plan shall set out:
 - o Off-site parking arrangements
 - o Forecast spectator travel patterns
 - o Key event timings

Reason: In order to comply with Policies 30 and 31 of the Bromley Local Plan and to avoid development which would be detrimental to amenities and prejudicial to road safety.

5. The floodlighting hereby granted planning permission shall only be used when home matches associated with the Crystal Palace Football Academy are played, and before the beginning of each athletic season, a schedule/calendar of planned matches requiring operation of the floodlighting shall be provided to the Local Planning Authority.

Reason: in the interest of the residential amenities of neighbouring properties and to accord with the scope of the application/intended use, to comply with Policy 37 of the Bromley Local Plan.

6. (i) On completion of the installation of the floodlighting a verification report shall be submitted to the Local Planning Authority for written approval. The Report should include photographs and measurements where necessary and shall be produced by a suitably qualified person to confirm that lighting has been installed in accordance with the approved scheme.

(ii) The use of the floodlighting shall not commence until written approval has been granted by the Local Planning Authority under Part (i) of this condition, and thereafter the

approved scheme shall be permanently maintained in an efficient working manner and no further lighting shall be installed on the site without the prior approval in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, nature conservation and the environment and to comply with Policies 37 and 112 of the Bromley Local Plan.

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Agenda Item 4.4

Committee Date	13.06.2024	
Address	Holwood House Westerham Road Keston BR2 6HB	
Application Number	24/00109/FULL1	Officer - Stephanie Gardiner
Ward	Bromley Common And Holwood	
Proposal	The extension of the existing garage at ground level, with basement level garage and games/leisure room	
Applicant	Agent	
Peter Waddell	Mr John Collins	
Holwood House Westerham Road BR2 6HB United Kingdom	Eclipse House Eclipse Park Sittingbourne Road Maidstone ME14 3EN	
Reason for referral to committee	Councillor call in	
	Call-In	Cllr Jeffreys: call-in if officers are minded to refuse the application.

RECOMMENDATION	REFUSE
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<p>KEY DESIGNATIONS</p> <ul style="list-style-type: none"> Areas of Archeological Significance Ancient Monuments Article 4 Direction Biggin Hill Noise Contours Biggin Hill Safeguarding Area Green Belt Historic Parks and Gardens Historic Landfill Sites London City Airport Safeguarding Statutory Listed Buffer London Loop Sites of Interest for Nat. Conservation
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Smoke Control SCA 14
Statutory Listed Building

Representation summary	The application was advertised by way of a site notice and press advert. Letters were sent to neighbouring residents/properties on 5 th February 2024.
Total number of responses	2
Number in support	1
Number of objections	1

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed extension would result in a 25.3% increase in floorspace. It would therefore result in a disproportionate addition that would amount to inappropriate development in Green Belt. Furthermore, it would not preserve the openness of the Green Belt, which would conflict with the purposes of including land within it contrary to Policies 49 and 51 of the Bromley Local Plan, Policy G2 of the London Plan and Chapter 13 of the NPPF.

2. LOCATION

2.1 The site is located to the south of Keston Village and Westerham Road and set within approximately 50 acres of parkland and gardens. Holwood Mansion is a grade I listed dwelling, and the site is also a Grade II registered historic park. The Holwood Camp Scheduled Monument is also located to the north of the building. The site is also designated as an area of Archaeological priority and Green Belt. Holwood Mansion is located at the top of Holwood Hill at an elevated point, with the land sloping downwards on three sides and there are views of the gardens and hills to the south. To the north there is a tennis court and walled garden.

2.2. The Historic England list description for Holwood Manson is as follows:

"William Pitt the younger had a house here on this site. This was demolished and rebuilt by Decimus Burton for John Ward in 1825. Lord Cranworth, who was Lord Chancellor from 1852-8 and from 1865-6 also lived here. 2 storeys. 13 windows. White brick on a stone base with stone stringcourse cornice and parapet. The north-west or entrance front has a central projecting portion of 3 windows with a recessed porch in this having 2 fluted stone Greek Doric columns, a window on each side of the porch flanked by pilasters and a stone entablature with pediment over. At each end is a one-storey pavilion of 3 round-headed windows with a pediment over. At the north-east end is a service wing of 9 windows. The south-east or garden front has a central bow with 4 free-standing fluted Ionic columns and 2 Doric pilasters standing on a plinth of 6 semi-circular steps and rising the whole height of the house with a stone entablature above. The 3 window bays at each end are recessed. Their ground floor has 2 fluted

Doric columns and 2 pilasters. To the south-east of the house is a very fine cedar tree at least as old as Pitt's time.

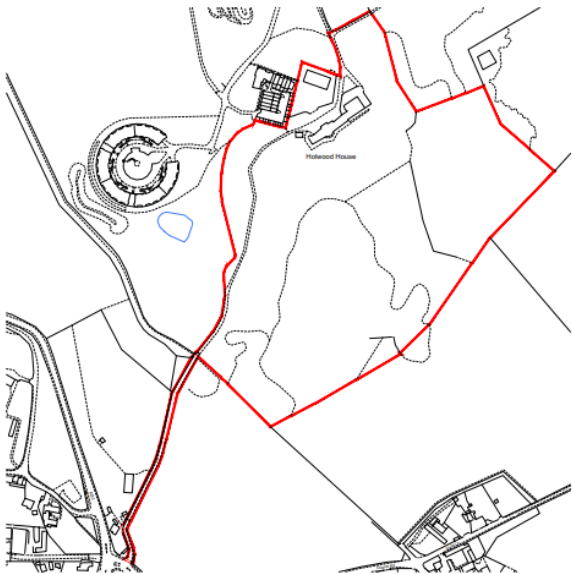


Fig 1: Site Location Plan

3. PROPOSAL

3.1 Planning permission is sought for the extension of the existing garage at ground level, with basement level garage and games/leisure room. The extension above ground would measure 17.5m in width and 18.5m in depth.

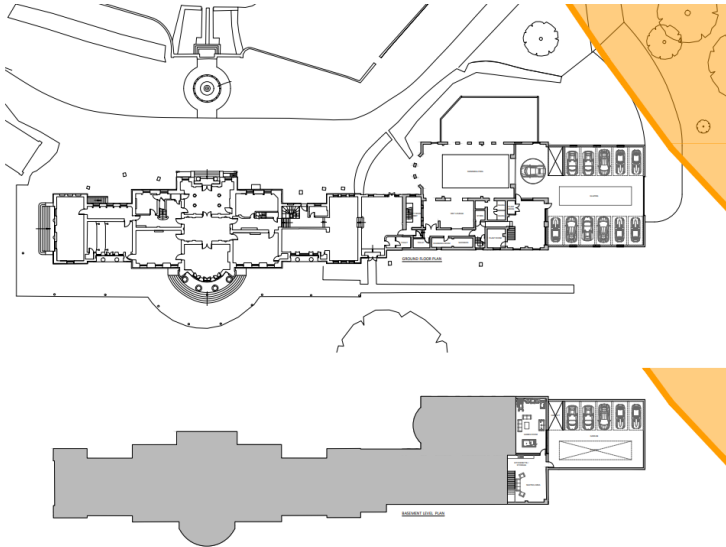


Fig 2: Proposed Plans

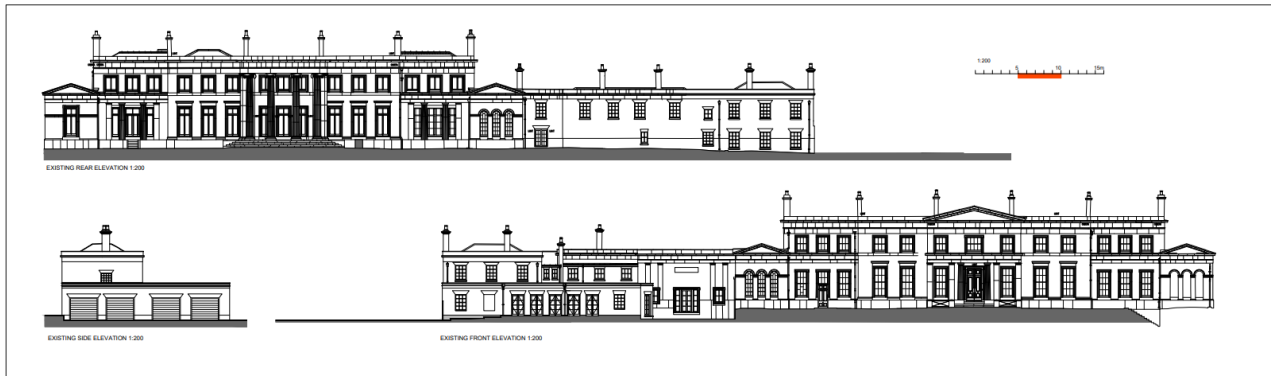


Fig 3: Existing Elevations

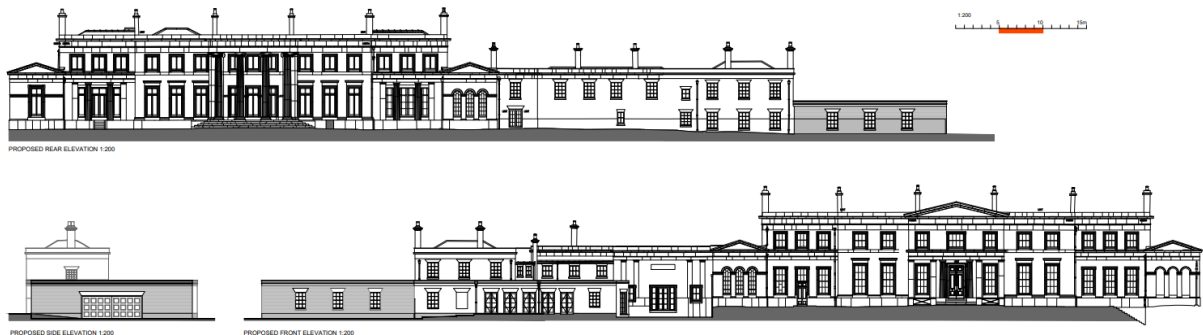


Fig 4 : Proposed Elevations

4. RELEVANT PLANNING HISTORY

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

There is a long planning history for this site however only the following are considered relevant:

99/00928/FULL2 - Change of use of mansion and part of grounds from offices (Class B1) to dwelling with domestic curtilage - Approved - 15.06.2001

99/01478/LBC - Demolition of Perry Block stable yard building and the stable yard/garden wall and structures adjacent to the north-eastern corner of Holwood House (Renewal of LISTED BUILDING CONSENT 93.0279) - 03.08.1999

99/03174/FULL1 - Partial demolition, elevational alterations and hard landscaping - Permission - 12.02.2001

99/03175/LBC - Partial demolition and elevational and internal alterations to facilitate conversion to dwelling with hard landscaping LISTED BUILDING CONSENT - 01.02.2001

05/00172/FULL6 - Single storey extension comprising swimming pool and garages - Permission - 10.03.2005

05/00260/LBC - Single storey extension comprising swimming pool and garages and internal alterations LISTED BUILDING CONSENT - 10.03.2005

05/01951/FULL1 - 2 entrance wall features at access to Westerham Road (1m high) - Approved - 18.08.2005

17/05118/FULL6 - Regularisation of works to renovated and restored Holwood House and part of the swimming pool/garage extension works together with repairs/rebuilding of roof structure - Permission - 21.05.2018

18/00920/LBC - Regularisation of works to renovated and restored Holwood House and part of the swimming pool/garage extension works together with repairs/rebuilding of roof structure LISTED BUILDING CONSENT - 21.05.2018

18/03151/FULL6 - Application for the construction of deer proof fencing, security fencing, railings and new gates - Approved

18/05371/FULL1 - Erection of a fountain in the grounds of Holwood House, Keston - Approved

18/05372/LBC - Erection of a fountain in the grounds of Holwood House, Keston - Approved

18/05386/FULL1 - Extension of the existing garage to provide further garaging of vehicles and associated external works. Permission

18/05383/LBC - Extension of the existing garage to provide further garaging of vehicles and associated external works. Consent

19/01099/FULL6 - The construction of a garden/parkland maintenance building, with associated access works at Holwood House, Keston. Permitted

23/00950/FULL1 - Side extension of existing garage at ground level, with basement level garage including turntable and games/leisure room. Refused for the following reason:

1. The proposal would result in a disproportionate addition that would amount to inappropriate development in Green Belt. Furthermore, it would not preserve the openness of the Green Belt and would conflict with the purposes of including land within it contrary to Policies 49 and 51 of the Bromley Local Plan, Policy G2 of the London Plan and Chapter 13 of the NPPF.

The above application is currently at appeal under ref: APP/G5180/D/23/3334959 and is still being considered.

23/00951/LBC - Listed Building Consent for Side extension of existing garage at ground level, with basement level garage including turntable and games/leisure room. Granted.

23/04011/FULL1 - The extension of the existing garage with related works at Holwood House Keston Kent. Permission

23/04012/LBC - The extension of the existing garage with related works at Holwood House Keston Kent. Granted.

24/00110/LBC - Listed Building Consent for the extension of the existing garage at ground level, with basement level garage and games/leisure room. Pending

Please note that a full list of the planning history can be found on the Council's website.

5. CONSULTATION SUMMARY

A) Statutory

Conservation Officer: No objections

Historic England – The proposals are very similar to the planning application 23/04012/LBC (to be determined) albeit now includes a basement extension beneath the new extension. This variation does not raise any additional heritage concerns. With regards to the design of the proposed extension in relation to Holwood House, we remain content it would be closely matched to the host building, so would appear part of the seamless whole, and would be deferential by stepping in from the façade line. The success of the extension being able to blend in and avoid adversely impacting Holwood House is however highly dependent on the quality of the new brickwork, render, stone detailing, and windows, as well as how well they are laid out. To safeguard this, should your council be minded to grant consent, we recommend samples of these materials should be approved by your Conservation Officer, which could be secured through condition.

The proposed extension does not encroach on the defined and protected area of the scheduled monument of Holwood Camp (monument number LO 101), however the proposed road surface to the extended garage and any landscaping would extend into the monument boundary. No details of these works nor any assessment of how the monument would be impacted by these works has been provided, which has been one of our principal concerns with the various iterations of this scheme. Unless the applicant amends the scheme to remove all parts from the Monument's boundary, an application for Scheduled Monument Consent will be needed. Falling within the boundary of the monument raises the potential the scheme could cause harm and therefore in accordance with Paragraph 201 of the NPPF the applicants will need to demonstrate the harm has been avoided or minimised as far as possible. We remain

unconvinced this has been suitably provided. We therefore recommend the applicant should explain why the access road needs to encroach on the monument, what landscaping is proposed on the monument, what the impact would be and what mitigating measures have been taken.

Even if the proposals are entirely removed from the monument's boundary the proposals still get very close to it. It's important that the works do not encroach on the monument, as it's very easy for construction to expand once on site. We recommend your council attaches conditions to any granting of planning permission to restrict the zone of the work. We recommend the applicant is requested to provide a method statement detailing how they will create an exclusion zone or protect the monument otherwise if they plan to drive over.

Paragraph 7.1.5 of the applicant's *Design and Access Statement* refers to additional landscape improvements and planting to soften views of the new extension and improve the setting and amenity. No details of this have been provided. We would strongly encourage any new planting or landscaping to be characteristics of a Repton designed landscape and informed by the late C17th/early C18th techniques for screening and filtering views. We would encourage this information is made available to your authority, which could be controlled via condition, should you be minded to grant consent. Any landscaping within the boundary of the monument would also need to be included in an SMC application.

Recommendation

Historic England has concerns regarding the applications on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the applications to meet the requirements of paragraphs 201 of the NPPF.

In determining these applications, you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your Authority should take these representations in account and determine the application in accordance with national and local planning policy and in consultation with your specialist conservation advice. We have drafted the necessary letter of authorisation for your Authority to determine the application as you see fit and have referred this to the National Planning Casework Unit (NPCU) (copy attached). You will be able to issue a formal decision once the NPCU have returned the letter of authorisation to you, unless the Secretary of State directs the application to be referred to them.

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the local planning authority.

The full GLAAS consultation criteria are on our webpage at the following link:

<https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice/>

The Greater London Archaeological Advisory Service (GLAAS) - The planning application is in an Archaeological Priority Area. The Archaeological context of the application site is in respect of the proximity of the largest Iron Age hillfort in Greater London and the possible extra mural settlement to its south. The archaeology is of national significance as reflected by its status as a Scheduled Ancient Monument.

Recommendation - The significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition. Recommend a planning condition requiring a written scheme of investigation (WSI) to be submitted to and approved in writing prior to commencement of development.

This pre-commencement condition is necessary to safeguard the archaeological interest of the site. Approval of the WSI before works being on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this pre-commencement condition, please let us know their reasons and any alternative suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with the NPPF Para 205.

It is envisaged that the archaeological fieldwork would comprise an Archaeological Strip-Map-Record. It is that all areas of ground disturbance associated with the development, both permanent and temporary, are subject to an archaeological strip-map-record program. Archaeological s-m-r is a structured investigation with defined research objectives which normally take place as a condition of planning permission. It will involve the investigation and recording of an area of archaeological interest including the recovery of artefacts and environmental evidence. Once on-site works have been completed a 'post-site s-m-r' assessment will be prepared followed by an appropriate level of further analysis, publication and archiving.

Archaeological Society: No comments received

Garden Trust - No comments received

The Georgian Trust - No comments received

Council for British Archaeology - No comments received

B) Adjoining Occupiers (addressed in Para. 7 - 8)

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

Objection

- Object if they use the entrance from Westerham Road to have deliveries and removal of debris from the house/site during renovation or construction.
- No objection if they use the private entrance, they have coming in from Downe Road exclusively.

Support

- For older buildings to survive they must support living in the modern context
- The storage of motor vehicles is a factor of modern life. If Holwood House is to continue to enjoy occupancy and maintenance it must be upgraded and maintained to support modern living
- Holwood House is located in a rural area and can only be seen from the private grounds or from other properties on Holwood Estate.
- Comment from neighbour on Holwood Estate confirming they cannot see the location of the proposed extension from their property nor they believe can their neighbours.
- Cannot therefore object on the ground as it being unsightly.

6. PLANNING CONSIDERATIONS

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.

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

The National Planning Policy Framework was updated in 2023, and is a material consideration.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2021). The NPPF does not change the legal status of the development plan.

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

The London Plan (2016):

HC1 Heritage and Conservation and growth
D10 Basement Development
G2 Green Belt
G4 Open Space
T5 Cycle Parking
T6 Car Parking

Bromley Local Plan (2019):

Policy 6 Residential Extensions
Policy 37 General Design of Development
Policy 38 Statutory Listed Buildings
Policy 45 Historic Parks and Gardens
Policy 46 Scheduled Monuments and Archaeology
Policy 49 The Green Belt
Policy 51 Dwellings in the Green Belt or on Metropolitan Open Land
Policy 73 Development and Trees

Other Guidance:

Urban Design Guidance (Bromley 2023)

7. CONSIDERATION

7.1 Resubmission

7.1.1 The application follows several previous applications which have been set out in the planning history section of this report. The current proposal is a resubmission of Planning ref: 23/00950/FULL1, which was refused. To address previous objections, the applicant has reduced the size of the basement and removed the bowling alley. The percentage increase in built development has been reduced from 30.6% under the refused application to now 25.3%.

7.2 Heritage Impact – Acceptable

7.2.1 The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

7.2.2 Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should

be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 7.2.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.
- 7.2.4 The host building is Grade I Listed which is set within c.50 acres of park land and gardens. It is sited towards the top of Holwood Hill in an elevated position, looking out towards gardens, hills, and trees to the south. To the north of the house there is a tennis court, walled garden, pavilion and Holwood Estate development. There are numerous trees surrounding the building.
- 7.2.5 Policy 38 of the BLP states that applications for development involving a listed building or its setting, or for a change of use of a listed building, will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting. These policies are supported by London Plan Policy HC1.
- 7.2.6 The site is also a Grade II registered Historic Park and as such Policy 45 of the BLP needs to be considered. These policies state that application within or adjoining a registered historic park or garden will be expected to protect the special features, historic interest and setting of the park or garden. The Council will seek to ensure that the park or garden is appropriately managed or maintained in a manner which reflects its status and designation.
- 7.2.7 In addition, the site is located adjacent to the Holwood Camp Scheduled Ancient Monument (SAM) and is within an area of Archaeological Priority. Policy 46 relates to Scheduled Monuments and Archaeology. This policy is clear that planning permission will not be granted for development that would adversely affect SAMs or Nationally important Archaeological sites, involve significant alterations to them or harm their settings.
- 7.2.8 Policy 37 of the BLP requires all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy 6 of the BLP states that proposals for alterations and enlargements should respect and complement the host dwelling and be compatible with the surrounding area, this is supported by London Plan Policy D4.
- 7.2.9 Planning permission was granted in 2018 under ref: 18/05386/FULL1 and 2023 under ref: 23/04011/FULL1 for a similar development. However, this was only for a ground floor side addition, which was 5m smaller in width and did not include a basement.

- 7.2.10 Like that permission, the current proposal has been traditionally designed and would attach to an existing modern addition to the east of the building. Although the building has already been extended in the form of a contemporary addition to the east, which has resulted in some unbalancing to the property. However, no in-principle objections have been raised from a heritage perspective from either Historic England or the Council's Conservation Officer, subject to conditions relating to the submission of material samples and detailing, together with landscaping details. These are recommended as pre-commencement conditions and when having regard to the sensitive and historical significance of the building and Park, they are considered both reasonable and necessary to ensure the appropriate materials/details are selected and agreed prior to works commencing to protect the significant of the building and grounds.
- 7.2.11 Historic England have previously raised concerns surrounding wider landscape work within the Park and the number of planning applications which have been submitted over the years for this site, culminating in the overall need for 'site-wide conservation management plan' to help inform the ongoing management of the Park and building. However, this application relates to the extension only, in this case such a requirement is considered to not be directly related to the development and would not meet the necessary tests laid down by para 55 and 56 of the NPPF.
- 7.2.12 In respect of the SAM and Archaeological significance of the site, GLAAS have confirmed that the Archaeological context of the application site is in respect of the proximity of the largest Iron Age hillfort in Greater London and the possible extra mural settlement to its south. The archaeology is of national significance as reflected by its status as a Scheduled Ancient Monument.' No objections have been raised by GLAAS subject to a pre-commencement condition relating to the submission of a written scheme of investigation (WSI) with archaeological strip-map-record program. This pre-commencement condition is necessary to safeguard the archaeological interest of the site particularly given the basement extension. Approval of the WSI before works being on site would provide clarity on what investigations are required, and their timing in relation to the development programme.
- 7.2.13 The applicant has provided information demonstrating the location of the SAM boundary and its position in relation to the development. Although the extension itself does not encroach onto this designated area, the access road track does. An access road leading to the existing garage is already located in this area but would be amended and extended to provide access to the side of the extension. Historic England have recommended that this be relocated, however they have also indicated that if this is not possible then separate Scheduled Ancient Monument consent will be required. This approach was considered acceptable under ref: 23/04011/FULL1. It is therefore considered prudent to include an informative on any permission notifying the applicant of this.
- 7.2.14 In this case, the extension is wider than the previous approved scheme and extends to the basement, but the principle of a side addition was accepted under that 2018 and then 2023 permission, and the current proposal would continue to adjoin an existing modern addition. When having regard to the representations made by HE and the Council's Conservation officer, it is considered that the development would not result in unacceptable harm to, or detract from, the character, appearance and

significance of the Listed Building, Historic Park or the neighbouring Scheduled Monument. It is therefore considered to be in accordance with Policy 6, 37, 39, 45 and 46 of the Bromley Local Plan.

7.3 Impact on the Green Belt – Unacceptable

7.3.1 Paragraphs 142- 156 of the NPPF sets out the Government's intention for Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The Green Belt is intended to serve five purposes:

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

7.3.2 Para. 153 deal specifically with development proposals in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

7.3.3 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.3.4 Paragraphs 154 states a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include c) the extension or alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building.

7.3.5 Policy G2 of the London Plan similarly indicates Green Belts should be protected from inappropriate development. Policy 49 of the BLP is in accordance with the Framework, confirming a presumption against inappropriate development unless very special circumstances exist.

7.3.6 Policy 51 states that extensions or alterations to dwellinghouses in the Green Belt or Metropolitan Open and (MOL) will only be permitted if:

- a - The net increase in the floor area over that of the original dwellinghouse is no more than 10%, as ascertained by external measurement; and
- b - Their size, siting, materials, and design do not harm visual amenities or the open or rural character of the locality; and
- c - The development does not result in a significant detrimental change in the overall form, bulk, or character of the original dwellinghouse.

- 7.3.7 Other development within the curtilage is inappropriate by definition and would only be permitted where very special circumstances have been demonstrated.
- 7.3.8 The Council wishes to ensure that there is no incremental harm to the Green Belt that collectively may jeopardise the open nature of the countryside, or other open land. Development which falls outside the appropriate uses is, by definition, harmful to the Green Belt. The openness and visual amenity of the Green Belt shall not be injured by any proposals for development within or conspicuous from the Green Belt which might be visually detrimental by reasons of scale, siting, materials, or design.
- 7.3.9 When considering an extension, the 'original dwelling' follows the definition of 'original building' in the NPPF: 'A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally'.
- 7.3.10 The current proposal comprises a ground floor and basement extension to provide a car garage over two floors and games room. The bowling alley has been removed from the scope of this application.
- 7.3.11 As noted above, the host building is set within c.50 acres of park land and gardens. It is sited towards the top of Holwood Hill in an elevated position, looking out to out towards gardens, hills, and trees to the south. To the north of the house there is a tennis court, walled garden, pavilion, and Holwood Estate development. There numerous trees surrounding the building.
- 7.3.12 The property has an extensive planning history. This includes a swimming pool and garage extension which was granted under ref: 05/00172/FULL6. At the time of that application, it was noted that the extension was to be in place of several demolished buildings and outbuildings. Based on historical ordnance survey maps and photographs there does appear to have been several structures in this location prior to 2005. The applicant has also provided a floor plan and floor space breakdown for the building as it stood in 1948, existing (current) and proposed. This comparison suggests that the current building is comparable in size to the dwelling that stood in 1948, with it now being c.1sqm smaller at ground floor.
- 7.3.13 The submission shows that the GEA of the proposed ground floor addition to be 325sqm.
- 7.3.14 The basement extension would have a GEA of 325sqm.
- 7.3.15 The total GEA of the additional extended floor area would therefore be 650sqm.
- 7.3.16 The existing building (as it currently stands) has a GEA of 2678sqm and the proposed GEA including basement would measure 3357sqm.
- 7.3.17 This would amount to a 25.3% increase in floor space. This has been reduced from a 30.6% increase in floor space within the refused application.
- 7.3.18 It is noted that planning permission has been granted under ref: 23/04011/FULL1 for a similar development. However, this only allows for ground floor addition, which is also is 5m smaller in width and does not include a basement. At the time, this was

only considered to represent an 8.4% increase in floor area. The current proposal is therefore significantly larger. If, however, the current proposal was contained to the ground floor element only and did not include the basement, the percentage increase would amount to 12.13% as the current ground floor addition is c.99sqm larger than the extant permission.

7.3.19 The property is not however a typical 'dwelling' in terms of its overall scale, and it is such that the floor to ceiling heights is more than 7m in some areas, meaning the existing building is much larger in volumetric terms than the floorspace would suggest.

7.3.20 However, the construction of new buildings within the Green Belt, is by definition, harmful. Exceptions to this include c) the extension or alteration of a building if it does not result in a disproportionate addition over and above the size of the original building.

7.3.21 Local Plan Policy 51 states that extensions or alterations to dwellinghouses in the Green Belt or Metropolitan Open Land (MOL) will only be permitted if the net increase in the floor area over that of the original dwellinghouse is no more than 10%. In this case, the proposal would represent a 25.3% increase. Although, the property is larger in scale than a 'typical' dwelling, the percentage increase in this case is significant and although the basement is below ground level it adds materially to the overall floorspace of the building.

7.3.22 It is however relative to consider the impact of the proposal on the openness of the Green Belt. This has visual and spatial aspects. A large percentage of the floor area and volume would be below ground level and access would be from the upper floor of the extension. This basement element would not therefore have an impact in relation to the visual aspect of openness. However, the widening of the structure by a further 5m over and above the historical permission adds to the mass of the built form and elongates the building to the east and extends the built form into the open setting of the surrounds. The overall quantum of floor space and volume from the basement is also considered to be a relevant consideration in constraining the spread of development in the Green Belt and preventing Urban Sprawl, even if the proposal is not readily seen. Paragraph 142 of the Framework states that 'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.' The absence of harm arising in respect to the visual aspect of openness from the basement is acknowledged but there would nonetheless be an impact on the openness of the Green Belt in relation to its spatial aspect.

7.3.23 It is therefore considered that the proposal would be a disproportionate addition amounting to inappropriate development and would conflict with the purpose of including land in Green Belt.

7.3.24 The Framework goes on to state that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances.' The applicant contends that the development would enable the relocation and consolidation of several vehicles, which are parked around the building into one internal space which would improve the overall external appearance of the building and site generally, together with the openness of the Greenbelt. In this case, there is already a garage in place and there is no means of controlling how

many vehicles are stored on site, with additional vehicles potentially being stored externally in future even if the extension was built. It is not therefore considered that this justification would amount to VSC which would outweigh the harm to Greenbelt by reason of inappropriateness.

7.3.25 Accordingly, this revised proposal has failed to overcome previous objections and would continue to result in a disproportionate addition that would amount to inappropriate development in Green Belt. Furthermore, it would not preserve the openness of the Green Belt, which would conflict with the purposes of including land within it contrary to Policies 49 and 51 of the Bromley Local Plan, Policy G2 of the London Plan and Chapter 13 of the NPPF.

7.4 Neighbouring Amenity – Acceptable

7.4.1 Policy 37 of the Bromley Local Plan state that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

7.4.2 Due to the location of the proposed extension the proposed works would not impact on any of the neighbouring occupiers in terms of creating a sense of enclosure loss of sunlight / daylight and loss of outlook.

7.4.3 For these reasons, it is considered that the proposed development is acceptable and complies with policy on neighbouring amenity.

7.5 CIL

7.5.1 The Mayor of London's CIL and Local Borough CIL is a material consideration. CIL is payable on this application.

8 Conclusion

8.1 Having had regard to the above it is considered that the development in the manner proposed is not acceptable as it would amount to inappropriate development in Green Belt and would conflict with the purpose of including land within it.


8.2 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: REFUSE

- 1. The proposal would result in a disproportionate addition that would amount to inappropriate development in Green Belt. Furthermore, it would not preserve the openness of the Green Belt and would conflict with the purposes of including land within it contrary to Policies 49 and 51 of the Bromley Local Plan, Policy G2 of the London Plan and Chapter 13 of the NPPF.**



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Agenda Item 4.5

Committee Date	13.06.2024	
Address	Borough Council Depot Churchfields Road Beckenham BR3 4QY	
Application Number	24/00159/FULL1	Officer - Susanna Stevenson
Ward	Clock House	
Proposal	Erection of fire suppression tanks and pump house with associated alterations to the drainage layout at the site, like for like repair and replacement to the slab, push walls and works associated with the refurbishment and repair of the waste transfer station. Elevational alteration to front boundary wall to provide pedestrian access gate within existing wall.	
Applicant	Agent	
Miss Aimee Rayner	Tarun Cheema	
Civic Centre Stockwell Close Bromley BR1 3UH	104C St. John Street London EC1M 4EH United Kingdom	
Reason for referral to committee	Councillor call in	
	Council site – outside of delegated powers	No

RECOMMENDATION	PERMISSION
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<p>KEY DESIGNATIONS</p> <p>Article 4 Direction Biggin Hill Safeguarding Area Flood Zone 2 Historic Flooding London City Airport Safeguarding Smoke Control SCA 30 Views of Local Importance</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing and proposed	Council waste/recycling centre and depot	N/A

Representation summary	The application was advertised by way of a site notice. Letters were sent to neighbouring residents/properties on 13 th February 2024.	
Total number of responses	8	
Number of neutral/general comments	1	
Number in support	0	
Number of objections	7	

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would provide site enhancements to improve the efficiency and fire safety of the site
- While the development would be close to an existing river, no objections are raised by the Environment Agency
- The works to the site would be of a design and appearance consistent with the function and character of the site – the proposal would not have a detrimental impact on visual amenity
- There are no technical objections with regards to drainage and highways matters
- The proposal would not result in an intensification of, or change to, the use of the site and would not give rise to greater impact on residential amenity
- There are no objections to the proposal from an Environmental Health perspective

2. LOCATION

- 2.1 The application site lies on the south eastern side of Churchfields Road. The overall site has an area of approx. 1.17 hectares.



Figure 1 – site location

- 2.2 To the north east of the application site is Churchfields Recreation Ground which is designated as Urban Open Space (UOS). The south eastern boundary of the site is with the Chaffinch Brook (west branch) which is a designated main river. Beyond the river lies a large area of open ground which is understood to be used as an electricity distribution site. To the south west of the site is Churchfields Primary School and grounds, also designated as Urban Open Space.



Figure 2 – Aerial view of site

- 2.3 The site has been used for some considerable time as a London Borough of Bromley Household Waste and Recycling Centre. The site itself is designated as a Waste Site and lies within Flood Zone 2 (majority of the site) and Flood Zone 3 (rear part of the site, closest to the river). The site is located within an Air Quality Management Area (AQMA) and a Thames Water easement bisects the site.



Figure 8 – Location of proposed tanks and pump area (in front of shed to left)

- 3.3 At No. 3 on the numbered site plan (Fig. 3), it is proposed to repair/replace existing push walls and concrete walls as existing. Cladding above the concrete walls will also be repaired.

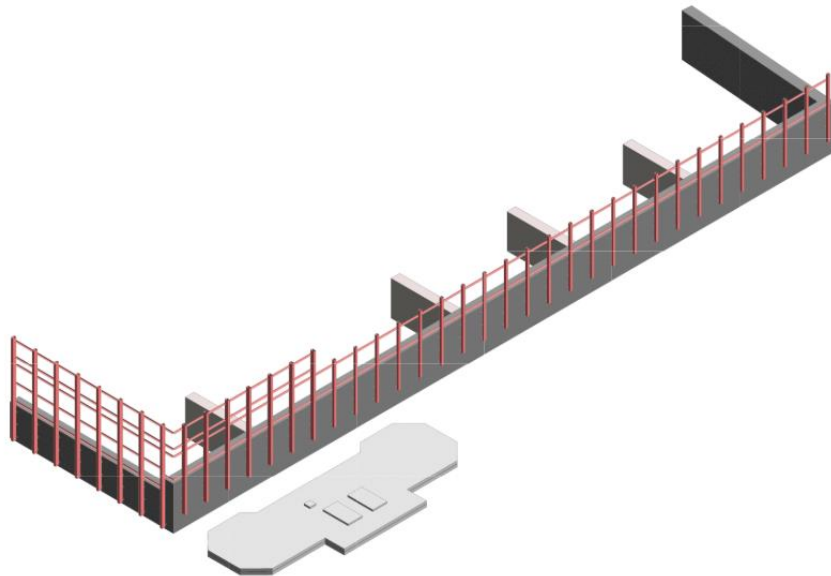


Figure 9 – aerial view of push walls, cladding and location of tanks/pump



Figure 10 – existing cladding and walls (tanks to be sited adjacent)

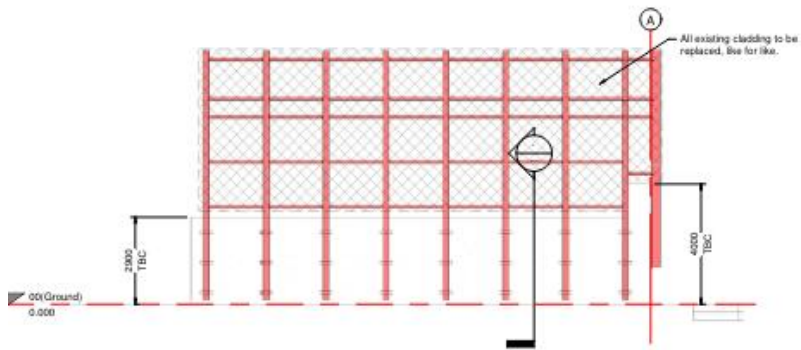


Figure 11 – proposed cladding repair/replacement like for like



Figure 12 – existing push walls

- 3.4 At No. 4 on Fig. 3 (and the wider site), it is proposed to replace the existing concrete slab in conjunction with below ground site-wide tanking/drainage works to capture fire water and improve the drainage system at the site.

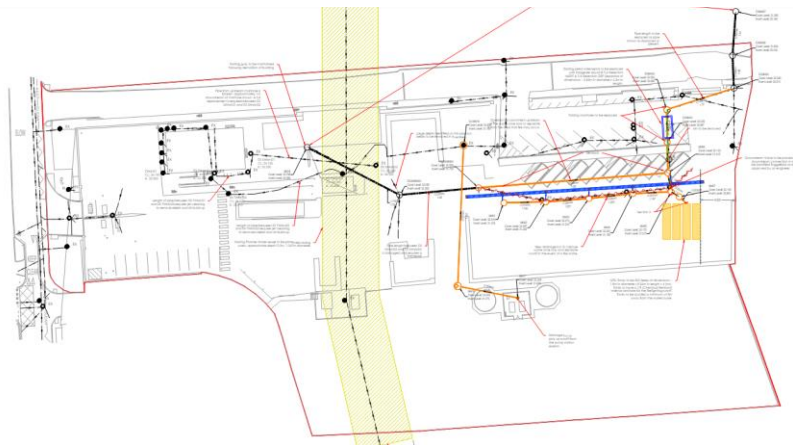


Figure 13 – Site drainage system

4. RELEVANT PLANNING HISTORY

10/01601/VAR

Variation of Condition 3 (boundary treatment) relating to permission ref 08/03991 to provide planting to screen the approved boundary wall rather than a bamboo screen.

08/03991/FULL1

Planning permission granted for “Installation of 3 metre concrete panel wall to side and front boundary at Churchfields Road entrance and detached single storey office building with associated storage units and parking, including the demolition of Nos 179, 181, 183 Churchfields Road”

90/02935/LBB

Planning permission granted for provision of solid screen to tipping wall and alterations to boundary walls and gates.

83/00605/FUL

Permission granted for works to increase the height of part of the south western boundary wall by 3 ft 3 inches and the rebuilding of part of the boundary wall to 15ft.

5. CONSULTATION SUMMARY

A) Statutory

Environment Agency - No objection

The proposals to upgrade the site infrastructure are welcomed. There are no objections to the proposed development subject to conditions and informatives relating to riverside setback, contamination and pollution prevention, and flood risk activity permits/the waste permitting process.

Highways- No objection

Drainage - No objection

Thames Water- Consulted. No comment.

B) Local Groups

N/A

C) Adjoining Occupiers

Transport and highways (addressed at paragraph 7.4)

- Vehicles often queue all along Churchfields Road in both directions
- Proposal will increase the already high volume of traffic on Churchfields Road, which is also a cycling path and hosts a school attended by hundreds of children.

Noise, air quality, odours (addressed at paragraph 7.3)

- Noisy gates and noise from vehicles using Churchfields Road as a rat run, mixed with vehicles waiting to access the site
- No objection in principle so long as there is consideration of how to control air pollution in the surrounding area. This is the responsibility of Veolia. Drivers should be made to turn off car engines rather than allowing idling within the site.
- The open bays should be replaced with closed containers set into the ground, which would be more appropriate for a residential area
- Noise associated with the testing of the water pumps

Visual impact (addressed at paragraph 7.2)

- The proposed fence is an eyesore - should be lower and supplemented by evergreen planting along the park side, to hide the fence, filter pollution from idling cars etc as well as preventing rubbish from blocking from the recycling centre to the neighbouring park.

Drainage (addressed at paragraph 7.5)

- Concern at lack of drainage improvements within the southern part of the site.

Other matters (addressed at paragraph 7.6)

- Potential safety impact associated with children attempting to climb the 2.4m high fence to retrieve footballs
- Should be consideration of landscaping in front of the site and the potential of opening a second-hand shop to sell discarded items still good enough to use should be explored
- The site's location is incompatible with the location, so close to a school, park and homes. Repair and refurbishment of the facility indicates that a long term future for the use is envisaged – Bromley should instead explore the relocation of the centre to an alternative site, so that the current site could be developed, potentially for housing.

6. POLICIES AND GUIDANCE

National Planning Policy Framework (December 2023)

NPPG

The London Plan

- D3 Optimising site potential through the design-led approach
- D11 Safety, security and resilience to emergency
- D14 Noise
- G1 Green infrastructure
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI 1 Improving air quality
- SI 5 Water infrastructure
- SI 9 Safeguarded waste sites
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- SI 17 Protecting and enhancing London's waterways

- T1 Strategic approach to transport
- T2 Healthy Streets
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T7 Deliveries, servicing and construction

Bromley Local Plan 2019

- 32 Road Safety
- 37 General Design of Development
- 55 Urban Open Space
- 79 Biodiversity and Access to Nature
- 114 New Waste Management Facilities and Extensions and Alterations to Existing Sites
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems (SUDS)
- 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 and Renewable Energy
- 125 Delivery and Implementation of the Local Plan

Bromley Supplementary Guidance

Urban Design Guide (Bromley, 2023)

7. ASSESSMENT

7.1 Land Use - ACCEPTABLE

- 7.1.1 The proposal would provide enhanced facilities associated with the operation of the wider waste/recycling facility, largely comprising works to repair/replace/make good degraded concrete slab, push walls and cladding. The proposal would also improve the fire resilience of the site, through providing enhanced fire suppression systems.
- 7.1.2 Policy 114 of the Bromley Local Plan relates to extensions and alterations to existing waste management facilities. It states that new or extended/altered facilities must demonstrate that they will not undermine the local waste planning strategy and will help the Borough move up the waste hierarchy.

7.1.3 London Plan Policy SI 8 (Waste capacity and net waste self-sufficiency) relates principally, in terms of the assessment of planning applications, to proposals for new waste sites and/or increased capacity of existing waste sites. Policy SI 9 relates to safeguarded waste sites and states that existing waste sites should be safeguarded and retained in waste management use. The intention of the application proposals is to improve the existing operation of the site.

7.1.4 It is noted that representations refer to the desirability of moving the waste/recycling facility, and the potential that the existing site could be redeveloped for housing. The application site is of longstanding established use as a waste/recycling facility and this application can only be determined on the merits of the specific proposals. The specific proposals do not seek to enlarge the site or increase the intensity of the use of the site, but rather to consolidate/repair and improve the existing facilities of the site, to respond to the need for maintenance to ensure that the site continues to be operational.

7.2 Design, Scale and Layout - ACCEPTABLE

7.2.1 The NPPF states that 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. Policy D3 of the London Plan 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. locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

7.2.3 The proposed works would be largely sited well within the site, largely involving underground or ground level works, a significant distance from public vantage points, and within an established waste site. In this context, the functional materials and design, would be of an appearance consistent with the function and visual amenities of the site. It would not appear incongruous or out of character with the site or its surroundings.

7.2.4 The proposed alterations to the front boundary would provide a dedicated pedestrian access to the depot's office and worker space (rather than a public access point) where at present access to the site offices is via the existing vehicular entrance with vehicle barriers. The appearance of the proposed works to the front boundary to provide a separate pedestrian gate would be sympathetic to the existing appearance of the front boundary and would have limited impact on the visual amenity of the street scene.

7.2.5 As originally submitted, the drawings indicated the installation of a 2.4m high green palisade fence round the boundary of the site. Subsequent drawings deleted this plan annotation and the proposal does not include this element of the original submission.

7.3 Neighbourhood amenity - ACCEPTABLE

7.3.1 It is noted that representations have been received which raise on-going concerns associated with the operation of the site and its siting close to residential properties, as well citing potential future concern about aspects specific to the current application – i.e. noise associated with the testing of the pumps.

7.3.2 It is important to take into account that the use of the site is long-established, and it falls to consider the scope of these specific proposals relative to their impacts (if any) on the locality. While concern about the long-standing siting of the facility relative to residential properties is noted, along with the preference for an alternative site to be identified/secured, this is an established site and the application has been assessed on this basis.

7.2.6 Comments from the Environmental Health Officer were sought, and no objections are raised subject to a condition requiring the prior to the commencement of the development, details of the plant noise associated with the pump/fire suppression system operation/testing, along with a scheme of mitigation as appropriate, shall be submitted to and approved in writing by the Local Planning Authority. It is considered, taking into account the siting of the development relative to the nearest residential properties, the context of the existing established operation of the site and subject to the recommended condition, that the impact of the proposal on the amenities of nearby residential properties is capable of being satisfactorily controlled. The specific development proposals set out in this application would be of limited direct impact on neighbouring amenity (subject to information on noise as above), notwithstanding that local residents may have concerns over the site's existence and operational impact on the residential area.

7.4 Transport and highways - ACCEPTABLE

7.4.1 The current proposals would not seek to increase the intensity of the use of the site, but rather to repair/replace degraded concrete and hardstanding, along with the push walls and bay cladding, as well as to provide a dedicated pedestrian access to the depot separate to the vehicular access, along with fire suppression measures aimed at reducing the risk of fire at the site.

7.4.2 The Highways Officer was consulted on the application and considers that in view of the proposals being related to enhancements of the existing site rather than intensification or changes to the existing operational management of the site, there would be no objections from a technical highways perspective.

7.4.3 It is understood that concern has been raised regarding the activities of vehicles in the site, referring to the actions of drivers in keeping their engines idling in

queues, and the necessity that Veolia address this directly with the customers/refuse vehicle drivers. That vehicles are at busy times likely to queue within the highway is also of concern, as well as the impact of all of these activities on health and road safety.

- 7.4.4 While these comments are noted, in regard to the specific application proposals, it is not considered that the development scheme would result in any greater adverse impact on transport, parking and highways safety than the existing situation. It may be that residents could liaise with the operators of the site/the Council's relevant officers, to suggest measures related to the operation of the site regarding queue management and circulation within the site. This would not be a planning consideration within the context of this specific application due to the limited scope of the proposals.

7.5 Drainage, Flooding and Ecology - ACCEPTABLE

- 7.5.1 The site lies close to the open Chaffinch Brook, which runs to the east of the waste and recycling centre. The views of the Environment Agency were sought, prior to and during the course of this application, and the Drainage Officer has raised no objections to the proposals. The Environment Agency has welcomed the proposals to upgrade the infrastructure of the site, with the aim of supporting well maintained and managed waste management sites. If permission is forthcoming, a number of conditions have been requested.
- 7.5.2 A local representation referred to the drainage works being largely confined to the southern side of the site (although the submitted drainage scheme indicates much of the work being focussed on the underground pipework and drainage to the south of the surface recycling containers, to the north of the push walls.
- 7.5.3 As previously stated, the drainage scheme has been assessed by the Council's Drainage Officer, and the wider proposals as a whole have been considered by the Environment Agency. No objections have been raised by these consultees, and Members are advised that granting planning permission for the drainage scheme proposed would not preclude any other future submissions relating to other parts of the site, should these be considered necessary/appropriate.

7.6 Other matters

- 7.6.1 As originally submitted the general arrangements plan included reference to the installation of high fencing associated with the boundary of the site, and a concern was expressed regarding the potential safety impact associated with children attempting to climb the 2.4m high fence to retrieve footballs. The scheme was amended at an early stage and the amended general arrangements plan no longer includes reference to boundary fence alterations.
- 7.6.2 It is noted that a representation referred to the desirability of the formation of soft landscaping areas to the front of the site, as well as the potential of operating a second-hand shop from the site to sell discarded items in good

working order/condition. These aspects both fall outside of the specific scope of the application for planning permission. It is not considered that the use of a planning condition to require increased landscaping would meet the tests for planning conditions, in relation to the need to be relevant to the specific proposal.

8. CONCLUSION

- 8.1 The proposal would have no significant impact on neighbouring residential amenity, nor on the visual amenities or character of the site and surroundings.
- 8.2 Subject to conditions, there are no objections to the proposals from the perspective of the Environment Agency. It is not considered that the proposal would give rise to increased risk of flooding, or harm to the watercourse.
- 8.3 The proposals would improve the operational efficiency and structural robustness of the application site, which is a designated waste transfer site.
- 8.4 It is recommended that planning permission be granted.

RECOMMENDATION: Application Permitted

Subject to the following conditions:

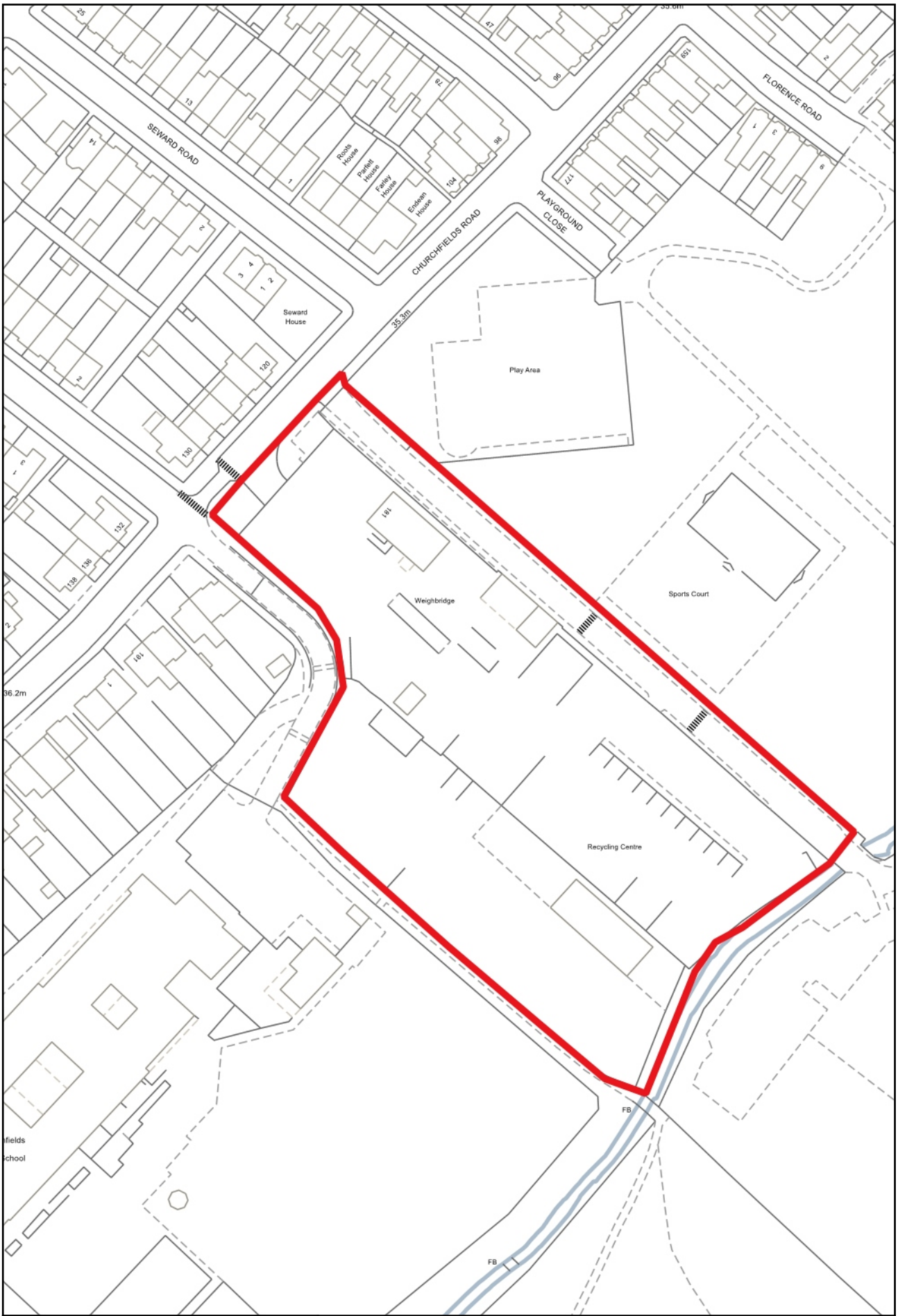
1. **Time limit for commencement**
2. **Accordance with approved plans**
3. **Construction management plan pre-commencement**
4. **Acoustic assessment pre-commencement**
5. **8m set back to the river and no encroachment towards the river**
6. **Contamination – action if previously unidentified contamination is encountered**
7. **No infiltration/drainage systems other than those approved**
8. **Materials to match existing**

Informatives:


1. **Flood Risk Activity Permit required**
2. **Environmental Permit MP3390EC – permit holder to check whether variations to the permit required as a consequence of the works.**

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.

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Ordnance Survey 100017661.

 24/00159/FULL1
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05 June 2024

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Agenda Item 4.6

Committee Date	13.06.2024	
Address	London Borough Of Bromley Waldo Road Bromley BR1 2QX	
Application Number	24/00182/FULL1	Officer - Susanna Stevenson
Ward	Bromley Common And Holwood	
Proposal	Erection of a fire suppression tank and pump house along with associated drainage works, replacement/repair of slab, push walls, weighbridge and other works associated with improvement of existing waste transfer station including fencing.	
Applicant	Agent	
c/o Agent	Tarun Cheema	
Civic Centre Stockwell Close Bromley BR1 3UH	104C St. John Street London EC1M 4EH United Kingdom	
Reason for referral to committee	Council land - outside delegated powers	Councillor call in

RECOMMENDATION	PERMISSION BE GRANTED
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<p>KEY DESIGNATIONS</p> <p>Area of Deficiency in Access to Nature Article 4 Direction Biggin Hill Safeguarding Area Flood Zone 2 Flood Zone 3 Gas Holder Stations Historic Flooding Historic Landfill Sites London City Airport Safeguarding</p>

Ravensbourne Variations
 Renewal Area
 River Centre Line
 Smoke Control SCA 13
 Smoke Control SCA 12

Land use Details

	Use Class or Use description	Floor space (GIA SQM)
Existing	Council waste/recycling centre and depot	N/A
Proposed	Council waste/recycling centre and depot	N/A

Representation summary

The application was advertised by way of a site notice.

 Letters were sent to neighbouring residents/properties on 12th February 2024.

Total number of responses	0
Number in support	0
Number of objections	0

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would provide site enhancements to improve the efficiency and fire safety of the site
- While the development would be close to an existing river, no objections are raised by the Environment Agency
- The works to the site would be of a design and appearance consistent with the function and character of the site – the proposal would not have a detrimental impact on visual amenity
- There are no technical objections with regards to drainage and highways matters
- The proposal would not result in an intensification of, or change to, the use of the site and would not give rise to greater impact on residential amenity
- There are no objections to the proposal from an Environmental Health perspective

2. LOCATION

2.1 The application site comprises a waste/recycling site operated by the London Borough of Bromley. It lies to the south of Network Rail railway land, to the west of The Avenue, to the north of allotment land (Urban Open Space) fronting Baths Road and to the east of residential streets (Carlyle Avenue and Walwyn Avenue). The site lies within Flood Zones 2 and 3 and a culverted main river crosses the site.

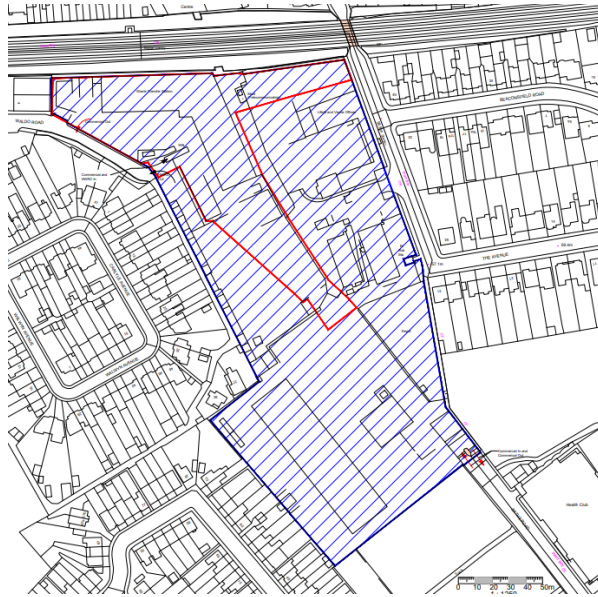


Figure 1 – site location plan

2.2 The red line application site is accessed from Baths Road (to the south – no public access) and from Waldo Road (to the north west – includes public access to the recycling centre). The area shaded blue comprises the wider central depot site, which is owned/operated by the London Borough of Bromley.



Figure 2 – Aerial view

3. PROPOSAL

3.1 The proposal relates to the following development:

- Erection of fire suppression tank and pump house
- Drainage works
- Repair and replacement to slab and push walls
- Weighbridge works
- Fencing

3.2 Erection of fire suppression tank and pump house

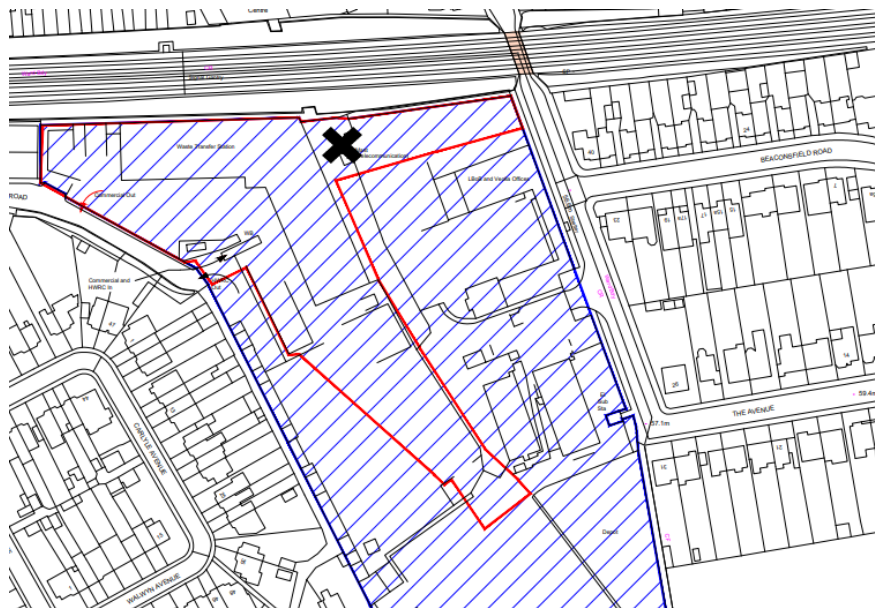


Figure 3 – Site plan with location of tank/pumphouse “X”

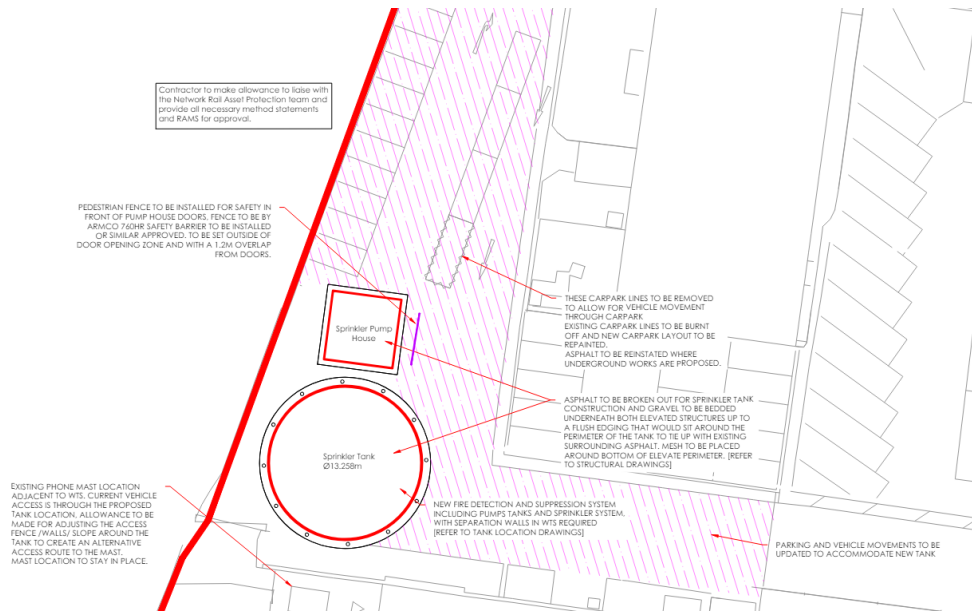


Figure 4 – Detailed plan of location of fire suppression tank/pump house

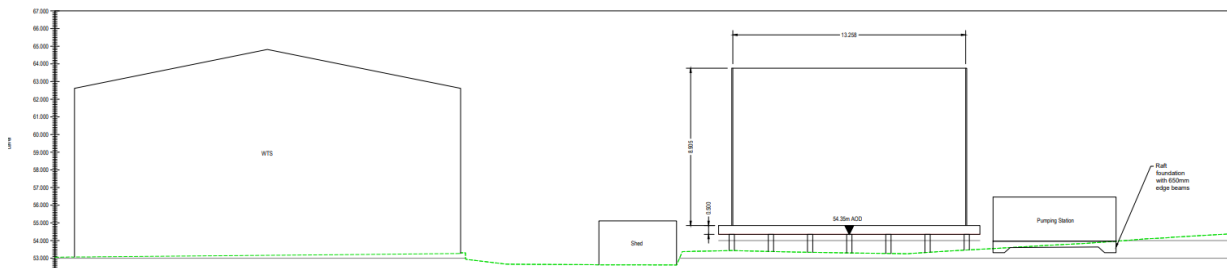


Figure 5 – Elevation of fire suppression tank/pump house



Figure 6- view to northern boundary and location of proposed tank/pump house

3.2.1 The fire sprinkler tank comprises a cylindrical structure which would hold water for the purpose of addressing fire events at the depot. The tank would be mounted on a raft foundation with a gantry frame positioned on pad foundations to support the pipe leading from the pump house to the sprinkler valve room.

3.2.2 The fire suppression tank and pump house would be located in the northern part of the site, adjacent to the northern boundary of the site with the railway land and to the west of the main waste sorting hangar. The painted car parking bays associated with the Council Depot offices, accessed from The Avenue, would be amended to include the removal of one painted bay (to enable continued vehicular circulation through the private part of the site – no public access).

3.3 Drainage and below surface works

3.3.1 Sitewide drainage works are proposed in association with the hangar and waste sorting area to the north west side of the site. These will be underground and include works to the foul water drainage system and the formation of ACO channels. Future electric vehicle charging ducts will be laid.

3.4 Repair and replacement to slab, pavements and push walls

3.4.1 The existing concrete waste storage bays are separated by “push walls” which are used to assist in the moving and sorting of waste. These are proposed to be repaired where suitable, and replaced where necessary, with similar structures formed of pre-cast concrete “lego” blocks. The existing external yard slab will be removed and replaced on a like-for-like basis, with kerbs and “island” amended to improve the flow of vehicles through the waste site and to allow for the re-siting of the existing sentry box relative to the repositioned weighbridge. The existing pedestrian access will be lengthened through the removal of an existing brick wall to the north of the public in/out access to the recycling centre.



Figure 7 – Facing north west



Figure 8 – Facing north east



Figure 9 – Facing south east



Figure 12 – existing weighbridge

3.5.1 This application includes reference to the provision of 2 no. new weighbridges as well as the replacement and repositioning of the existing weighbridge on the southern side of the site. Members are advised that separate to this application, an application was submitted by Veolia (rather than LBB) under reference 24/00343/FULL1 for the provision of 2 no. weighbridges to the southern side of the site, and this was granted planning permission by members of the Plans Sub-Committee meeting held on 18th April 2024.

3.6 Fencing and gate

3.6.1 Within the site (i.e. not at the site boundaries) fencing/gates are proposed to be installed between the public access and waste sorting/storage hangar and associated weighbridge/manoeuvring area.

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

- Covering letter
- Design and Access Statement
- Fire pump details
- Pre-application drainage report
- Phase 2 Geo-Environmental Report parts 1, 2 and 3
- Planning Statement
- Ecology letter
- Flood Risk Assessment

4. RELEVANT PLANNING HISTORY

88/04397/LBB - Alteration to layout of solid waste transfer station including additional floodlighting the replacement of an existing office with a portakabin the installation of rail – Permitted

90/02780/LBB - Enclosure of refuse transfer operation and environmental improvements – Permitted

01/00544/DEEM3 - Vertical composting unit on concrete bund (CIVIC AMENITY SITE) – Permitted

19/00437/FULL1 - Demolition of existing single storey outbuildings and strengthening works to existing retaining wall including partial replacement and repairs – Permitted

24/00343/FULL1 - Installation of 2 no. below ground weighbridges and associated kiosk - Permitted

5. CONSULTATION SUMMARY

A) Statutory

Network Rail - No objection

Informatives recommended should permission be granted, with regards to works near the railway asset.

Environment Agency - No objection

Subject to conditions, including with regards to piling, foul and surface water drainage connections, and contamination risk.

Highways - No objection

While a parking bay within the Council office part of the site would be removed to allow for manoeuvring of vehicles adjacent to the fire suppression tank, there is sufficient remaining car parking capacity.

Environmental Health (Pollution) - No objection

Subject to condition relating to the submission of information on noise associated with the fire suppression system.

Drainage - No objection

B) Local Groups

No comments received.

C) Adjoining Occupiers

No comments received.

6. POLICIES AND GUIDANCE

National Planning Policy Framework 2023

NPPG

The London Plan

D3 Optimising site potential through the design-led approach

D11 Safety, security and resilience to emergency

D14 Noise

G1 Green infrastructure

G5 Urban greening

G6 Biodiversity and access to nature

SI 1 Improving air quality

SI 5 Water infrastructure

SI 9 Safeguarded waste sites

SI 12 Flood risk management

SI 13 Sustainable drainage

SI 17 Protecting and enhancing London's waterways

T1 Strategic approach to transport

T2 Healthy Streets

T4 Assessing and mitigating transport impacts

T5 Cycling

T6 Car parking

T7 Deliveries, servicing and construction

Bromley Local Plan 2019

32 Road Safety

37 General Design of Development

79 Biodiversity and Access to Nature

114 New Waste Management Facilities and Extensions and Alterations to Existing Sites

115 Reducing Flood Risk

116 Sustainable Urban Drainage Systems (SUDS)

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 and Renewable Energy
- 125 Delivery and Implementation of the Local Plan

Supplementary Planning Guidance

Urban Design Guide (Bromley, 2023)

7. ASSESSMENT

7.1 Land use - ACCEPTABLE

- 7.1.1 The proposal would make varied alterations to the site, all entirely associated with the established use of the site as a waste/recycling facility.
- 7.1.2 Policy 114 of the Bromley Local Plan relates to extensions and alterations to existing waste management facilities. It states that new or extended/altered facilities must demonstrate that they will not undermine the local waste planning strategy and will help the Borough move up the waste hierarchy.
- 7.1.3 London Plan Policy SI 8 (Waste capacity and net waste self-sufficiency) relates principally, in terms of the assessment of planning applications, to proposals for new waste sites and/or increased capacity of existing waste sites. Policy SI 9 relates to safeguarded waste sites and states that existing waste sites should be safeguarded and retained in waste management use. The intention of the application proposals is to improve the existing operation of the site, including enhanced drainage, replacement slab and fire suppression systems, as well as other measures associated with increasing the effectiveness of the use of the site.
- 7.1.4 The submission confirms that the proposals would not increase capacity at the site or expand it, such that would potentially attract additional visits or vehicle movements.

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. Policy D3 of the London Plan 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. locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

- 7.2.3 Much of the work proposed at the site relates to alterations at or below ground level to provide drainage and services improvements, or to the repair and/or replacement of existing structures/buildings to lengthen their lifetime and structural integrity. Exceptions to this comprise the new raised fire suppression tank and pump house. These would be inherently utilitarian and functional in their appearance, which is considered appropriate in the context of the site's character and longstanding use. While the proposed fire suppression tank would be approx. 8.9m high, it would be sited sensitively in context with the raised adjacent railway line and approx. 66m distant from the boundary of the site with The Avenue. It would be viewed from the public realm of the neighbouring street against the backdrop of the large waste hanger. The water tank would be visible from the railway line to the north of the site, but its appearance and scale would be entirely in context/characteristic of the general appearance and function of the host waste site.

7.3 Neighbouring amenity - ACCEPTABLE

- 7.3.1 Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 7.3.2 No objections are raised by the Environmental Health Officer with regards to the pump house/fire suppression system works, on the basis that the pump will only operate infrequently. The pump will need to be periodically tested and a condition has been recommended should planning permission be granted which requires the submission of an acoustic assessment, and defines maximum noise levels that would be acceptable.
- 7.3.3 No representations have been received in relation to the proposals, which other than the installation of the fire suppression system would be largely confined to the area of the site at the head of the vehicular access from Waldo Road, and which generally comprise low level or below ground works associated with the continued (not intensified) use of the site.

7.4 Transport and highways - ACCEPTABLE

- 7.4.1 The proposal would not increase the intensity of the use of the site or the number of trips to and from it. The proposal relates to the maintenance and enhancement of the existing site infrastructure, including drainage, underground services and structures, as well as the provision of necessary fire suppression systems to assist in addressing fire risk. As such, it is not considered that there are any significant transport and

highways implications associated with the proposals. No technical highways objections have been raised in respect of the proposal. Although it is noted that the proposal would involve the removal of 1 no. car parking bay located close to the proposed sprinkler tank, it is noted that there is adequate car parking provision within the wider site generally to serve the needs of the Council and Veolia offices located at the site.

7.5 Flooding and drainage - ACCEPTABLE

- 7.5.1 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.
- 7.5.2 The application has been submitted with a Flood Risk Assessment which includes reference to the Sequential Test, noting that the proposal is for minor changes to an existing site, where there are not considered to be any reasonably available alternative sites within Flood Zones 1 and 2. This rationale is accepted, in view of the integral relationship between the development proposed (the weighbridges and kiosk) and the wider, longstanding and established use of the site as a Council depot, waste transfer and household re-use and recycling centre. It is stated that it is more practical and sustainable from a wider planning perspective to keep the site in its current location, and enhance those existing facilities, rather than to move the facilities elsewhere, noting that the site would not be useful for redevelopment due to the flood risk of the site.
- 7.5.3 With regards to the vulnerability of this specific development to flooding, the use of the site would be considered "less vulnerable."
- 7.5.4 Comments were sought from the Environment Agency and from Thames Water.
- 7.5.5 With regards to the impact of the proposal on the culverted river, flood risk and the ground water protection zone, the Environment Agency has raised no objections to the proposals subject to conditions relating to groundwater and land contamination (remediation strategy and verification), piling, connection to foul and surface water sewers systems, and informatives relating to pollution prevention and removal/disposal of soil.
- 7.5.6 The Council's Drainage Officer has confirmed that they have no objection to the proposals.

8. CONCLUSION

- 8.1 The proposal would have no significant impact on neighbouring residential amenity, nor on the visual amenities or character of the site and surroundings.

- 8.2 Subject to conditions, there are no objections to the proposals from the perspective of the Environment Agency. It is not considered that the proposal would give rise to increased risk of flooding or damage to the culverted watercourse.
- 8.3 The proposal would not result in an intensification of the activities on the site, and there are no objections from a technical highways or environmental health perspective.
- 8.4 The proposed development would provide enhanced fire suppression capability and would repair/maintain/improve the existing pedestrian access to the access-controlled waste sorting and loading areas. The drainage infrastructure would be improved and the proposal includes basic repair and replacement of existing structures so as to enhance and lengthen the operational efficiency of the application site, which is a designated waste transfer site.
- 8.5 It is recommended that planning permission be granted.

RECOMMENDATION: Application Permitted

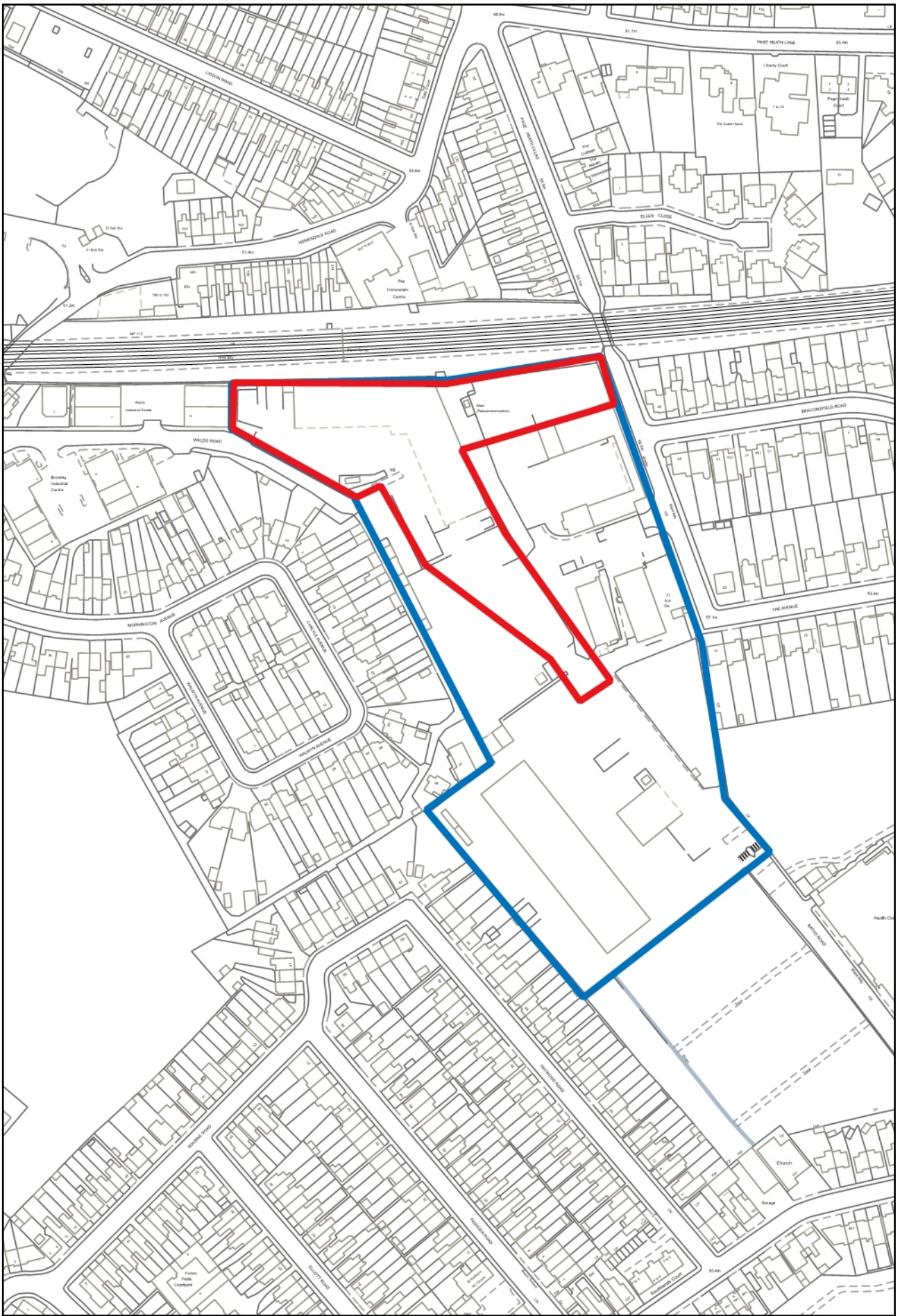
Subject to the following conditions:

1. **Time limit for commencement**
2. **Accordance with approved plans**
3. **Construction management plan pre-commencement**
4. **Contamination risk strategy pre-commencement**
5. **Remediation verification report pre-occupation**
6. **Process should new contamination be discovered**
7. **No piling without express consent**
8. **Foul/surface water connection details pre-commencement**
9. **No drainage systems for infiltration other than with consent**
10. **Materials to match existing**


Informatives:

1. **Flood Risk Activity Permit required**
2. **Disposal of soil – subject to waste management legislation**
3. **Network Rail asset protection informative(s)**

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.



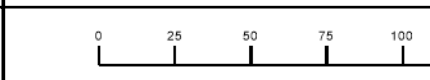
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05 June 2024

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Agenda Item 4.7

Committee Date	13.06.2024	
Address	57 Kangley Bridge Road Lower Sydenham London SE26 5BA	
Application number	24/00218/FULL1	Officer Agnieszka Nowak-John
Ward	Penge and Cator	
Proposal (Summary)	Demolition of existing building and redevelopment of site for industrial processes (Use Class E(g)(iii)); industrial (Use Class B2); and/or storage and distribution (Use Class B8)) purposes, with ancillary offices and associated parking, servicing, access arrangements and other associated works.	
Applicant	Agent	
Mr Ewen McLeod Dencora (57KBR) Ltd 1 Meridian Way Norwich NR7 0TA	Mr Nick Pellegram Iceni Projects	
Reason for referral to committee	Outside of delegated powers.	Councillor call in No

RECOMMENDATION	<u>Grant Planning Permission</u>
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Summary

<p>KEY DESIGNATIONS</p> <ul style="list-style-type: none"> • Adjacent - Flood Risk Area • Adjacent - Green Chain • Adjacent - Metropolitan Open Land • Article 4 Direction • Biggin Hill Safeguarding Area • Local Cycle Network • London City Airport Safeguarding • Locally Significant Industrial Sites • Smoke Control • Water Link Way
Land use Details

	Use Class	Floor space (GIA SQM)
Existing	General industrial (Use Class B2)	1,846
Proposed	industrial processes (Use Class E(g)(iii)); industrial (Use Class B2); and/or storage and distribution (Use Class B8)	1,175

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	13	13	0
Disabled car spaces	n/a	1	1
Cycle	0	8	8

Electric car charging points	20% active, 80%passive
-------------------------------------	------------------------

Representation summary	
	A press advert was published in News Shopper on 14/02/2024. Site Notice was displayed on 08/02/2024. Letters to neighbouring properties sent on 07/02/2024.
Total number of responses	0
Number in support	0
Number of objections	0

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- **The principle to redevelop the site to provide an improved industrial unit within a designated Locally Significant Industrial Site is supported from a land use perspective.**
- **The design of the proposed unit is of a flexible modern layout to meet the industrial and business needs. On balance, the height and scale of the building is considered acceptable and would not appear out of keeping with its surrounding area.**
- **Sustainability measures proposed would ensure that the proposal would be zero-carbon and would achieve a BREEAM Excellent rating, thereby exceeding London Plan and Building Regulations Part L requirements.**

- The proposed development is not considered to be significantly harmful to the amenities of neighbouring residential properties nor would it result in an unacceptable impact on surrounding highway network and environmental matters such as air quality, contamination, noise, light pollution, drainage, would be subject to appropriate conditions if the application was deemed acceptable overall.
- Subject to the planning conditions, it is considered that the proposal would be acceptable and planning permission should be granted.

1. LOCATION

- 1.1 The site is located on the eastern side of Kangley Bridge Road within an existing industrial estate and comprises 0.25ha of brownfield land which is currently occupied by an industrial warehouse and a dedicated access in the southwestern edge.

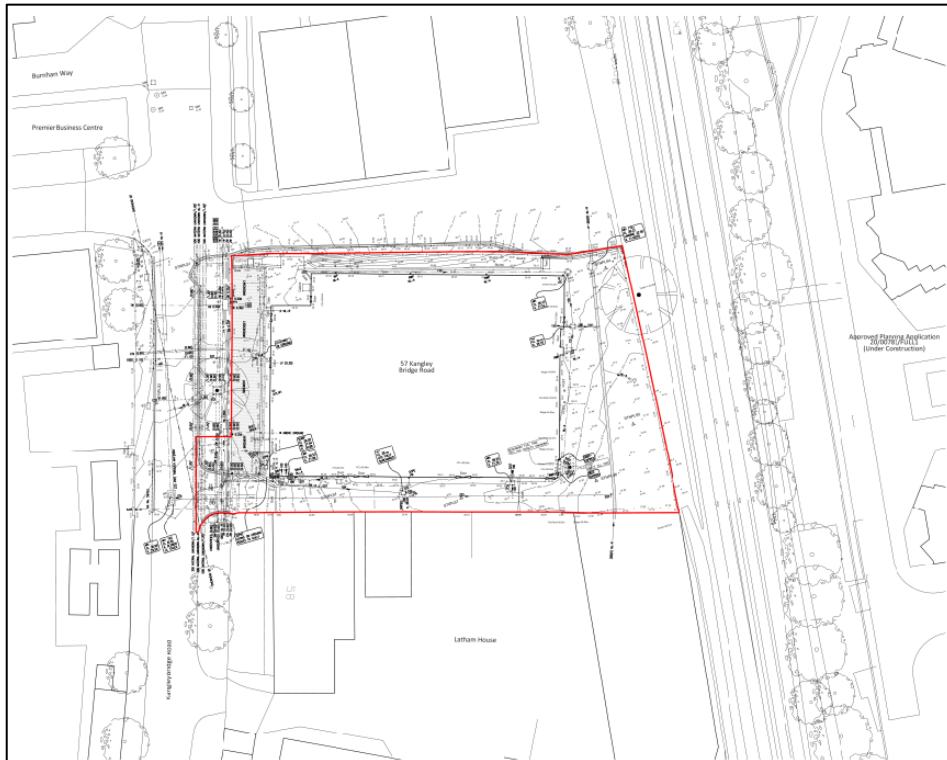


Fig.1.1 Site Location Plan.

- 1.2 The existing building accommodates an approximate floor area of 1,846sqm. The site has a long history of industrial use and has been utilised by various businesses over the years.
- 1.3 The western frontage onto Kangley Bridge Road accommodates car parking spaces, with a mature tree outside of the red line boundary. The tree is not covered by the TPO. There is a level difference of approximately 3 metres across the site, sloping down from the elevated

Kangley Bridge Road frontage towards the eastern boundary. An existing sewer runs along the southern boundary of the site and below the rear yard.

- 1.4 The eastern part of the site accommodates a service yard which can be accessed via two-way access road along the southern boundary of the site. A waste recycling centre directly adjoins the southern edge of the site, with a large industrial warehouse occupied by Stanmore Steel further to the southeast. To the west, on the opposite side of Kangley Bridge Road, lies a car garage, with further industrial uses beyond. Three trade units lie to the north, occupied by various businesses including Screwfix and Howdens, being separated by a retaining wall/fence. A place of worship (Citizens in Christ Fellowship) sits opposite the site, residential flats at the entrance of the industrial estate and Sydenham Sports Club which is a protected Designated Open Space.



Fig.1.2 Photographs of the Site and the Existing Building.

- 1.5 To the east and separated by the southeastern railway line, the site is close to a cleared parcel of land which is subject to planning permission for residential development (Footzie Social Club).

- 1.6 In terms of designations, the site forms part of the Lower Sydenham Locally Significant Industrial Site (LSIS). Additionally, the site falls within the Airport Safeguarding Area.
- 1.7 The site is adjacent to Flood Risk Area and lies within Source Protection Zone 2 (SPZ 2) and shallow groundwater is present.
- 1.8 Green Chain and Metropolitan Open Land lies in a close proximity to the east. There are no heritage assets close to the site.
- 1.9 The area has a low PTAL rate of 2 (on a scale of 0 – 6b, where 6b is the most accessible). Despite a low PTAL rating of 2, the site is a 3-minute walk from Lower Sydenham Railway station, a 6 minute walk to the nearest bus stops on Worsley Bridge Road and 10 minute walk to other stops. There are no waiting restrictions immediately outside the development site. Furthermore, there are unrestricted on-street parking bays on each side of the road to the north of the site.

2. PROPOSAL

- 2.1 Planning permission is sought for the demolition of existing building and redevelopment of site for industrial processes (Use Class E(g)(iii)); industrial (Use Class B2); and/or storage and distribution (Use Class B8)) purposes, with ancillary offices and associated parking, servicing, access arrangements and other associated works.
- 2.2 The building would have a maximum height of approximately 13.55m from lower ground floor level, i.e. circa 3.9m taller than the existing building. A hipped roof arrangement is being proposed with roof lights provided to around 15% of the roof area. A parapet profile has been chosen to provide a clean contemporary form to the building.
- 2.3 The layout and elevation facade treatment would be used to break down the appearance of scale, massing and form with the application of textures, tones, material finishes and detailing. The proposed curtain walling system, profiled metal cladding, composite cladding along with the projecting aluminium frame would add articulation.
- 2.4 The vertical profiled metal cladding would ground the around the base at the front of the site and would rise up above the ramped access on the front elevation. On the east elevation, the profiled cladding would be laid horizontally around the loading doors to accentuate the active areas to the yard.
- 2.5 Internally, the unit would have a ground floor entrance core accessed directly from Kangley Bridge Road. This level would serve as an intermediate point which would accommodate lift provision as well as a fully compliant Part M stair. The lower ground floor would contain a disabled shower/ WC, locker and change areas as well as access to the

warehouse. 2no. vertical sliding loading doors would be located at the rear to serve the warehouse from the service yard.



Fig.2.1 Proposed Site Layout.

- 2.6 The first-floor level would contain ancillary open plan office accommodation with outlook out onto Kangley Bridge Road. Additional core WC facilities and kitchenette areas would be provided at this level, alongside a separate plant deck within the warehouse at this level will provide space for the plant equipment to be installed on.
- 2.7 The existing junction off of Kangley Bridge Road is to be retained and improved to provide access for heavy goods vehicles. The road leading to the rear service yard would allow two cars to pass side by side.
- 2.8 The area of parking at the front of the site would be retained which would accommodate 8no. car parking spaces, including 1no. disabled space. A further 5no. car parking spaces would be allocated at the rear within the service yard. It is proposed 20% of the car parking spaces will have active EV chargers, with the remainder 80% being passive for future provisions. 8 cycle parking spaces would be provided in an external shed.



Fig.2.2 CGIs of the Proposed Unit.

3. RELEVANT PLANNING HISTORY

- 3.1 There is no recent planning history for the development site. In the immediate vicinity, various proposals have come forward in recent years.
- 3.2 Within the LSIS, a number of applications have been approved for extensions and alterations of existing buildings (15/05373, 22/03353), in addition to the development/redevelopment of land (16/04027, 17/0457), which support Class B Industrial Uses.
- 3.3 Outside of the LSIS, opposite the railway, two residential developments have recently been completed for 74 and 147 units (13/01973/FULL1, 16/05897/FULL1 respectively).
- 3.4 In addition, planning permission was recently allowed at appeal (Footzie Social Club) for 296 dwellings (20/00781/FULL1), which entailed a 145-unit uplift from a previous consent on the same site (18/01319/FULL1).

4. CONSULTATION SUMMARY

a) Statutory

- **Environmental Agency** – No objection subject to conditions preventing the potential contamination of groundwater and piling.
- **Network Rail** – No objection subject to the asset protection agreement.

- **Thames Water** – No objection subject to a piling condition, necessary permits and informatives.
- **Highways Officer** – No objection in principle. Standard conditions should be included for parking spaces, refuse storage; cycle parking and construction management plan
- **Drainage (Lead local flood authority)** – No objection. The “Flood Risk Assessment and Drainage Strategy” report shall be implemented in line with the submitted details.

b) Non-statutory/ Amenity Groups

- **Environmental Health** – No objections, subject to a pre-commencement condition for Construction and Environment Plan and standard Environmental Health conditions.
- **Secure by Design Officer** – No objections.
- **Urban Design Officer** – No objection in principle. The opportunity to replace the existing unit and redevelop the site as an intensified medium-yard dependent industrial use is welcomed. The proposed yard-based layout and upgraded/adaptable industrial building (and office space) is supported. The design approach presented in the design document demonstrates a good understanding of the site characteristics and the surrounding context.

c) Adjoining Occupiers

- No representations received.

5. POLICIES AND GUIDANCE

Planning and Compulsory Purchase Act (2004)

- 5.1 Section 38(5) states that if to any extent a policy contained in a development plan for an area conflict 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].
- 5.2 Section 38(6) requires that the determination of these applications must be made in accordance with the plan unless material considerations indicate otherwise.

National Planning Policy Framework (NPPF) 2023

- 5.3 In accordance with Paragraph 47 of the Framework, planning law requires that applications for planning permission be determined in

accordance with the development plan, unless material considerations indicate otherwise.

National Planning Practice Guidance (NPPG)

5.4 Relevant paragraphs are referred to in the main assessment.

The London Plan (2021)

5.5 The relevant policies are:

GG1 Building strong and inclusive communities
GG2 Making the best use of land
GG3 Creating a healthy city
GG5 Growing a good economy
GG6 Increasing efficiency and resilience
SD10 Strategic and local regeneration
D1 London's form, character and capacity for growth
D2 Delivering good design
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
E2 Providing suitable business space
E3 Affordable workspace
E4 Land for industry, logistics and services to support London's economic function
E6 Locally Significant Industrial Site (LSIS)
E7 Industrial intensification, co-location and substitution
E11 Skills and opportunities for all
G1 Green infrastructure
G5 Urban greening
G6 Biodiversity and access to nature
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 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
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

T6.2 Office parking
T6.5 Non-residential disable persons parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning
DF1 Delivery of the plan and planning obligations
M1 Monitoring

5.6 The relevant London Plan SPGs are:

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

Bromley Local Plan (2019)

5.7 The relevant policies are:

30 Parking
31 Relieving Congestion
32 Road Safety
33 Access for all
34 Highway Infrastructure Provision
37 General Design of Development
70 Wildlife Features
72 Protected Species
73 Development and Trees
74 Conservation and Management of Trees and Woodland
77 Landscape Quality and Character
79 Biodiversity and Access to Nature
82 Locally Significant Industrial Sites (LSIS)
86 Office uses outside Town Centres and office clusters
109 Airport Public Safety
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
- 121 Ventilation and Odour Control
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon Reduction, Decentralised Energy Networks and Renewable Energy
- 125 Delivery and Implementation of the Local Plan

5.8 London Borough Bromley Supplementary Planning Documents (SPDs):

- Planning Obligations SPD (June 2022)
- Urban Design Guide SPD (July 2023)

6. Assessment

6.1 Principle of development

6.1.1 The application site is located within a designated Locally Significant Industrial Site (LSIS). The Lower Sydenham LSIS has a very low vacancy rate and is performing well. It is currently being reviewed with the intention of being intensified and/or upgraded to strategic industrial site in the next iteration of the local plan.

6.1.2 Paragraph 85 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

6.1.3 London Plan Policy E2 states that development of Use Class B (Business) should ensure that the space is fit for purpose having regard to the type and use of the space. Policy E7 of the London Plan also encourages the intensification of business uses to increase capacity. Co-location with other uses and mixed-use development may be considered appropriate where the surrounding parts of the LSIS should not be affected by the industrial and related activities on-site, such as their continued efficient function, access, service arrangements and days/hours of operation as many businesses have 7-day/24-hour access and operational requirements.

6.1.4 Bromley Local Plan Policy 82 seeks to safeguard the LSIS sites and states that Use Class B will be permitted within these locations with a view to refurbishing, redeveloping and intensifying these sites incorporating a flexible design.

6.1.5 This is endorsed by Policy E6 of the London Plan as that considers that Councils should make clear the range of industrial and related uses that are acceptable in LSIS, such as hybrid or flexible B1c (now E(g)(iii))/B2/B8 suitable for Small and Midsize Enterprises (SMEs) and

wider range of business uses etc. Proposals for employment generating uses that would result in a loss of Class B uses on a site will be permitted provided that the following is demonstrated:

a - the site is no longer suitable or viable for the existing or any potential Class B use, by refurbishment or redevelopment, in the medium to long term (as demonstrated through a period of recent, active marketing undertaken prior to the submission of a planning application, to the Council's satisfaction),

b - the proposed development contains a similar quantum of floorspace for employment generating uses and is flexibly designed to allow for future refurbishment for a range of industrial uses and other compatible employment uses,

c - the proposed use would not compromise the primary function of the LSIS, or the capacity of neighbouring sites in the LSIS to continue to accommodate Class B uses in the medium to long term, and

d - the proposed development is compatible in scale and design with its surroundings.

6.1.6 Further to the above, the draft GLA 'Industrial Land and Uses' London Plan Guidance emphasises the need to consider practical and market requirements when assessing the potential for intensification.

6.1.7 The proposal would result in a 671 sqm reduction of internal floorspace to create a larger service yard which is suitable for HGVs. The Planning Statement advises that this is considered a necessary component of any redevelopment of the site as the lack of a suitable service yard would significantly reduce the number of potential occupiers and limit the functionality of the employment site. However, it is advised that this reduction has been minimised as far as practicable, with the yard designed to be the smallest possible while still accommodating HGV movements.

6.1.8 It is argued that the existing yard is not of a sufficient scale or appropriate design to accommodate larger vehicles, as on-street loading would not be desirable or feasible for this site. Consequently, the yard is designed to be larger than the existing, resulting in an inevitable reduction in overall floorspace on site.

6.1.9 Local Plan Policy 82 sets out a range of criteria that should be fulfilled where proposals for employment generating uses "*would result in a loss of Class B uses on a site*". Officers agree, however, that the policy refers to the loss of uses rather than a loss of floorspace. As such, given the proposal would retain the employment generating use on the site, there would be no conflict with the requirements to address the requirements set out in the policy.

6.1.10 Overall, the opportunity to replace the existing unit and redevelop the site to improve the general layout/arrangement of buildings and upgrade the industrial facilities within the Local Strategic Industrial Site (LSIS) is supported by Policy 82 of the Bromley Local Plan. The use of the land

would be protected, and the quality of the development would improve the existing stock of employment floorspace. The proposal is also considered an enhancement through creating a modern, high quality employment space that can accommodate an increased range of prospective tenants and therefore to comply with Policies E6 and E7 of the London Plan.

6.2 Design - Acceptable

Optimisation of site

- 6.2.1 Policy D3 section A (Optimising site capacity through the design-led approach) of the London Plan sets out:
“A. All development must make the best use of land by following a design led approach that optimises the capacity of sites, including site allocations. 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 (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part D.”
- 6.2.2 Policy D3 section B sets out the specific design considerations that should be factored into any design assessment. 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.
- 6.2.3 In addition, Policy D5 of the London Plan states that development proposals should achieve the highest standards of accessible and inclusive design. Design and Access Statements, submitted as part of development proposals, should include an inclusive design statement.
- 6.2.4 Policy 37 of the Bromley Local Plan details that all development proposals will be expected to be of a high standard of design and layout.

Context

- 6.2.5 Lower Sydenham is a designated Locally Strategic Industrial Site (LSIS) and one of the primary industrial centres in the west of the borough. It has a self-contained, traditional industrial estate character and layout and is comprised largely of general industrial, warehousing and ancillary offices. It is bounded to the east by the rail line with Lower Sydenham station located at the northern end of the site. The remaining edges are a mix of open green space, including sports pitches in the centre of the LSIS, allotments and residential uses.

Design Approach

6.2.6 The opportunity to replace the existing unit and redevelop the site as an intensified medium-yard dependent industrial use is welcomed. The proposed yard-based layout and upgraded/adaptable industrial building (and office space) is supported. The design approach presented in the design document demonstrates a good understanding of the site characteristics and the surrounding context.

Layout

6.2.7 The proposal provides a functional and efficient layout incorporating an appropriate building footprint which is proportionate to the size of the application site (and that of the surrounding plots). The siting of the building follows the established building line, providing an active frontage to Kangley Bridge Road, maximising opportunities to improve the street scene and natural surveillance along a key pedestrian and cycle route.

6.2.8 Officers have some concerns relating to the interrelationship between pedestrian access and vehicle movements across the shared pedestrian/cycle route. It is considered that a clear visual delineation should be established between parking bays and the shared route e.g. material palette/landscape design alongside further landscape planting. This requirement will be secured by planning condition.

Height, scale, and massing

6.2.9 The proposed building would exceed the prevailing building heights within the LSIS. Officers acknowledge the level changes across the site and the applicant's massing/material strategy which would introduce human-scaled elements to the main façade to connect the building within the existing street scene.

6.2.10 The overall bulk of the building would be noticeable in several views and officers consider the townscape impact within the existing context to be moderate (adverse). It is noted that the emerging increase in scale to the residential apartments to the east highlights how significantly taller these buildings would be in comparison to the industrial estate. This is shown in section AA & DD (Fig. 6.2 below) which illustrates the 11 storey residential apartments towering over the eastern edge of Kangley Bridge Road. Therefore, and on balance, officers consider that any potential adverse visual impacts can be adequately mitigated through the introduction of additional landscaping works.

Appearance

6.2.11 The design approach to appearance which seeks to break down the appearance of scale, massing and form of the main elevation is supported. The proposed use of dark external cladding with lighter accents and glazing is considered appropriate in this context. The

specification and details for external walls, roof, glazing, boundaries, surface, signage, lighting, and landscape planting would be secured by condition in any approval.

Secured by Design

6.2.12 London Plan Policy D3 states measure to design out crime should be integral to development proposals. Development should reduce opportunities for anti-social behaviour, criminal activities, and terrorism, and contribute to a sense of safety without being overbearing or intimidating. This approach is supported by BLP Policy 37 (General Design).

6.2.13 The design out crime officer was consulted and confirmed that a pre-commencement meeting with the applicants has already taken place and that if constructed in accordance with the proposed plans, the development would be safe and secure.

6.3 Impact on Residential Amenities - Acceptable

6.3.1 Local Plan Policy 37 requires development 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.

6.3.2 The current distance from the existing building to the new dwellings to the east, currently under construction (ref. 20/00781/FULL1), is approximately 46m, whereas the new distance from the proposed building would increase to over 57m.

Noise

6.3.3 The flats to the east have been designed to include mitigation measures to control industrial and commercial sound both internally and to private external amenity areas. Technical noise considerations are included within the Environmental Health section of this report.

Lighting Conditions/Overshadowing

6.3.4 Given the scale, siting and the layout of the proposal, the new building would have limited impact to the neighbouring residential buildings in terms of the daylight/sunlight provision. The building form and orientation has also been designed not to result in any additional or adverse overshadowing.

Privacy

6.3.5 The rear (east) of the building would not feature windows, and therefore Outlook and would not affect the privacy of residents of the residential development to the east of the railway line.

Outlook

6.3.6 The slight increase in height of the proposed building would not harm the outlook of nearby residents, given the relatively limited scale and resulting separation distances.

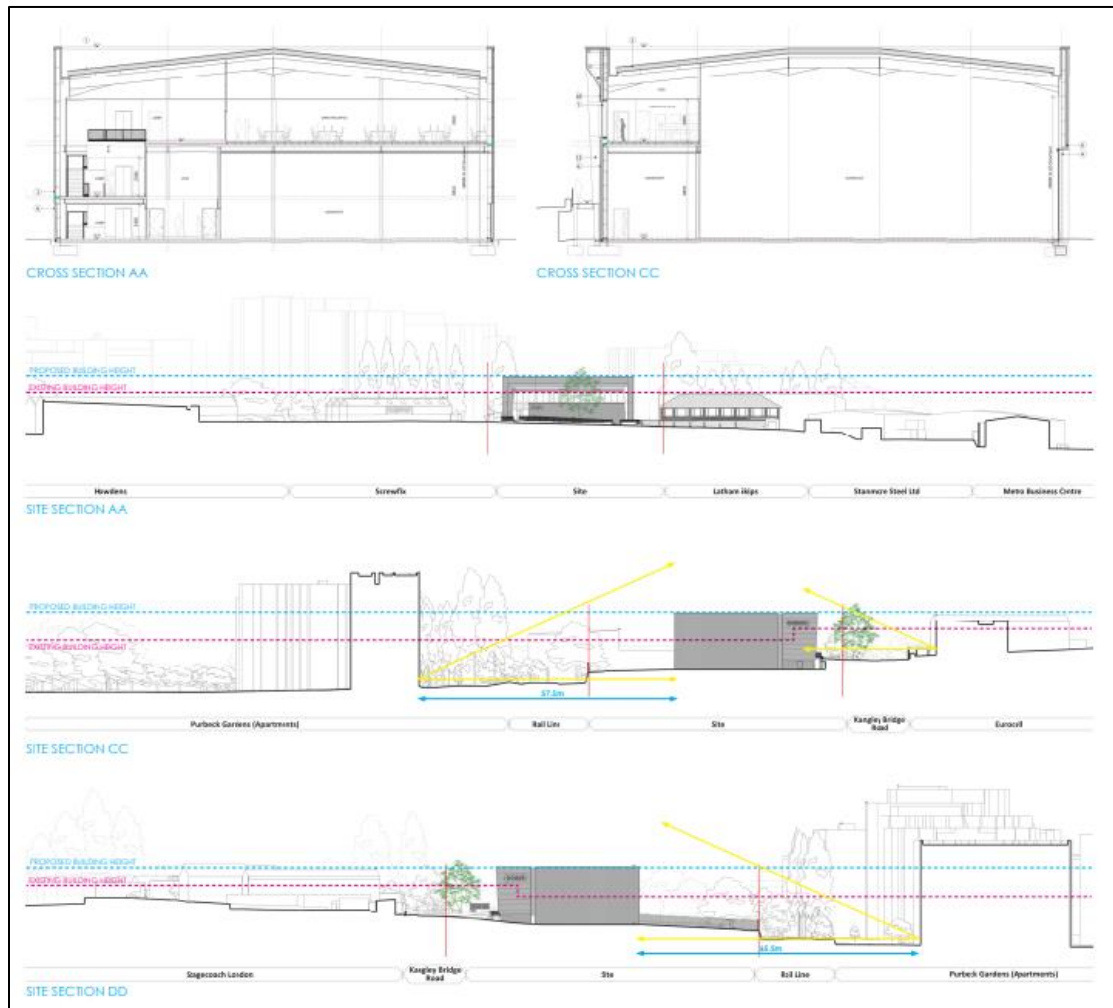


Fig.6.3.1 Proposed Sections.

6.4 Highways - Acceptable

6.4.1 Paragraph 109 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.

6.4.2 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.

6.4.3 Policy 32 of the Bromley LP concerns the preservation of road safety, whereas Policy 31 states that any new development likely to be a significant generator of travel should be located in positions accessible by a range of transport modes.

Access

6.4.4 The current vehicle access junction on Kangley Bridge Road would be retained and enhanced to facilitate improved entry for heavy goods vehicles. Additionally, the road leading to the rear service yard would be maintained, allowing two cars to travel alongside each other. A swept path analysis has been conducted for articulated lorries and a 12- meter rigid lorry to demonstrate that the access can accommodate these vehicles without encroaching on the kerb.

6.4.5 The existing layout features give-way markings along the carriageway and at the rear of the footway/cycleway, enhancing safety for pedestrians and cyclists. These markings would be preserved in the proposed access design. Furthermore, the car parking area at the front of the site, accessed via the existing dropped kerb arrangement, would be retained. Pedestrian entrances to the building would be situated on the northern and southern sides of the unit.

Inclusive Access

6.4.6 The building perimeter would be step-free and a minimum of 1.5m wide. Dropped kerbs and tactile paving would be provided to assist the needs of people with mobility and visual impairments. The unit would be designed to comply with Part M of the Building Regulations, with level access thresholds and automatic opening doors to entrances. The unit would be fitted with Part M compliant stair and passenger lift to provide full access to all levels, disabled toilet and shower, as well as separate changing room and lockers at lower ground floor level.

Car Parking

6.4.7 The front parking area would accommodate 8 car parking spaces, including 1 disabled space. An additional 5 car parking spaces would be allocated at the rear within the service yard. These spaces would primarily serve the staff working in the warehouse on a daily basis. EV active charging points would be provided for 20% of spaces on opening with the remainder being passive electric spaces.

6.4.8 In terms of car parking, for B2, B8 and Office Proposals, Table 10.4 allows no greater than 1 space per 100 sqm of floorspace. The proposed development comprises 1,175 sqm of floorspace and would include a maximum of 13 parking spaces, thereby exceeding the number by 1 car parking space.

Cycle

6.4.9 In terms of cycle parking, Table 10.2 of the London Plan requires B2/B8 Land Use proposals to be provided with 1 cycle parking space per 500 sqm, whereas proposals for Land Use E(g)(iii) are required to provide 1 space per 250 sqm. The proposed development comprises 1,175 sqm of floorspace and would include 8 cycle parking spaces, therefore exceeding both requirements.

Impact on Highway Network

Trip Generation

6.4.10 The current trip generation for the industrial unit site has been determined using TRICS trip rates specifically designed for industrial units. While there are no directly comparable sites within TRICS in London, the search criteria were broadened to include all small industrial units across England. This approach is deemed appropriate.

6.4.11 To calculate the net trip generation the existing industrial unit trips have been subtracted from the proposed trips. This then provides the net difference in trips between the existing and proposed scenarios. There would be a decrease in total trips anticipated once the site is redeveloped due to the reduction in floorspace for the same potential use classes, as shown in Table 6.4 below.

Net Trips by Mode	AM Peak (08:00 – 09:00)			PM Peak (17:00 – 18:00)		
	Arrive	Depart	2-way	Arrive	Depart	2-way
Train	-1	0	-2	0	-2	-2
Bus	-1	-1	-1	0	-1	-1
Taxi	0	0	0	0	0	0
Motorbike	0	0	0	0	0	0
Car driver	-4	-1	-6	0	-3	-3
Car passenger	-1	0	-1	0	0	0
Cycling	0	0	-1	0	0	0
Walking	-1	-1	-1	0	0	0
Total	-7	-2	-12	0	-6	-6

Table 6.4 Net Trips by Mode.

Servicing and Delivery

- 6.4.12 Policy T7 of the London Plan, which requires development proposals to be designed to facilitate safe, clean, and efficient deliveries and servicing, with the provision of adequate off-street space designed and managed so that deliveries can be received outside of peak hours and in the evening or night time.
- 6.4.13 The layout of the site has been designed to accommodate the efficient delivery of goods, access for staff and visitors, refuse and emergency vehicles. The layout has been designed to allow HGVs to enter, turn and exit in forward gear and has been assessed through a swept path vehicle analysis.
- 6.4.14 Delivery and servicing vehicles would use the southern vehicle access to enter the site. They would then manoeuvre within the service yard at the rear of the building. A swept path drawing illustrates how these vehicles can efficiently enter, access the loading area, and exit the site while moving in forward gear.

Waste Management

- 6.4.15 The unit would have its own dedicated refuse store area within the yard space, which would provide space for both general and recycled waste. Typically, private refuse collections would be undertaken to suit the occupiers' specific requirements. The general site access arrangement would allow the refuse vehicle to access the service yards directly. Refuse collection would be undertaken within the site, and swept path analysis demonstrates that a refuse vehicle can safely access, navigate and egress the site.
- 6.4.16 Overall, the proposal would not result in unacceptable impacts to road safety or traffic.

6.5 Green Infrastructure and Natural Environment - Acceptable

- 6.5.1 NPPF Paragraph 180 states that planning decisions should contribute to and enhance the natural and local environment. Paragraph 186 further advises that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 6.5.2 London Plan Policy G6 Part D advises that *“Development proposals should 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.”

- 6.5.3 Policy G5 of the London Plan outlines that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design.
- 6.5.4 Policy G7 (Trees and Woodlands) states that development proposals should ensure that, wherever possible, existing trees of value are retained. The planting of additional trees should generally be included in new developments – particularly large canopied species which provide a wider range of benefits because of the larger surface area of their canopy.
- 6.5.5 Policy 72 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.
- 6.5.6 Policy 73 requires proposals for new development to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. Tree preservation orders will be used to protect trees of environmental importance and visual amenity. When trees have to be felled, the Council will seek suitable replanting.

Trees

- 6.5.7 The Arboricultural Method Statement submitted satisfactorily addresses the key constraints. In terms of trees, the proposal would not result in harm or loss to any existing trees. Two offsite trees present within the surrounding zone of influence adjacent to the site would be protected during construction through the use of protective fencing or other methods appropriate to safeguard the root protection areas of retained trees. The precautionary measures outlined would allow for retention of trees surveyed.
- 6.5.8 The proposal would introduce two trees to the rear of the site. An imposition of a condition requiring the submission of a detailed landscaping scheme is recommended.

Urban Greening

- 6.5.9 The proposals would achieve an Urban Greening Factor of 0.07, which is below the general target of 0.3 for commercial development identified in Policy G5 of the London Plan. However, officers acknowledge that Policy G5 makes it clear that the 0.3 target score does not apply to B2 or B8 schemes, recognising the practical difficulties in achieving this for developments of this type.

6.5.10 Noting the practical requirements for a functional building and operational yard area, officers agree that the proposal attempts to maximise the urban greening on the site and considering a significant biodiversity net gain achieved by the new landscaping (discussed above), the proposal is considered acceptable in this regard.

Habitats and Biodiversity

6.5.11 The site itself is not subject to any statutory or non-statutory ecological designations. The nearest statutory nature conservation designation to the site is Beckenham Place Park Local Nature Reserve (LNR), which is located approximately 0.9km east of the site. The LNR is designated on the basis of the ancient woodland and acid grassland present. The next nearest statutory nature conservation designation to the site is Sydenham Hill Wood and Fern Bank LNR, which is located approximately 2.5km east of the site and is designated for its ancient woodland.

6.5.12 The nearest non-statutory nature conservation designation to the site is River Pool at New Beckenham Site of Importance for Nature Conservation (SINC) which is located approximately 0.1km south of the site. The SINC forms a section of the River Pool, which is not publicly accessible. The next nearest non-statutory designation is North Sydenham station and allotments SINC which is located approximately 0.18km north of the site.

6.5.13 All of the above ecological designations in the surrounding area are physically well separated from the site and are therefore unlikely to be adversely affected by the proposals.

6.5.14 Ecological Appraisal by Aspect Ecology confirms that the site itself is dominated by existing built form, with the only vegetation in the form of ornamental planting located along the northern boundary, along with sparse colonising weeds within gaps and cracks in the hardstanding. The habitats within the site offer negligible opportunities for protected species with the exception of bats (for which further assessment is provided below) and their loss to the proposals is of generally negligible significance.

Bats

Roosting

6.5.15 The existing building was recorded to provide moderate suitability for roosting bats and was therefore subject to further survey work in the form of one dusk emergence and one dawn re-entry survey (24 August 2023 /8 September 2023) with no evidence of roosting bats recorded. As such, the proposals are unlikely to result in any adverse effects on roosting

bats, such that no further survey, specific mitigation or licensing for bats would appear to be required.

6.5.16 Nonetheless, bats are dynamic animals and as such it remains possible that individuals could colonise the site in the future. Accordingly, recommended precautionary mitigation measures are set below and subject to their implementation it is considered that bats would be fully safeguarded under the proposals:

- Updated Survey: should any considerable time (e.g. >2 years) elapse between the survey work detailed above and any development works, a further survey of the building with potential to support roosting bats should be undertaken prior to the commencement of works to confirm the continued absence of bats.
- Removal of Roofs: removal of any roofs or other structures with potential to support or conceal roosting bats, should be undertaken with care during favourable weather conditions (e.g. not during heavy rain, high winds or unseasonable low temperatures) under an appropriate watching brief maintained by contractors. Should any bats be encountered, works would need to stop and Aspect Ecology contacted so that suitable mitigation can be agreed prior to works re-commencing. This may potentially involve discussion with Natural England and acquisition of a development licence for works to resume.
- Sensitive Lighting: light-spill onto retained and newly created habitat, and offsite vegetated areas (in particular the offsite railway corridor along the western boundary), should be minimised. This may be achieved through the implementation of a sensitively designed lighting strategy, with consideration given to the following key factors: light exclusion zones, appropriate luminaire specifications, light barriers / screening, spacing and height of lighting units, light intensity (i.e. lux levels), directionality, dimming and part-night lighting.

Foraging / Commuting

6.5.17 The site offers negligible opportunities for foraging or commuting bats (supported by the very limited number of bats recorded during the above emergence/re-entry survey work). On this basis, subject to the implementation of the recommendations outlined above, in particular in relation to sensitive lighting, along with other ecological enhancements, it is considered that the conservation status of local bat populations will be fully safeguarded under the scheme.

Birds

6.5.18 Birds recorded within the site during the Phase 1 survey included Wood Pigeon, Blackbird and House Sparrow. The other species are not listed as having any special conservation status. Whilst the habitats present within the site are largely lacking in vegetation and are unlikely to offer significant opportunities for bird species, with any opportunities limited to minor foraging/nesting potential within denser areas of ornamental planting and perching sites on the existing building. In the long-term, new nesting opportunities would be available for birds.

6.5.19 Notwithstanding the limited vegetation currently present within the site, to avoid a potential offence under the relevant legislation, no clearance of suitable vegetation should be undertaken during the bird-nesting season (1st March to 31st August inclusive). If this is not practicable, any potential nesting habitat to be removed should first be checked by a competent ecologist in order to determine the location of any active nests. Any active nests identified would then need to be cordoned off (minimum 5m buffer) and protected until the end of the nesting season or until the birds have fledged. These checking surveys would need to be carried out no more than three days in advance of vegetation clearance. This requirement should be secured through a condition in any approval.

Ecological Enhancements

Habitat Creation

New Planting

6.5.20 Where practicable, new planting within the site would be comprised of native species, including shrubs appropriate to the local area. Areas of sedum green roof are also proposed over the cycle shelter and bin store, which would provide ecological benefits for invertebrate species in particular. It is recommended that suitable native species are included and features/management incorporated to maximise the biodiversity value of these features.

Invertebrates

6.5.21 Where possible, it is recommended that a number of bee bricks be incorporated into the development (e.g. within building facades or retaining walls) thereby increasing nesting opportunities for declining populations of non-swarming solitary bee populations. Ideally, bee bricks should be located within suitable south-facing walls, located at least 1m off the ground. The bricks should be unobstructed by vegetation, though within close vicinity of nectar and pollen sources.

Biodiversity Net Gain

6.5.22 Overall, the metric indicates a calculated net gain of 0.03 habitat units (representing a net change of 107.26%) within the site. No hedgerows, tree lines or watercourses are present or affected, such that no assessment is appropriate/required in relation to hedgerow units or watercourse units. The trading summary indicates that all of the relevant rules associated with the metric would be satisfied, with a resultant calculated biodiversity net gain in excess of 10% in habitat units.

6.6 Environmental Matters - Acceptable

Noise

6.6.1 Paragraph 191 of the NPPF states that development should be appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, and the potential sensitivity of the site or the wider area.

6.6.2 London Plan Policy D14 advises that residential and other non-aviation development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.

6.6.3 Policy 119 of the Bromley LP states that in most cases where there is a risk of cumulative impact on background level over time or where an area is already subject to an unsatisfactory noise environment, applicants will be required to ensure that the absolute measured or predicted level of any new noise source is 10dB below the existing typical background noise level when measured at any sensitive receptor.

6.6.4 An Environmental Noise Impact Assessment prepared by Sharps Acoustics concludes that the noise resulting from the proposal would not have any impact on overall daytime noise levels, and nighttime noise levels would be increased by less than 1dB and would unlikely be discernible, given that the closest noise-sensitive receptors have been designed to ensure a satisfactory internal and external noise environment from industrial/ commercial sound emanating from the industrial estate.

Air Quality

6.6.5 Policies SI 1 of the London Plan and Policy 120 of the Bromley Local Plan refer to the need to tackle poor air quality. It states that for major developments, an Air Quality Assessment should be carried out before designing the development to inform the design process. Developments should aim to meet “air quality neutral” benchmarks in the GLA’s Air Quality Neutral report. Policy SI 1 (B1) of the London Plan states that in order to tackle poor air quality, protect health and meet legal obligations, development proposals should not:

- a) lead to further deterioration of existing poor air quality

- b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits
- c) create unacceptable risk of high levels of exposure to poor air quality.

6.6.6 Policy SI1 (B2)(a) of the London Plan further states that development proposals must be at least Air Quality Neutral.

6.6.7 Policy 120 of the Bromley Local Plan requires developments likely to have an impact on Air Quality to submit an Air Quality Assessment and aim to meet “air quality neutral” benchmarks in the GLA’s Air Quality Neutral Report. In addition, to comply with Policy SI 1 of the London Plan, proposals should not (a) lead to further deterioration of existing poor air quality, and (b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits.

6.6.8 The proposed development is situated in an Air Quality Management Area. An Air Quality Assessment, prepared by TRC, is submitted with this application. The report concludes that the residual effects of the construction phase on air quality are considered to be not significant. The proposed development is expected to result in a negligible impact associated with the operational phase traffic on nearby receptors and the residual effects are deemed to be not significant, in line with Environmental Protection UK (EPUK) and IAQM significance criteria. Additionally, the assessment also considered Air Quality Neutrality, and based on the net reduction in trip generation, concluded that the proposed development would be at least AQ Neutral.

6.6.9 The Council’s Environmental Health raised no objections subject to appropriate conditions regulating the demolition and construction processes, the use of non- road mobile machinery and gas boilers.

Contamination

6.6.10 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.

6.6.11 A Phase 2 Land Contamination Assessment prepared by Soiltechnics submitted with the application concludes that the proposed industrial development is relatively low sensitivity, and ground investigation works undertaken to date show a low level of contamination to be present, although given the existing building on site, further investigation would be required post demolition. The report recommends further work relating to investigation of areas of the site not currently accessible and provision of a remediation strategy taking account of these findings. It is therefore recommended that a land contamination assessment condition

is attached to any approval to prevent harm to human health and pollution of the environment.

6.6.12 Further to the above, given the site's location in a groundwater source protection zone additional conditions would also be imposed on any grant of planning permission in line with the comments received from Thames Water and Environmental Agency.

Lighting

6.6.13 Policy 122 of the Bromley Local Plan states that lighting in new development, including flood lighting, should be at an appropriate level so as to minimise impact on amenity whilst ensuring safe and secure places. Lighting should have no adverse effect on residential amenity through glare or hours of operation, not be visible from the wider area, and have no adverse impact on road safety, landscape or nature conservation.

6.6.14 A lighting strategy report prepared by MBA outlines the equipment to be used and its placement within the scheme. The strategy proposes to restrict illumination to mitigate any potential impact to properties adjacent to the proposed site. In addition, consideration has been taken to ensure no loss of amenity due to glare through shielding of the lamps, choice of luminaires and efficient mounting heights. This is considered acceptable.

6.7 Energy and Sustainability - Acceptable

Minimising Greenhouse Gas Emissions

6.7.1 The London Plan Policy S12 'Minimising greenhouse gas emissions' states that Major development should be net zero-carbon, reducing greenhouse gas emissions in accordance with the 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.

6.7.2 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for Major development – Of the 35% residential development should achieve 10 per cent through energy efficiency measures.

6.7.3 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.

6.7.4 Policies 123 and 124 of the 2019 Bromley Local Plan are consistent with the strategic aims of the London Plan energy policies.

6.7.5 An Energy Strategy prepared by MBA confirms that the proposal would be zero-carbon and would achieve a BREEAM Excellent rating, thereby exceeding London Plan and Building Regulations Part L requirements. This is a substantial improvement to the existing building and would be achieved without the use of carbon offsetting, and thus is considered a significant benefit of the scheme. The report confirms that the proposal would provide on-site energy generation in the form of Solar PV arrays.

Overheating

6.7.6 London Plan Policy SI 4 states major development should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy.

6.7.7 The results from the TM52 analysis indicate that active cooling would be required, as passive measures alone are not sufficient to mitigate the risk of overheating requiring the incorporation of mechanical ventilation and active cooling through highly efficient air source heat pumps. The energy required for these measures would be provided by photovoltaic panels located on the roof of the building. Overall, officers agree that the cooling hierarchy set out in Policy SI4 have been followed.

6.8 Suds and Flood Risk - Acceptable

6.8.1 London Policy SI12(C) requires development proposals to ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses. Policy SI13 of the London Plan states that drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.

6.8.2 Policy 116 (Sustainable Urban Drainage System) of the LBB Local Plan states that all developments should seek to incorporate Sustainable Urban Drainage Systems or demonstrate alternative sustainable approaches to the management of surface water as far as possible.

6.8.3 The site is located in Flood Zone 1, at low risk of all forms of flooding. The application is supported by a Flood Risk Assessment and Drainage Strategy Report by Burrows Graham which advises that the strategy has

been guided by a pre-development enquiry with Thames Water, who have confirmed that the foul flows can discharge to the adjacent combined public sewer and that the drainage strategy should be supported by a hierarchical approach. If infiltration is not feasible, Thames Water would accept peak surface water discharge to the combined public sewer.

- 6.8.4 The report concludes that 100% greenfield runoff rates would not be feasible for the development proposed. Following the hierarchical approach, a 94% reduction in pre-development discharge rates can be achieved through the use of various measures including green roofs and permeable parking spaces. To offset residual surface water, a connection to a combined sewer has been deemed necessary, which Thames Water has accepted would be an appropriate method of discharge. This is considered as an acceptable approach.
- 6.8.5 The Council's drainage officer, Thames Water and Environment Agency raised no objections to the proposal subject to appropriately worded conditions.

6.9 Fire Safety - Acceptable

- 6.9.1 London Plan Policy D12 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 all Major Development Proposals are required to demonstrate compliance through the submission of a fire statement.
- 6.9.2 To address the above policy requirement, a Planning Fire Statement prepared by Jensen Hughes has been submitted. The report confirms that the scheme would meet all British safety standards for Fire. In terms of Policy D12, the tables provided at section 2.0 of the report confirm that all aspects of the policy have been addressed in the report, therefore confirming that the scheme is compliant with Policy D12 in respect of Fire Safety.
- 6.9.3 Compliance to the fire statement would be conditioned however, compliance with the Building Regulations would still be required at the appropriate stage of the development.

7. Other Issues

Equalities Impact

- 7.1 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.

- 7.2 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.
- 7.3 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.
- 7.4 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.
- 7.5 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.
- 7.6 The building has been designed to take account of the specific needs of disabled people. The access to the building would be step-free with dropped kerbs and tactile paving to assist the needs of people with mobility and visual impairments. The unit would be designed to comply with Part M of the Building Regulations, with level access thresholds and automatic opening doors to entrances. The unit would be fitted with Part M compliant stair and passenger lift to provide full access to all levels, disabled toilet and shower, as well as separate changing room and lockers at lower ground floor level.
- 7.7 The development proposal offers new opportunities to access employment. Although the exact number of jobs generated by the proposed development would depend on the final land uses occupying the site, the proposal would have a positive impact on economically inactive people and those unemployed which are those in the categories of age, sex and disability, as well as indirectly on children (workless households).
- 7.8 The proposal is expected to give rise to negative impacts in relation to demolition and construction, such as increased vehicular movements, noise and air quality aspects. These impacts 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.

- 7.9 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.

Community Infrastructure Levy

- 7.10 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the proposal would be liable for the Mayoral CIL. 'MCIL2' places a rate of £60 per sqm on all development except health and education uses in all of Greater London.
- 7.11 The London Borough of Bromley Community Infrastructure Levy (CIL) proposals were approved for adoption by the Council on 19 April 2021, with a date of effect on all relevant planning permissions determined on and after 15 June 2021. Proposals involving commercial floorspace are not liable for the local CIL.

8. CONCLUSION

- 8.1 The proposal is for the demolition of existing building and redevelopment of site for industrial processes (Use Class E(g)(iii)); industrial (Use Class B2); and/or storage and distribution (Use Class B8)) purposes, with ancillary offices and associated parking, servicing, access arrangements and other associated works.
- 8.2 Officers acknowledge the local requirement for modern/adaptable industrial units and the aspirations for the Lower Sydenham Locally Significant Industrial Site, therefore the principle to redevelop the site to provide an improved unit is supported from a land use perspective.
- 8.3 The design of the proposed unit would not appear out of keeping with the surrounding industrial buildings, offices and warehouses. The siting, layout and scale of the proposal is considered acceptable and would not
- 8.4 The operating, servicing and delivery hours would be managed by planning condition and is not considered to have an adverse impact on residential amenities in the area.
- 8.5 Sustainability measures proposed would ensure that the proposal would be zero-carbon and would achieve a BREEAM Excellent rating, thereby exceeding London Plan and Building Regulations Part L requirements.

- 8.6 The proposed development is not considered to result in an unacceptable impact on surrounding highway network and environmental matters such as air quality, contamination, noise, light pollution, drainage, would be subject to appropriate conditions if the application was deemed acceptable overall.
- 8.7 Subject to the planning conditions, it is considered that the proposal would be acceptable and planning permission should be granted.

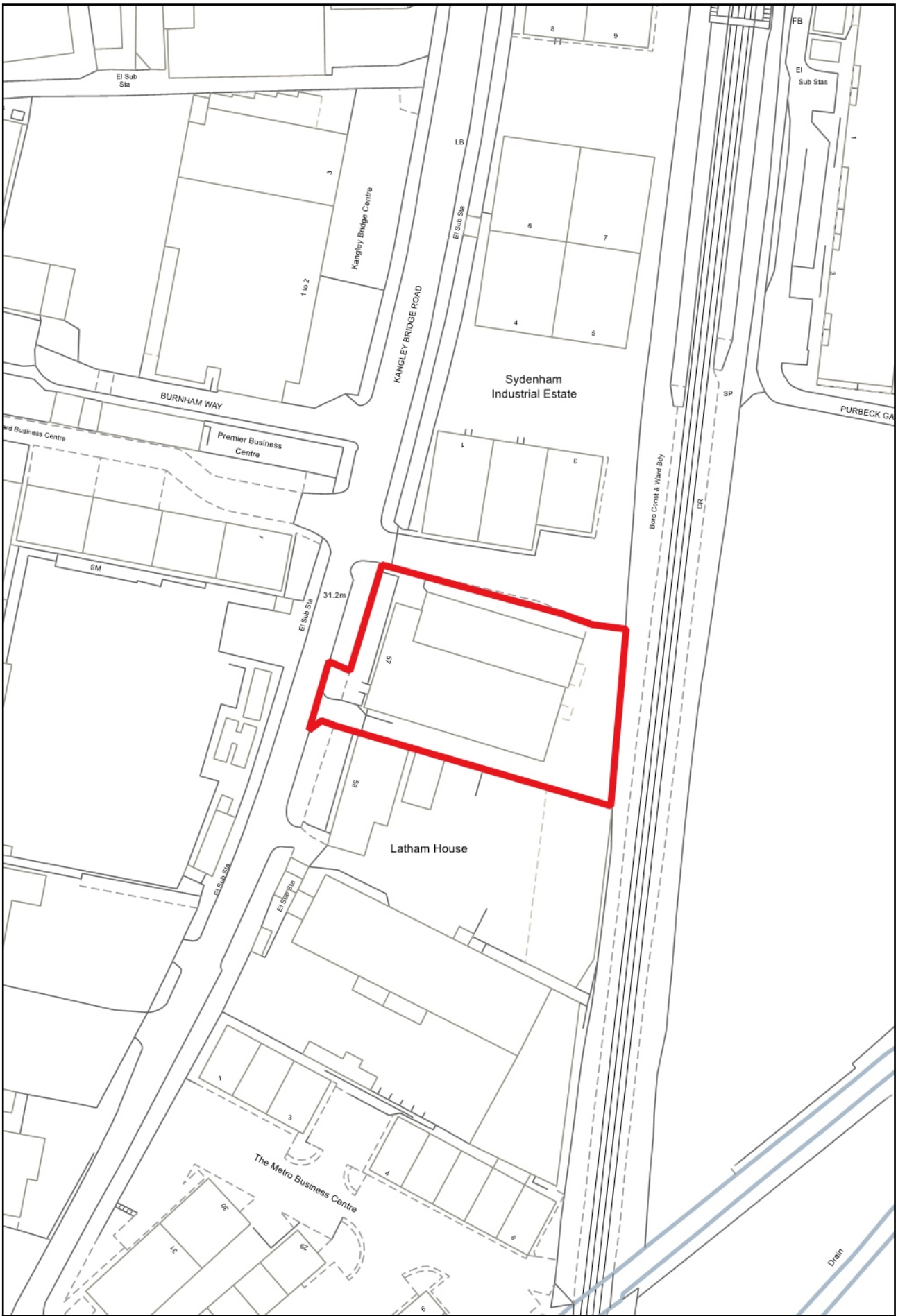
RECOMMENDATION: Application Permitted

Subject to the following conditions:


1. Time limit for commencement of development
2. In accordance with the approved plans
3. Piling Method Statement
4. Remediation Strategy
5. Slab Levels
6. Construction Management Plan
7. External Materials, Specification and Details of Finishes
8. Landscaping Plan
9. Biodiversity Enhancements/Ecological Mitigation Measures
10. Verification Report
11. Plant noise
12. Parking and Electric Vehicle Charging Points
13. Cycling
14. Servicing and Delivery Strategy
15. Unknown Contamination
16. Operating Hours
17. Delivery Hours
18. Land Use
19. Arboricultural Method Statement/Tree protection
20. SUDS
21. Energy
22. Air Quality
23. Fire Strategy
24. Lighting Strategy
25. Access (Highway Licence)
26. Updated Bat Survey (should more than 2 years elapse between the survey work and any development works)
27. Removal of Roofs

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.

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24/00218/FULL1



05 June 2024

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Agenda Item 4.8

Committee Date	13.06.2024	
Address	Sports Pavilion Creswell Drive Beckenham	
Application Number	24/00351/FULL1	Officer - Robin Evans
Ward	Kelsey And Eden Park	
Proposal	Erection of extension to existing pavilion to provide WC and refreshment serving hatch and amendment to existing footpath link to Creswell Drive. (PART RETROSPECTIVE).	
Applicant	Agent	
Mr Peter Bolton	Mr Andrew Black	
2 Hawsbrooke Lane Beckenham BR3 3SR	Hillplace House 55A High Street Wimbledon Village SW19 5BA	
Reason for referral to committee	Call-In	Councillor call in
	Call-In	Yes – Cllr Harris – support for the provision of the footpath as shown in the approved Cala Homes Development which has not yet been provided by Cala Homes.

RECOMMENDATION	REFUSE
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<p>KEY DESIGNATIONS</p> <p>Article 4 Direction Biggin Hill Safeguarding Birds Biggin Hill Safeguarding Area Flood Zone 2 Historic Landfill Sites Metropolitan Open Land Sites of Interest for Nat. Conservation Smoke Control SCA 18 Tree Preservation Order</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Outdoor sport/recreation	26
Proposed	Outdoor sport/recreation	33

Representation summary	Neighbour letters sent 25.03.2024 Newspaper advert published 27.03.2024 Site notice displayed 28.03.2024	
Total number of responses	1	
Number in support	0	
Number of objections	1	

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would comprise inappropriate development in the Metropolitan Open Land by definition and would be harmful to its openness and there are no very special circumstances in this case to clearly outweigh the harm identified.

2. LOCATION

- 2.1 The application site relates to the sports ground located on the northern side of Creswell Drive and the southern side of Mosaic Way. The site is predominantly level, and the boundaries are marked mostly by trees/vegetation. The site lies within Metropolitan Open Land and abuts the River Beck and the River Beck including Langley Park Nature Reserve, Harvington Estate woodland and Kelsey Park SINC.



Figure 1. Site Location Plan.



Photo 1. Application site and Cresswell Drive.



Photo 2. Application site – front.



Photo 3. Application site – rear.

3. PROPOSAL

3.1 Planning permission is sought for erection of extension to existing pavilion to provide WC and refreshment serving hatch and amendment to existing footpath link to Creswell Drive. According to site observations the pathway around the rear of the building appears to have been constructed.

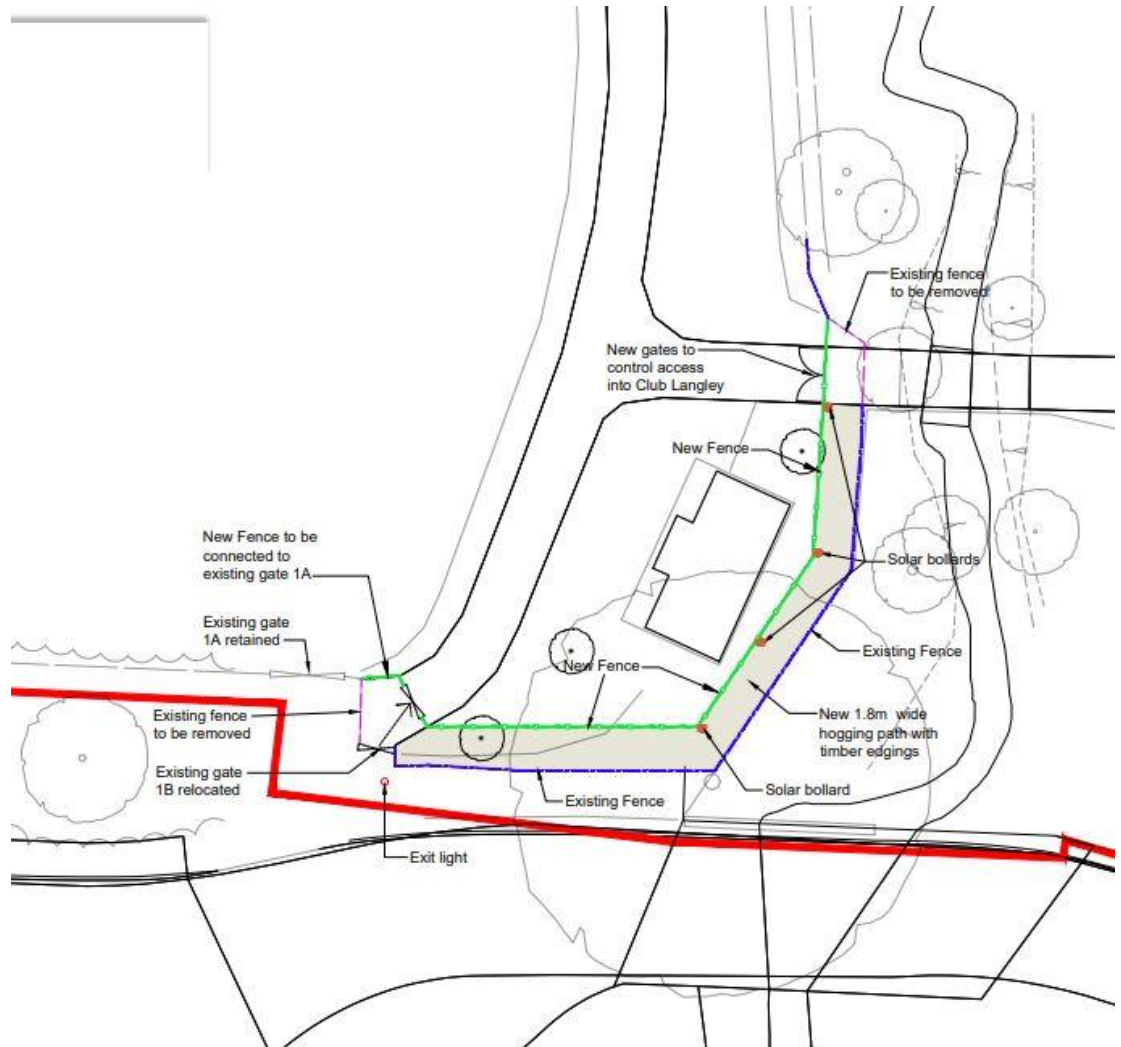


Figure 2. Proposed site layout.

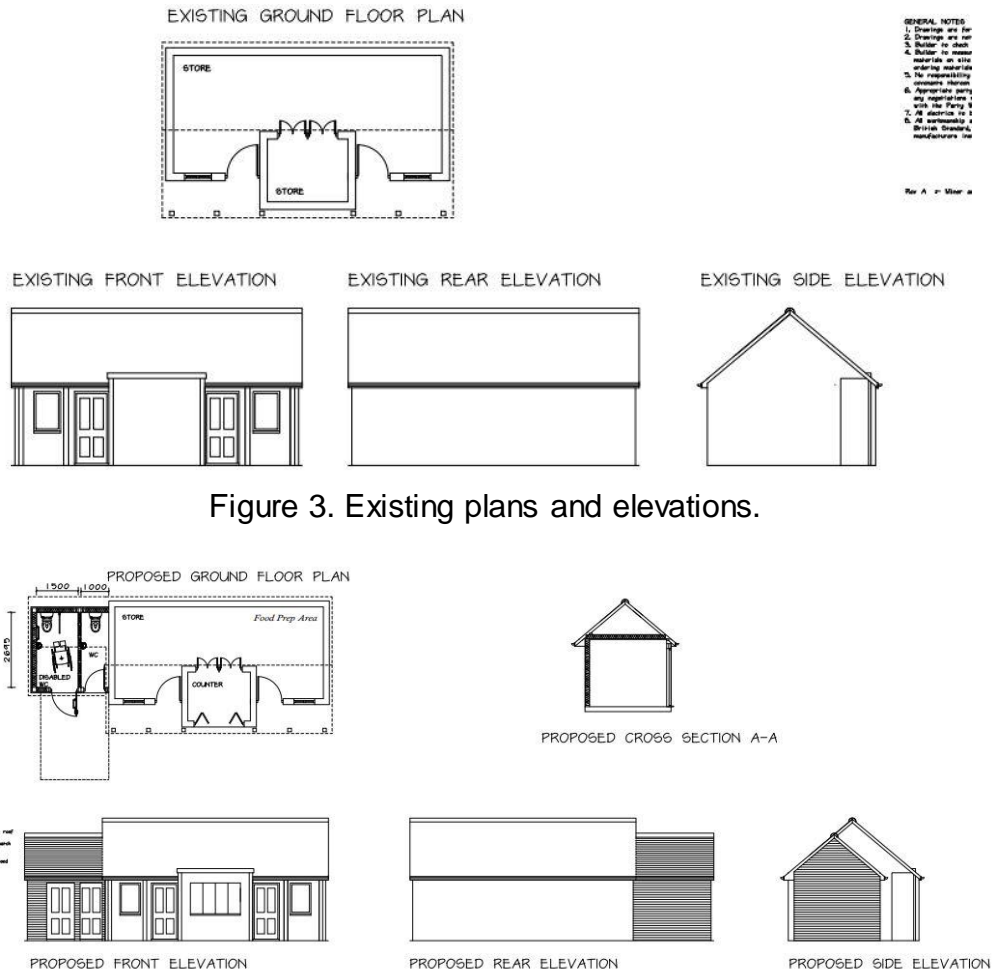


Figure 3. Existing plans and elevations.

Figure 4. Proposed plans and elevations.

4. RELEVANT PLANNING HISTORY

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

12/00976/OUT – Demolition of existing buildings and comprehensive phased mixed use development of up to 37,275sqm (gross external area) comprising up to 35,580 sqm Class C3 dwellings (up to 179 houses of different sizes and tenures including garages (including up to 79 affordable units)), up to 620sqm Class D1 (Non-Residential Institutions), up to 1,040sqm Class D2 (Assembly and Leisure) (including retention of existing pavilion and erection of replacement score hut), including reprofiling of site levels, creation of attenuation lake, estate roads and pedestrian/ cycle paths, open space, car parking, hard and soft landscaping, security access lodge and infrastructure works including substations. Use of pavilion building (permitted for staff restaurant/ sports club/ library, education and resource centre and general purpose meeting room) within Class D2 (Assembly and Leisure) in conjunction with adjacent playing field without any specific use/ occupier restrictions (as set out in condition 03 of permission ref. 98/01103/FUL PART OUTLINE) was granted on 17 June 2014.

14/03706/DET – Details of access, appearance, landscaping, layout and scale for phase 2 and conditions 21 (parking), 23 (cycle storage), 25 (electric charging vehicle points) and conditions 24, 33, 34, and 43 (lighting conditions) of permission ref 12/00976 granted on June 27th 2014 for the demolition of existing buildings and comprehensive phased mixed use development of up to 37,275sqm (gross external area) comprising up to 35,580 sqm Class C3 dwellings (up to 179 houses of different sizes and tenures including garages (including up to 79 affordable units)), up to 620sqm Class D1 (Non-Residential Institutions), up to 1,040sqm Class D2 (Assembly and Leisure) (including retention of existing pavilion and erection of replacement score hut), including reprofiling of site levels, creation of attenuation lake, estate roads and pedestrian/ cycle paths, open space, car parking, hard and soft landscaping, security access lodge and infrastructure works including substations. Use of pavilion building (permitted for staff restaurant/ sports club/ library, education and resource centre and general purpose meeting room) within Class D2 (Assembly and Leisure) in conjunction with adjacent playing field without any specific use/ occupier restrictions (as set out in condition 03 of permission ref. 98/01103/FUL PART OUTLINE was granted on 1 June 2016.

14/03821/DET – Details of access, appearance, landscaping, layout and scale for Phase 3 (22 dwellings: Plots 1 - 8 and 42 - 55) and details pursuant to conditions 7 (boundaries), 21 (parking), 22 (refuse) 23 (cycle parking), conditions 24 and 34 (lighting), 33 (secure by design) and 35 (slab levels) as they relate to Phase 3 of permission DC/12/00976/OUT granted on 27th June 2014 for the demolition of existing buildings and comprehensive phased mixed use development of up to 37,275 sqm (gross external area) comprising up to 35,580 sqm Class C3 dwellings (up to 179 houses of different sizes and tenures including garages (including up to 79 affordable units)), up to 620 sqm Class D1 (non-residential institutions), up to 1,040 sqm Class D2 (assembly and leisure) (including retention of existing pavilion and erection of replacement score hut), including reprofiling of site levels, creation of attenuation lake, estate roads and pedestrian/ cycle paths, open space, car parking, hard and soft landscaping, security access lodge and infrastructure works including substations. Use of pavilion building (permitted for staff restaurant/ sports clubs/ library, education and resource centre and general purpose meeting room) within Class D2 (assembly and leisure) in conjunction with adjacent playing field without any specific use/ occupier restrictions (as set out in condition 3 of permission ref: 98/01103/FUL) was granted on 1 June 2016.

18/00443/FULL1 – Redevelopment of the site to provide 280 residential units (Use Class C3), a Use Class C2 care home for the frail elderly, retention of the sports pavilion, retention of the spine road, provision of open space and associated works was granted on 28 June 2019 and is under construction. Amongst the conditions, Condition No. 25 states:

25. The development shall be carried out in accordance with the provisions of the Play Space Strategy AT7568 and the Strategic Landscape Masterplan (Drawing no. 661202/04/05 Rev 07) and shall be implemented prior to the first occupation of any of the residential units hereby permitted in accordance with a timetable to be agreed with the Local Planning Authority prior to the commencement of above ground works for the residential phase

of the development. The timetable shall include triggers to ensure that the Strategy is implemented before the first occupation of any of the residential units.

Reason: To comply with Policy 3.6 of the London Plan and Policy 37 of the Bromley Local Plan and to ensure provision is made for play and informal recreation in the interests of the health and well-being of future residents.

20/02853/FULL1 – Change of Use of Existing Pavilion building and associated car park from D2 (Assembly and Leisure) to D1 (Non-residential institution) for children's nursery use and medical facility. Existing parking and access to be retained. MOL land to be retained was approved on 24.02.2022.

23/04851/PLUD – Lawful Use of Unit 2, Langley Court Pavilion, Mosaic Way as Use Class E(d) Indoor sport, recreation or fitness was granted a lawful development certificate on 21.03.2024.

5. CONSULTATION SUMMARY

A) Statutory

Environment Agency: No objection

The site of the proposed development is within Flood Zone 2, which is defined as having a medium risk of flooding. The amendment to the existing footpath is within Flood Zone 3 (higher risk of flooding). The Environment Agency has no objection to the proposed development as submitted. However, as the development of the building is within 8m of the main River Beck and the amendment of the path is in close proximity to the main river the Applicant is recommended to apply for a Flood Risk Activity Permit (FRAP) (further information below in 'Informative' section), and can be advised of this by planning informative.

Highway Department: No objection

The application site lies in an area with a PTAL 1a-2 rating (on a scale where 0 has the poorest access and 6b has the best access to public transport services) indicating that the application site and the proposed development would be more dependent upon private transport such as the car or bicycle than on public transport, and indicating a potentially higher demand for car ownership and vehicle parking than an area/development with better public transport accessibility. The application appears to involve the closure of a well-established footpath/cycle path which is unfortunate. However, the site is part of a private estate, there is no public right of way in this area, and Bromley Council is not the Local Highway Authority for these roads.

Sport England: No objection

The proposal is for a small extension to the existing small pavilion to provide toilets and a refreshment serving hatch. The proposal would have no adverse impact on playing field but would benefit the users. Given the above, Sport England raises no objection to the application because it is considered to accord with exception 2 of our Playing Fields Policy and paragraph 103 of the NPPF.

B) Local Groups

Bromley Biodiversity Partnership: Partial Objection

Raise no objections to the pavilion extension, but strongly object to damage to biodiversity of the River Beck corridor which will occur at this point if a path and lighting is installed. If Planning permission is granted conditions are requested in relation to lighting, construction management, together with ecological enhancements.

C) Adjoining Occupiers

Objections

Procedural matters (addressed in section 7.1)

- works have already begun on the pedestrian access route contrary to the planning application and without consent,

Principle and Use of Land/MOL (addressed in section 7.2)

- the proposed design is primarily for a café and toilet for the recreational use of the MOL and not as a cricket scorers hut,
- if planning permission is granted it should be restricted for accompanying the recreational/sports use of the MOL only and not for general café use,
- toilets have already been granted planning permission under 20/02853/FULL1 and the re-use of the pavilion should not be carried out until the toilets have been provided in the cricket score hut,
- the sports and recreation use of the MOL was part of the planning permission 20/02853/FULL1 however the land is not being used as such,

Transport (addressed in section 7.5)

- the proposal would obstruct existing footpath/cycle path and footbridges over the River Eden and would conflict with previous permissions including the former Glaxo/Cala Homes development which provided access through those areas/routes,
- solar bollards would not provide sufficient lighting along the shaded pathways to provide safe and secure pedestrian access,

6. POLICIES AND GUIDANCE

National Planning Policy Framework 2023

NPPG

The London Plan

D4 Delivering Good Design

D5 Inclusive Design

D11 Safety, security and resilience to emergency

D14 Noise

S1 Developing London's social infrastructure

S2 Health and social care facilities

S3 Education and childcare facilities

S4 Play and informal recreation
S5 Sports and recreation facilities
G3 Metropolitan Open Land
G7 Trees and woodlands
T1 Strategic approach to transport
T5 Cycling
T6 Car parking
T6.4 Hotel and leisure uses parking

Mayor Supplementary Guidance

Accessible London SPG
Optimising Site Capacity: A Design-led Approach LPG
Planning for Equality and Diversity in London SPG
Play and Informal Recreation SPG
Sustainable Transport, Walking and Cycling
The control of dust and emissions in construction SPG

Bromley Local Plan 2019

20 Community Facilities
21 Opportunities for Community Facilities
26 Health and Wellbeing
28 Educational Facilities
30 Parking
32 Road Safety
33 Access for all
37 General Design of Development
50 Metropolitan Open Land
57 Outdoor Recreation and Leisure
58 Outdoor Sport, Recreation and Play
69 Development and Nature Conservation Sites
73 Development and Trees
79 Biodiversity and Access to Nature
119 Noise Pollution
123 Sustainable Design and Construction

Bromley Supplementary Guidance

Urban Design Supplementary Planning Document (Bromley, 2023)

7. ASSESSMENT

7.1 Procedural matters

7.1.1 Notwithstanding third party comments an applicant is entitled to submit an application (of various types). The planning regulations allow for an application to be submitted retrospectively, such as to confirm that an existing use or

development is lawful that it has deemed consent and does not require express planning consent and/or to regularise a use or development that does require express consent. As such a retrospectively made application is assessed on its own merits and in relation to the relevant legislation/Development Plan Policies and without prejudice to the fact that it has been submitted retrospectively.

7.1.2 Notwithstanding comments received, according to the Council's records there is no public right of way in the vicinity of the application site and the proposal would not appear to affect a public right of way.

7.2 Metropolitan Open Land – Unacceptable

7.2.1 The London Plan and Bromley Local Plan Policies confirm that Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt and advise that MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt. As such MOL is treated as if it were Green Belt and policy references to Green Belt in this assessment are to be treated as MOL.

7.2.2 NPPF paragraphs 142–156 set out the Government's intention for Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

7.2.3 NPPF paragraph 143 states that the Green Belt is intended to serve five purposes:

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

7.2.4 NPPF paragraphs 152–156 deal specifically with development proposals in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. "Very Special Circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.2.5 Therefore, the main issue in relation to the Green Belt is whether the proposal would represent inappropriate development and if the proposed development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

- 7.2.6 Inappropriate development in the Green Belt is harmful by definition (in principle) and should not be approved except in very special circumstances. Therefore, the harm to the Green Belt in principle remains even if there is no further harm to openness arising from the development. Local planning authorities should give substantial weight to any harm to the Green Belt. “Very special circumstances” (VSCs) will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. VSCs by their nature will also often be unique to the application site and will not be capable of being easily repeated as the effect of such inappropriate development would be cumulatively harmful throughout the Green Belt area.
- 7.2.7 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form, it has been described by Appeal Inspectors as an “absence of development”, and therefore any new development, built form or a more intensive use of land in the Green Belt is likely to have a greater effect on openness than the current situation. Openness takes into account the effect of built form on the otherwise open landscape and therefore the three dimensional mass of a building, as compared with a two dimensional form of a flat surface, is a critical element of this part of the assessment. This may be concluded to compromise openness and conflict with the purpose(s) of including land within Green Belts; in this case assisting in safeguarding the countryside from encroachment. With regard to “openness” the Supreme Court has also recently ruled, clarifying that “matters relevant to openness in any particular case are a matter of planning judgement, not law” and that “visual effects” are a relevant material consideration. However as mentioned above, even if there is absence of harm to openness, there may still be harm in principle to the Green Belt by reason of inappropriate development. Furthermore, it is established in the assessment of the impact of new development on the openness of the Green Belt that the land in question does not need to be prominent or visible from the public realm; as the mere fact that the development exists in the Green Belt at all is inherently harmful to openness as compared with the same land that is absent of the proposed development in question. *Notwithstanding this, however, with regard to ‘openness’, the Supreme Court has ruled that ‘matters relevant to openness in any particular case are a matter of planning judgement, not law and that “visual effects” are a relevant “material consideration”.*
- 7.2.8 The London Plan Policy G2 and the Bromley Local Plan Policy 49 provide the same level of protection to Green Belt as the NPPF, which in turn is also applied to MOL as set out in London Plan Policy G3 and Local Plan Policy 50.
- 7.2.9 Whether the proposal would represent inappropriate development in the MOL
- 7.2.10 NPPF paragraph 154 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries

and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

7.2.11 NPPF paragraph 155 provides for certain other forms of development which are also not inappropriate in the Green Belt, provided that they preserve its openness and do not conflict with the purposes of including land within in, and include the following:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

7.2.12.1 NPPF para 154 b)

7.2.12.2 The planning permission for the change of use of the larger Langley Park Pavilion 20/02853/FULL1 involved the loss of changing and WC facilities serving the sport pitch as part of the MOL. Therefore, the planning permission required the WC facilities to be provided in the smaller pavilion known as the Cricket Scorers Hut, in order to continue to serve the sports pitch and the use of the MOL for outdoor sport and recreation.

7.2.12.3 As mentioned, the WCs were required by Sport England to be provided in the pavilion as an appropriate and necessary function to support the outdoor sport and recreation of the site and the MOL. The approved floor plan indicated there is an internal serving counter inside the existing scorers hut subservient to the main use of the pavilion as a scorers hut and a WC. The current proposal intends to use the whole floor area of the existing scorers hut as a café with external

servery and to place the WCs in the proposed extension. However, whilst the proposed floor plan shows the existing pavilion would be used for food storage and preparation it is not clear the reason that the WCs and the servery cannot be provided inside the existing building as approved and the reason that the extension is required. Whilst there may be an existing small serving counter subservient to the use of the pavilion as a scorers hut and whereas it is clear that WCs support the outdoor sport and recreation use it is not clear that the provision of a more substantial café/servery, which would occupy the whole floor area of the existing pavilion, is central to the provision of outdoor sport or recreation and would therefore be appropriate for outdoor sport and recreation on the sports pitch and within the MOL.

7.2.12.4 As such the proposal would not comply with NPPF para 154 b).

7.2.13 NPPF 154 c)

7.2.13.1 The proposal would comprise an extension to the existing building and the existing/proposed dimensions are as follows:

	Footprint sqm	Floor area sqm	Volume m3
Existing pavilion	32	26	122
Proposed extension	9	7	27
Total	41	33	149
Difference	9	7sqm increase	27
Difference %	28% increase	27% increase	22% increase

7.3.13.2 The analysis demonstrates that the proposed extension would comprise a 28% increase in the footprint, a 27% increase in the floor area and a 22% increase in volume of the existing building and this would comprise a disproportionate addition to the existing building to be extended.

7.2.13.3 Furthermore, the proposed extension would not comprise an absence of development and the additional building mass would have an additional impact on the openness of the MOL. The proposal would encroach further on the countryside and would conflict with the purposes of including land within the MOL.

7.2.14 NPPF para 155 b)

7.2.14.1 The proposed alterations to the footpath comprising an engineering operation would be relatively modest in its position, size and extent and would be unlikely to have a significant impact on the openness of the MOL and overall would preserve openness.

7.2.15 Summary

7.2.15.1 In summary, the built form of the proposed extension would comprise inappropriate development in the MOL by definition, it would have actual harm to the openness of the MOL, and would conflict with the purposes of including land within the MOL contrary to the London Plan Policy G3, Bromley Local Plan Policy 50 and NPPF paragraphs 154 and/or 155.

7.2.15.2 It is now necessary to determine whether there is any other harm arising from the development and whether there are any Very Special Circumstances existing to clearly outweigh the harm to the Green Belt the other harm identified.

7.2.16 Very Special Circumstances

7.2.16.1 The Applicant does not consider that the proposal would comprise inappropriate development within the MOL and does not formally offer any Very Special Circumstances in the event that the application is inappropriate development in the MOL.

7.2.16.2 The comments of Sport England are noted however they relate to effect of development on the sports pitch and use of the land as a sports pitch and do not relate to or account for other circumstances or material considerations such as the effect of new development on the openness of the MOL.

7.2.16.3 As mentioned, although there may be a small existing serving counter inside the existing pavilion, it does not appear to be central or required for the use of the outdoor sport and recreation of the MOL as a sports pitch. The proposed enlargement to provide the required WCs and enable a larger café inside the building may be desirable however the need/requirement it has not been justified and it does not outweigh the harm identified. Furthermore, the proposed need does not appear to be unique to this particular site where the proposed provision is desired but is not required, as this could be easily repeated at many other sites in the MOL or Green Belt where a similar facility might be desired, leading to cumulative harm to openness across the wider MOL/Green Belt.

7.3 Design – Layout, scale height and landscaping – 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 NPPF paragraph 131 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.

7.3.3 NPPF paragraph 135 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 Bromley Local Plan Policy 73 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.
- 7.3.5 Bromley Local Plan Policy 77 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.
- 7.3.6 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.7 Design is considered separately from the MOL although it can have inherent similarities. In this case, notwithstanding the MOL perspective, the proposed extension and footpath alteration would not appear excessive in size or scale in design terms and would not appear to overdevelop the overall site or appear cramped. The proposed design and materials would respect the design and appearance of the existing building and site.
- 7.3.8 The proposal would not appear to directly affect or impact trees or vegetation at the site although tree protection may be required to protect trees during construction if planning permission is granted.

7.4 Residential Amenity - Acceptable

- 7.4.1 Bromley Local Plan Policies 4, 6 and 37 seek to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 7.4.2 The application site is well removed from surrounding existing residential properties, although the dwellings in the approved redevelopment scheme (18/00443/FULL1) would lie close to the application site. Nonetheless the proposed built form and the use of the pavilion as shown in the application details

would not have a significantly more harmful effect on the neighbouring residential amenities.

7.5 Transport – 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. NPPF paragraph 109 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.
- 7.5.3 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.
- 7.5.4 The Highway Department application appears to involve the closure of a well-established footpath/cycle path which would be unfortunate however the site is part of a private estate, there is no public right of way in this area, and Bromley Council is not the Local Highway Authority for these roads. There is no objection from the Council's Highway Department.

7.6 Ecology – Acceptable

- 7.6.1 NPPF paragraph 180 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.
- 7.6.2 Government guidance encourages Local Planning Authorities to consider the full impact of a proposal on protected species before taking a decision on a planning application. The case of *Bagshaw v Wyre Borough Council* [2014] EWHC 508) also highlights the importance of ecological assessment surveys to establish the extent of threat to protected species before taking a planning application decision.
- 7.6.3 The Bromley Biodiversity Partnership raises no objection to the extension of the existing pavilion however have raised objections over the adverse effect that the proposed footpath alterations and external lighting would have on the biodiversity

and ecology of the sensitive River Beck corridor. However, if planning permission is granted then the construction process including construction lighting and disposal of waste to protect the river from pollution should be managed by a CEMP, any artificial lighting should be sensitively designed and biodiversity enhancement such as bird and bat boxes included, and this could be managed by planning condition.

7.7 Drainage and flooding – Acceptable

- 7.7.1 NPPF paragraph 165 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future), but where development is necessary in such areas, *the development should be made safe for its lifetime without increasing flood risk elsewhere*. The Technical Guidance published alongside the Framework details that for these purposes, areas at risk of flooding constitutes land within Flood Zones 2 and 3.
- 7.7.2 NPPF paragraph 173 goes on to say that *when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in light of this assessment (and the sequential and exception tests, as applicable [set out within paragraphs 167-172] it can be demonstrated that:*
- a) *within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
 - b) *the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
 - c) *it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
 - d) *any residual risk can be safely managed; and*
 - e) *safe access and escape routes are included where appropriate, as part of an agreed emergency plan.*
- 7.7.3 London Plan Policy SI 12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 7.7.4 London Plan Policy SI 13 Sustainable Drainage 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.
- 7.7.5 Bromley Local Plan Policy 116 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.
- 7.7.6 There is no objection from the Council's Drainage Engineer.

7.7.7 The Environment Agency raises no objection however advises the Applicant that a Flood Risk Activity Permit (FRAP) may be required and can be advised of this by planning informative if planning permission is granted.

7.8 Air Quality – Acceptable

7.8.1 The application site lies within an Air Quality Management Area where new development should not adversely affect air quality and contribute towards carbon emissions. No objection in principle subject to appropriate mitigation measures such as the use of EV charging and gas boilers to manage air quality and this could be managed by condition.

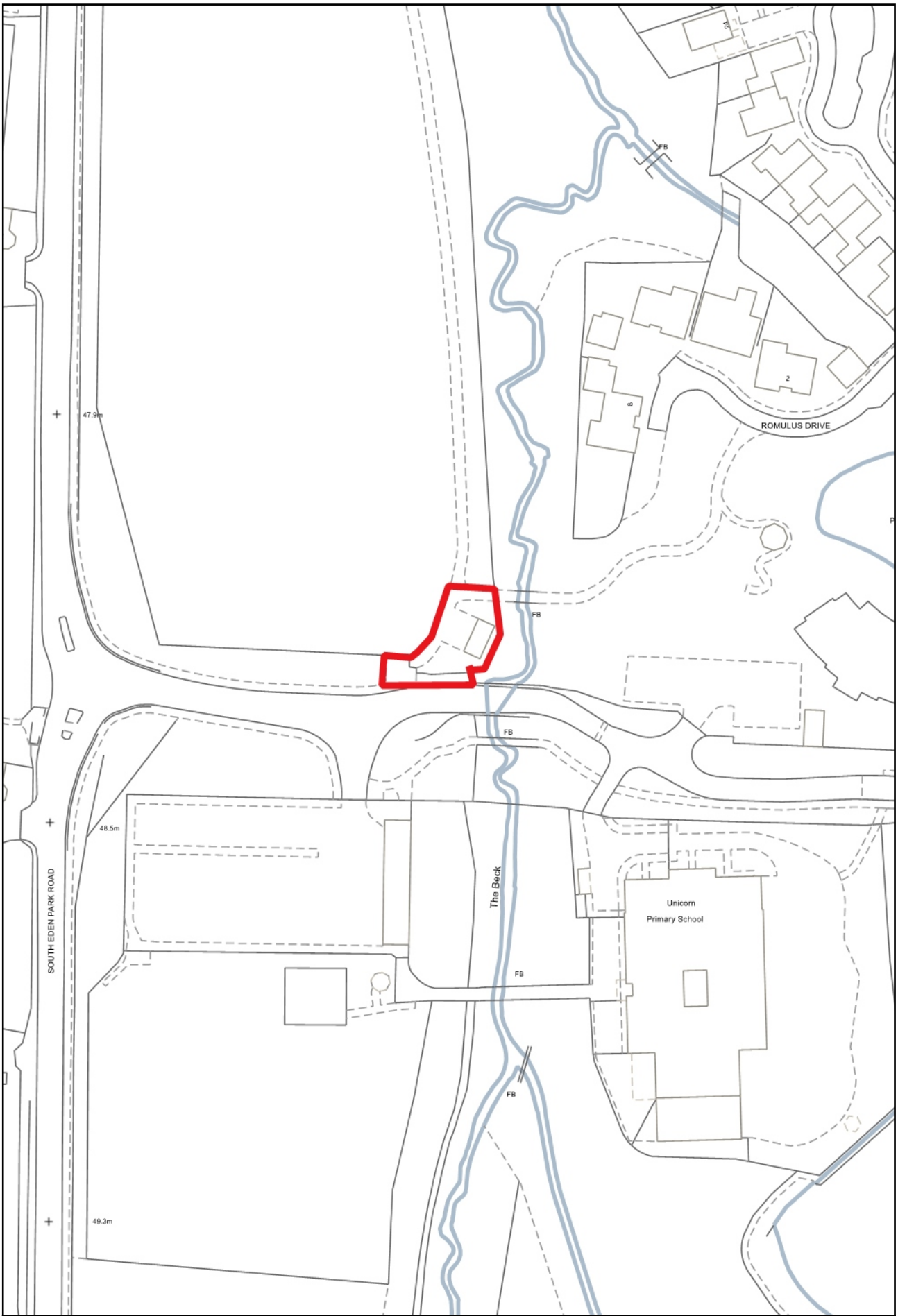
8. CONCLUSION

8.1 Having regard to the above it is considered that the development in the manner proposed is unacceptable as it would comprise inappropriate development in the Metropolitan Open Land by definition and would be harmful to its openness and there are no very special circumstances in this case to clearly outweigh the harm identified.


8.2 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: REFUSED

1. The proposal would not provide an appropriate facility for outdoor sport or outdoor recreation and would result in a disproportionate addition over and above the size of the original building, comprising inappropriate development in the Metropolitan Open Land by definition, it would be harmful to its openness, and encroaching into the countryside it would conflict with the purposes of including land within the Metropolitan Open Land. There are no very special circumstances of sufficient weight to clearly outweigh the harm by reason of inappropriateness and the other harm identified. For these reasons the development would conflict with Policy G3 of the London Plan 2021, Policy 50 of the Bromley Local Plan 2019 and paragraph 154 of the NPPF 2023.



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 24/00351/FULL1
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Agenda Item 4.9

Committee Date	13.06.2024		
Address	97 Ravensbourne Avenue Bromley BR2 0AU		
Application Number	24/01221/FULL6	Officer - Ms Manpreet Virdi	
Ward	Shortlands And Park Langley		
Proposal	Enclosing a porch and retention of the front door. (RETROSPECTIVE).		
Applicant	Agent		
Mr Martin Delahunty	Mrs Marienne Pachonick		
97 Ravensbourne Avenue Bromley Bromley BR2 0AU	272 Pickhurst Rise West Wickham Pickhurst Rise BR4 0AX United Kingdom		
Reason for referral to committee	Call-In	Cllr Grant - The removal of the arch removes the symmetry of the two buildings and consider the new composite door to be out of character therefore detrimentally impacts the Shortlands Village Conservation Area.	

RECOMMENDATION	PERMISSION
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Representation summary	<ul style="list-style-type: none"> Neighbour letters were sent 28.03.2024 A Statutory site notice was displayed at the site on 28.03.2024 A press advert was published on 10.04.2023 		
Total number of responses	17		
Number in support	15		
Number of objections	2		

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character of the Shortlands Village Conservation Area.
- The development would not result in a harmful impact on the appearance of the host dwelling.
- The development would not have a harmful impact on the amenities of neighbouring residents.

2 LOCATION

- 2.1 The application site is two storey detached property located on the western side of Ravensbourne Avenue. The site lies within the Shortlands Village Conservation Area which was designated in June 2021.
- 2.2 The surrounding area is characterised by a mixture of detached and semi-detached dwellings with large rear gardens.

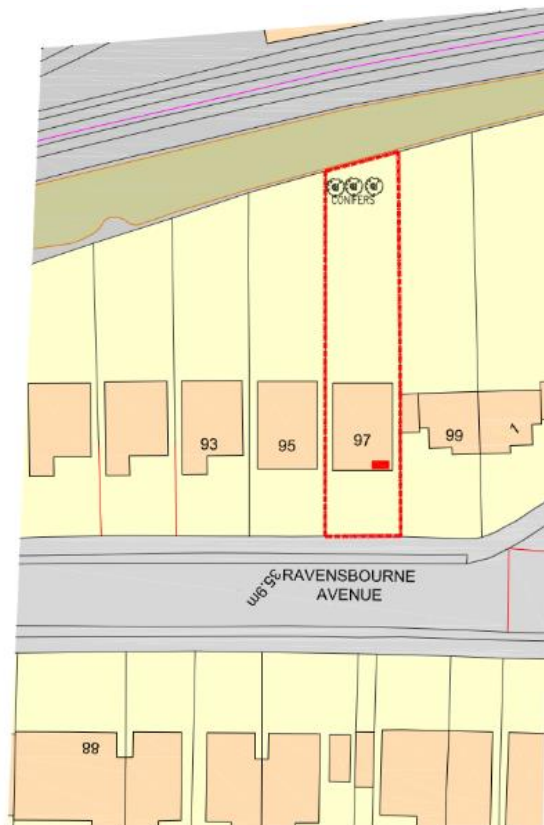


Figure 1: Site Location Plan

3 PROPOSAL

- 3.1 The application seeks permission retrospectively for the infilling of the front porch and installation of a new front door.
- 3.2 The existing front elevation had an arch way which led to the front door which was designed with a rounded top. The new door has enclosed the existing archway and brought the front door forward with a new square shaped front door entrance.

Figure 2: Previous front elevation (taken from Google Street View)



Figure 3: Pre-existing Ground Floor Plan

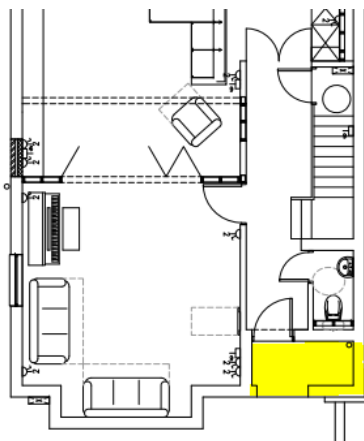


Figure 4: Pre-existing Front Elevation



Figure 5: Existing front elevation

No. 95

No. 97



Figure 6: Proposed ground floor plan

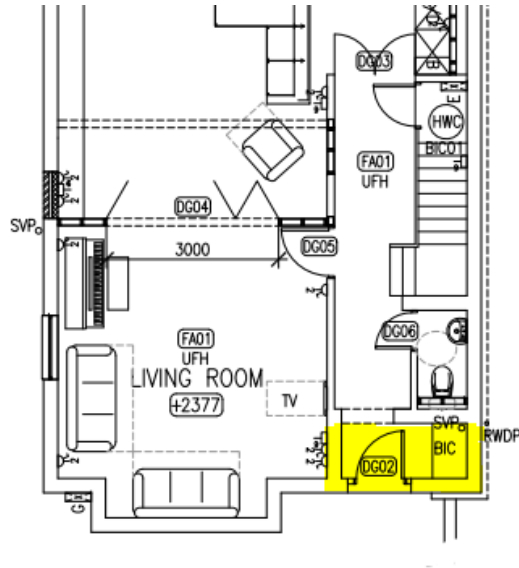


Figure 7: Proposed Front Elevation



4 RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 Planning permission was granted under ref: 03/01865/FULL1 for the demolition of existing dwellings (at No. 95 Ravensbourne Avenue) and erection of 2 detached four-bedroom two storey dwellings with room in the roof space and 4 car parking spaces. Condition 12 of this permission removed permitted development rights with regards to Classes A, B, C and E. The reason for this condition was to prevent an overdevelopment of the site. When permission was granted for the redevelopment of the site, the property was not within a Conservation Area and no reference to the visual amenities of the area have been cited in the reason.
- 4.3 Planning permission was granted under ref: 20/04329/FULL6 for the construction of single storey rear extension, additional excavation to create deeper terrace, lowering of existing retaining wall and associated landscaping.

5 CONSULTATION SUMMARY

A) Statutory/Non-Statutory

5.1 Conservation: Objection

The way the porch has been infilled disrupts the symmetry of this building which is important in terms of its relationship with the neighbouring house. From a heritage point of view the removal of the attractive brick arch and its replacement with a very standard square detail is inappropriate in this particular heritage context.

Although this may be a post 1940s house, the symmetry between the pair is of importance to the character of the conservation area and is attractive with its half timbering and traditional detailing. The Design and Access Statement indicates a photo of a modernist house with rectangular front door opening however, as the visual significance of this house is that it matches its neighbour, to disrupt this would be unacceptable in heritage terms.

5.2 Network Rail: No objections

B) Local Groups

- 5.4 The Shortlands Residents Association and the Ravensbourne Valley Residents have both objected to this application for the following reasons: (addressed in 7.1)
- Moving the front door to the front of the porch increases the loss of symmetry and exposes a very modern front door which is incongruous in its setting.
 - Bromley Local Plan Conversation Area Policy 41 requires the character of the conservation area to be preserved or enhanced. The works already carried out do not make a positive contribution and detract from the symmetry which did exist.

- Policy 37 refers to developments complementing the form, layout or materials of adjacent building. This development conflicts with its neighbour at number 95.
- Impact of the Shortlands Village Conversation Area (SVCA) - There was an attractive symmetry between No's 95 and 97 which has now been lost.
- The new door appears as an incongruent, disjoined and awkward addition, almost an afterthought to the host building.
- Harmful to the character and appearance of the SVCA and conflicts with Policies 6, 37 and 41 of the Bromley Local Plan (2019).

5.5 15 comments of support have been received from neighbouring occupiers which has been summarised as follows:

- The presentation of the house as it stands with its current configuration is appealing and not detrimental to the street scene.
- The new door is in keeping with the street and the colour of the new front door matches many other doors along Ravensbourne Avenue.
- Work has been completed to high standards.
- The porches at 95 and 97 are apart and the difference between the two porches are not an issue especially given the wide variety of styles and ages of the property in the street as a whole.
- No restriction on permitted development requirements.

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 updated in 2023 and is a material consideration.

6.4 The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2021). The NPPF does not change the legal status of the development plan.

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

The London Plan

- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- HC1 Heritage conservation and growth

Bromley Local Plan 2019

6	Residential Extensions
37	General Design of Development
41	Conservation Areas

Supplementary Planning Guidance

Shortlands Village Conservation Area SPG
Urban Design Supplementary Planning Document (July 2023)

7 ASSESSMENT

7.1 Design and Heritage impact – Acceptable

- 7.1.1 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.
- 7.1.2 London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.3 Policies 6 and 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
- 7.1.4 Policy 41 states that Conservation Areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Proposals for new development, for engineering works, alteration or extension to a building or for change of use of land or buildings within a conservation area will need to preserve and enhance its characteristics and appearance by: Respecting or complementing the layout, scale, form and materials of existing buildings and spaces; Respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and Using high quality materials.
- 7.1.5 The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

- 7.1.6 Paragraphs 205/208 of the NPPF (2023) consider the potential impacts on heritage assets, including conservation areas. Paragraph 208 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.
- 7.1.7 The Conservation Officer has raised objections due to the impact on the symmetry of the pair of dwellings. The Shortlands Village Conservation Area was designated in June 2021, and whilst it is acknowledged that the infill to the front entrance arch and new modern style door does represent a visible difference when viewing Nos. 97 and 95 as a pair, it is noted that when planning permission was granted for the new dwellings permitted development rights were not restricted in terms of porches (Class D) and as such a porch could be constructed at either property which would disrupt the symmetry.
- 7.1.8 It is also noted that the properties along Ravensbourne Avenue do vary in style. Therefore, whilst it is acknowledged that the infilling and design change to the front porch is noticeable, the overall appearance of the pair of properties is not material altered. Furthermore, the host dwelling is a modern house in the lifetime of the street and therefore, on balance, would not be it does not appear out of keeping when taking account of the age of the property and its surrounding context.
- 7.1.9 It is therefore considered that the proposal would not appear out of character with the main dwelling nor unduly harm the appearance of the pair of dwellings of which it is a part, and would not harm the character and appearance of the wider Shortlands Village Conservation area within which it lies.

7.2 Neighbouring amenity - Acceptable

- 7.2.1 Policy 37 of the BLP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 7.1.2 The proposal would infill the existing porch and would not project out beyond the front building line.
- 7.1.3 Having regard to the scale, siting and separation distance of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

8 CONCLUSION

- 8.1 Having had regard to the above, it is considered that the development would not result in a significant loss of amenity to local residents and would preserve the character and appearance of Shortlands Village Conservation Area.
- 8.2 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.

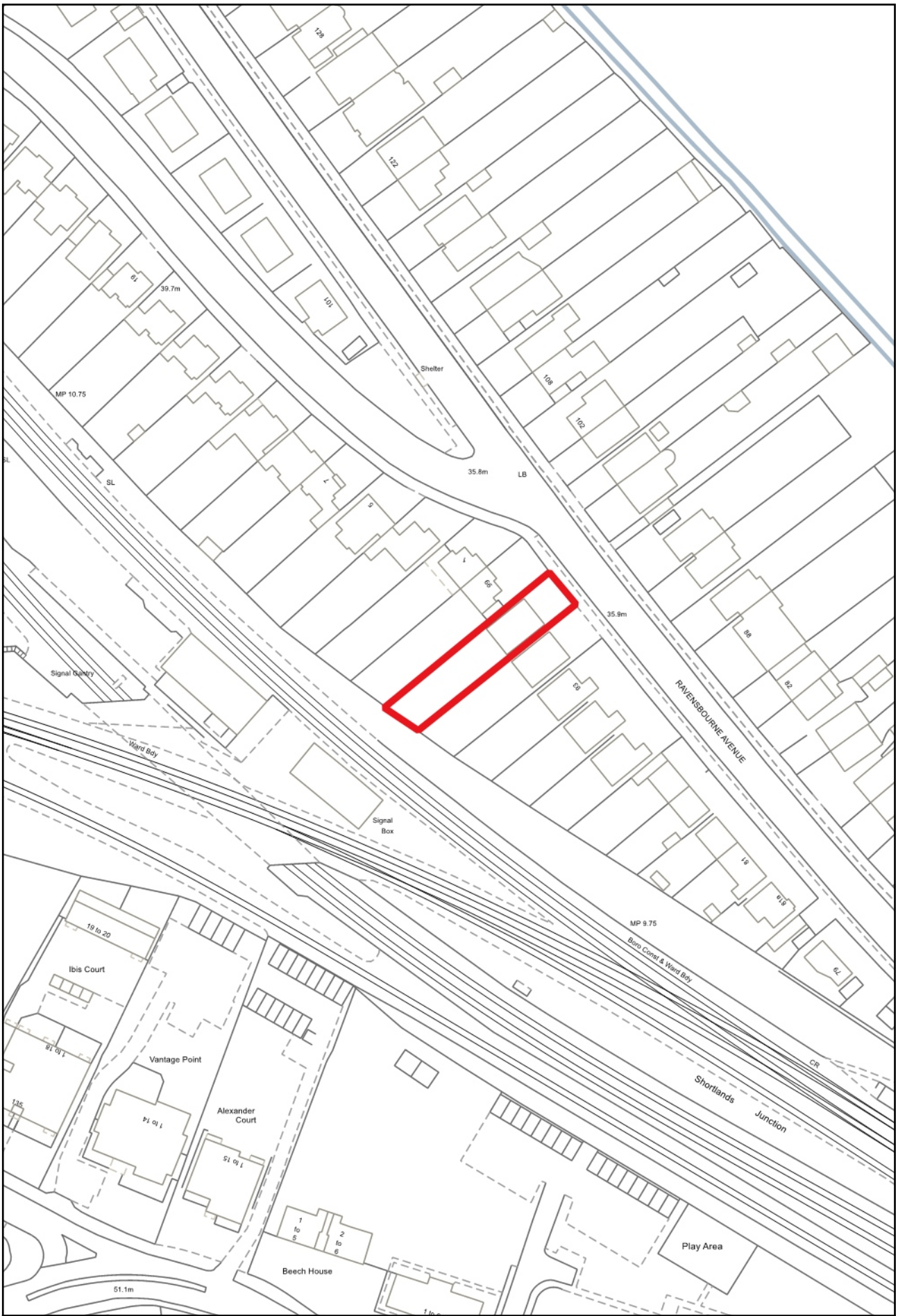
RECOMMENDATION: Application Permitted

As amended by documents received on 19.04.2024 and 30.05.2024


The following conditions are recommended:


- 1. Retain in accordance with the approved plans.**

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.




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