

**Application No :** 13/02451/OUT

**Ward:**  
**Bromley Town**

**Address :** 1 Westmoreland Road Bromley BR2  
0TB

**OS Grid Ref:** E: 540433 N: 168568

**Applicant :** Telereal Trillium

**Objections : YES**

**Description of Development:**

Demolition of existing building and erection of a part 3/part 11 storey building comprising 1518 sqm Class B1 office floorspace and 71 residential units (25x1 bed; 30x2 bed; 16x3 bed flats), 47 car parking spaces and associated landscaping, servicing and cycle parking OUTLINE

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Bromley Town Centre Area  
Local Cycle Network  
Flood Zone 2  
Flood Zone 3  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
London Distributor Roads  
Open Space Deficiency  
River Centre Line

**Proposal**

Outline planning permission is sought for the demolition of all buildings on the site and erection of a part 3/part 11 storey building with a mix of office and residential uses. It is proposed to provide 1517 sqm of office floorspace on the 3 floor levels of the 'podium' fronting Masons Hill, wrapping around part of the lower 3 floors facing Westmoreland Road.

A total of 71 residential units will be provided on the ground floor fronting Westmorland Road and Sandford Road and across all of the upper floors of the 11 storey structure.

The applicant has asked for access only to be determined at this stage with scale, layout appearance and landscaping reserved for future consideration as 'reserved matters'.

To support the application illustrative plans have been submitted giving a minimum and maximum range for the height, length and depth of each part of the building.

Should permission be granted detailed drawings will be submitted for consideration in the future based within this range of dimensions.

Members will recall that planning permission was refused for the demolition of existing building and erection of a 4 to 11 storey building comprising a 110 bedroom hotel (Class C1, 49 residential units (Class C3) and 592sqm retail use (Class A1-A5) with associated landscaping, servicing, 41 car parking spaces and bicycle parking OUTLINE under ref 12/02385/OUT for the following reasons:

1. The proposed development is not acceptable, by reason of the absence of a robust and well evidenced Financial Viability Statement, resulting in failure to meet the requirements for the provision of S106 contributions for the purposes of affordable housing, education and health contrary to Policies IMP1 and H2 of the Unitary Development Plan and the Supplementary Planning Guidance relating to Planning Obligations and Housing and Policies 8.2 and 3.12 of the London Plan.
2. In the absence of a robust and well evidenced appraisal of the office market in Bromley, the proposal is unacceptable, by reason of the lack of suitable replacement office development, contrary to Policies BTC 5 and OSL of the Bromley Town Centre Area Action Plan.
3. The indicative proposal, by reason of its scale and height, would detrimentally impact on protected long distance views of the Keston Ridge contrary to Policies BTC 19 and OSL of the Bromley Town Centre Area Action Plan and Policies BE 17 and 18 of the Bromley Unitary Development Plan.

The current application seeks to address concerns raised in the previous application.

The development comprises

- An L-shaped building is proposed extending from east to west, which is curved to broadly follow the line of the curve around Masons Hill into Westmoreland Road, which then extends north to south, running broadly parallel with Sandford Road, ending in the same position as the southern elevation of the existing building.

Masons Hill frontage:

- The part of the building fronting Masons Hill will be 3 storeys closest to the access road between the site and former St Marks School, rising to 11 storeys at the apex of the corner with Westmoreland Road. The height of the 'podium' has been reduced from a maximum height of 13m to a maximum height of 11.25m (to the top of the roof) in order to improve the views to the Keston Ridge from the High Street for this part of the development.

The maximum extent of the depth of the footprint is defined by the front and rear elevations of former St Marks School and the line of the underground culvert that runs through the site.

- This part of the building will accommodate basement vehicle parking, and offices with the entrance to Masons Hill.

#### Westmoreland Road/Sandford Road frontage

- On the northernmost part of the site, the illustrative plans show the proposed building will rise to 11 storeys and will be curved at this point. The max/min height is shown as 28-29.5m at this point. As the building extends southward the height gradually reduces, storey by storey, to 4 storeys (max/min of 12-13.98m). The plans state that no part of the building, at this most southerly point, will project any further to the rear (closest to properties in Pinewood Road) or be higher than the existing building. The plans show that the max/min depth of this part of the building is 15-17.5m.
- This part of the building will accommodate basement parking and a service/delivery courtyard and 2 residential units at the lowest level, with the remaining 69 residential units on the upper 10 levels.
- The plans show that the southernmost elevation will be a minimum of 27m to the rear elevation of the closest residential property at No 28 Pinewood Road.
- The illustrative plans show the elevations will incorporate balconies to provide amenity space for the flats and a communal roof garden above the 3 storey element fronting Masons Hill.
- There is additional communal amenity space on the south side of the building.
- The plans also show land to be safeguarded for highway purposes around the junction of Masons Hill and Westmorland Road.
- It should be noted that that the site slopes significantly from north to south.

Numerous documents have been submitted by the applicant supporting the proposal including a Planning Statement, a Design and Access Statement, an Affordable Housing Viability Submission, Flood Risk Assessment, Noise Assessment, Transport Assessment, Interim Travel Plan, Energy Statement and a Phase I Environmental Review.

#### **Location**

The 0.32 ha site occupies a prominent position on the corner of Masons Hill and Westmoreland Road on the southern edge of Bromley Town Centre. The site is currently occupied by the 3/4 storey former DHSS building, with 4450 sqm of office floorspace, which has been vacant for several years.

- To the south-east of the site lies the Grade II listed former St Marks School (now used by the Bromley Youth Offending Team) and the Bromley Christian Centre (BCC). There is a modern 5 storey office building behind the BCC in Cromwell Avenue.

- To the south and south-west lie detached and semi-detached, mainly 2/3 storey Victorian residential properties, many of which have been converted to flats. The closest roads are Pinewood Road and Sandford Road, with Cromwell Avenue and Hayes Road beyond.
- To the west lies the locally listed St Marks Church with further residential properties beyond.
- To the north, on the corner of Westmoreland Road and High Street, lies the RBS office building.
- To the north-east lies the Metropolitan Police Headquarters with smaller commercial units with offices above, fronting Masons Hill.
- A culverted section of the River Ravensbourne runs directly through the site

### **Comments from Local Residents**

Nearby properties were notified and representations have been received which are summarised below. Comments have also been received from Hayes Village Association, Bromley Green Party, Bromley Friends of the Earth and Bromley Christian Centre

- Additional residential units on top of 200 at Bromley South Central - burden on local amenities (health and schools). Need more social projects
- Significant visual impact of tall building - will be out of keeping with local character, dominate the locality, excessive height and bulk. Impact of whole building on Keston Ridge is unacceptable. 'Tower' element should be reduced now that hotel development has been removed.
- Height of building should be reduced as proposed height will have an adverse impact on protected views of Keston Ridge.
- Previous concerns about 9 storeys and now 11
- Can't compare the impact of this building with RBS - that is further away from residential properties
- Impact of tall building on residential amenity of nearby residents - loss of privacy, overlooking to private garden space, loss of daylight and sunlight, loss of prospect, imposing as it is too close to the rear of these properties, increased noise from the new occupants. There has been no appreciable difference offered by this scheme.
- Also overshadow St Marks Church and St Marks Old School. Revised materials are an improvement but height and form of 'tower' block is incompatible with listed and locally listed buildings
- Inadequate car parking provision on site and potential impact on nearby streets
- Impact on highway network, adding cars to a busy junction
- Impact of culvert means limited space at ground level so the building is forced to go higher to make scheme viable
- Why are there 71 residential units when the AAP only requires 40
- The applicant previously put a case against offices but is now proposing offices- will offices be left vacant if they can't be filled
- Wind tunnel effect from 2 tall buildings opposite each other
- Lack of site notice

- There should be an integrated development with the site occupied by Bromley Christian Centre. If not legal steps should be taken to secure access across the application site for the future redevelopment of the BCC site. Overlooking of site and especially outside youth activities by future residents. Loss of outdoor playspace for The Ark Pre-School during construction due to noise and dust - this could affect enrolment and the Council requirement to provide a pre-school on the site. Concern that future occupants of the flats may complain about noise generated by the numerous BCC activities which will lead to conflict.

Several letters welcome the provision of office and residential uses and the removal of the hotel use on the site

### **Comments from Consultees**

The Council's Highways Officer advises that the site has the highest PTAL 6a rating (Public Transport Accessibility Level).

A total of 47 car parking spaces is proposed for the office and residential units. Vehicular access will be via Sandford Road utilising the existing access point. The proposed level of parking is 0.65 spaces per unit. Based on the Council's UDP parking policy T3, the BTCAAP Policy BTC25 and the London Plan policy 6.13 this level of parking is sufficient for a site that is highly accessible to public transport.

With regard to vehicle trip generation from the proposed development the Highways Officer advises that, with the level of car parking proposed, there are likely to be fewer vehicle trips to and from this site than at present. Therefore the development is likely to have a slightly positive impact on the road network and public transport.

With regard to the agreed safeguarding line to allow for future highway improvement measures, the Highways Officer advises that the site has had due regard to this requirement and the applicant should adhere to drawing No 30271/001AC should permission be granted.

A total of 96 cycle parking spaces will be provided, with 12 of these for the office development. The total number of spaces is acceptable but more of the spaces should be provided for residents.

For refuse and recycling it will be necessary to ensure that vehicles can enter and leave the site in a forward direction and that entrances can accommodate vehicles. The Highways Officer has advised that the internal turning area is large enough to accommodate refuse and larger vehicles in this respect.

The Council's Drainage Consultant advises that part of the site lies in Flood Zone 2 and 3 and is close to the Ravensbourne River. Therefore the Environment Agency need to be consulted. There are no details relating to foul or surface water discharge at this stage. The applicant is required to use the SUDS hierarchy to reduce the run-off to Greenfield rate. Green roofs, permeable paving and underground tanks are highly recommended.

The Environment Agency raise no objections subject to the imposition of a condition to safeguard the River Ravensbourne culvert and the associated buffer zone.

Thames Water advises raises no objection and recommend conditions relating to petrol/oil interceptors, fat traps, a non-return valve or other device to prevent back flow of surface water, storm flow attenuation measures, control of impact piling to prevent damage to subsurface water infrastructure and a 5m clearance to a large water main located near the site to allow 24hr maintenance access.

The Metropolitan Police Crime Prevention Design Adviser raises no objections from a Secure by Design point of view. However concerns have been raised regarding the impact of the development on the national digital radio service operated by the police and other emergency services. A condition to secure the provision of mitigation measures to ensure the immediate and long term protection of the airwave is recommended if the Council is minded to grant permission.

The application was referred to the Greater London Authority and a Stage 1 report has been received which can be summarised as follows:

- Principle of development is supported in London Plan terms.
- Housing - the applicant's submission will need to be checked to confirm affordable housing and playspace provision.
- Design - careful consideration of overall design, massing and layout is required. Some concern about number of single aspect rooms.
- Inclusive access - some concern regarding safe access to entrance points are raised
- Tall buildings - the GLA recommend the impact of the building should be assessed locally when reaching a decision
- Flooding - application should follow the drainage hierarchy and policies in the London Plan relating to culvert structures.
- Climate change mitigation - applicant's broad approach is acceptable. Further revisions and information is required before CO2 savings can be verified and deemed acceptable.
- Transport - TfL is satisfied that the development is unlikely to impact on the public transport or strategic road network. The retention of bus stops should be confirmed.

Should the Council be minded to grant permission for this development the application will be referred back to the GLA for final consideration. The applicant will need to address the concerns raised above.

## **Planning Considerations**

The application falls to be determined in accordance with the development plan which, in this case, comprises the Bromley Town Centre Area Action Plan (BTCAAP) and the Unitary Development Plan. Relevant UDP policies are:

- H1 Housing supply
- H2 Affordable housing

H7 Housing design and density  
T1 Transport demand  
T2 Assessment of transport effects  
T3 Parking  
T5 Access for people with restricted mobility  
T6 Pedestrians  
T7 Cyclists  
T18 Road safety  
BE1 Design of new development  
B2 Mixed use developments  
BE8 Statutory listed buildings  
BE17 and 18 High buildings and the skyline  
BE19 Shopfronts and security shutters  
L10 Tourist related development  
EMP3 Office development  
S6 Retail and leisure development  
IMP1 Planning Obligations

Affordable Housing SPD  
Planning Obligations SPD

Relevant Bromley Town Centre Area Action Plan policies are:

BTC1 Mixed use development  
BTC2 Residential development  
BTC3 Promoting housing choice  
BTC4 New retail facilities  
BTC8 Sustainable design and construction  
BTC9 Flood risk  
BTC10 River Ravensbourne  
BTC12 Water and sewerage infrastructure capacity  
BTC13 Combined heat and power  
BTC14 Recycling  
BTC15 Biodiversity  
BTC16 Noise  
BTC17 Design Quality  
BTC18 Public Realm  
BTC19 Building Height  
BTC21 Transport schemes  
BTC23 land safeguarded for transport schemes  
BTC25 Parking  
BTC26 Phasing of transport improvements  
BTC31 Developer contributions  
BTC33 Planning applications  
OSL DHSS building and adjoining Bromley Christian Centre

In regional terms the most relevant London Plan policies are:

2.6-2.8 Outer London: Vision and Strategy, Economy and Transport  
2.15 Town centres

- 3.3 Housing supply
- 3.4 Optimising housing choice
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.12 Negotiation affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing targets
- 4.2 Offices
- 4.7 Retail and town centre development
- 5.1-5.7 (excluding 5.4) Climate mitigation and renewable energy policies
- 5.11 Green roofs and development site environs
- 5.2 Flood risk management
- 5.13 Sustainable drainage
- 6.2 Providing public transport capacity and safeguarding land for transport
- 6.9 Cycling
- 6.13 Parking
- 7.3 Designing out crime
- 7.4 Local character
- 7.7 Location and design of tall and large buildings
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality management
- 7.15 Reducing noise and enhancing soundscapes

In national terms the National Planning Policy Framework provides strategic advice and guidance. The most relevant paragraphs include:

- 19 Support economic growth
- 23 Ensuring vitality of town centres
- 39 Parking
- 50 Affordable housing
- 56 and 57 High quality design
- 96 and 97 Climate change and renewable energy
- 100 Flood risk
- 132 - 135 Assessment of harm to heritage assets
- 203-206 Planning obligations

From a heritage and design point of view it is considered that the indicative form of the building has the potential to create a distinctive landmark feature in this prominent location. The plan suggests the building sits comfortably on the site and provides active and legible frontages. However the overall width of the proposed building will have some impact on long views both to and from the south, especially when seen in conjunction with neighbouring structures. The overall scale of the building will maintain a balanced relationship with the taller components of the RBS building. However the scale and form of the building will have a significant impact on the setting of locally listed St Marks Church and it will be necessary to assess the impact on the church against potential benefits of the proposed development.

With regard to the Grade II listed former St Marks School it is considered that there will be an impact on this building. It is considered that the new modern building and



the traditional listed building make a contribution to the textured built environment of the area in principle. However it is suggested that the proposed building should be scaled down to no more than 2 storeys at this point to better respect the scale of the listed building and ensure that the architectural and historic interest remains undiminished

## **Planning History**

The site has been the subject of the following previous relevant application.

1. Demolition of existing building and erection of building ranging between 3 and 9 storeys to provide 87 bedroom hotel and 87 flats and 1 retail unit with car parking at lower ground floor and formation of vehicular access (ref: 08/04190. This application was withdrawn before it was considered by the Plans Sub Committee.
2. Demolition of existing building and erection of a 4 to 11 storey building comprising a 110 bedroom hotel (Class C1, 49 residential units (Class C3) and 592sqm retail use (Class A1-A5) with associated landscaping, servicing, 41 car parking spaces and bicycle parking OUTLINE. This application was refused on April 17th 2013 under ref 12/02385/OUT

## **Conclusions**

The main issues to be considered are:

- Compliance with Bromley Town Centre Area Action Plan Policy OSL including the acceptability of the loss of the existing office floorspace
- the acceptability of the Financial Viability Assessment in relation to meeting the requirements for planning obligations
- the acceptability of the indicative building in terms of its impact on the amenities of the occupants of neighbouring properties
- the impact of the proposed buildings on the long distance views from the town centre
- car parking
- the impact of the proposed building on the listed former St Marks School and the locally listed St Marks Church

### **1. Compliance with the Bromley Town Centre Area Action Plan Policy OSL**

The 2010 Area Action Plan is site specific to the application site and adjoining land. This policy is in a recent development plan and should attract considerable weight unless material considerations indicate otherwise.

Policy OSL relates to the former DHSS building at the junction of Masons Hill and Westmoreland Road and the Bromley Christian Centre (BCC) on the south side of the DHSS building. The current application seeks to develop the former DHSS building independently to the BCC building and there is provision in Policy OSL for this eventuality. In this respect it is considered that the proposed layout of the

application site is unlikely to prejudice the future development of the BCC site and may be considered acceptable.

With regard to the proposed use of the site, Policy OSL promotes a mixed use comprehensive hotel-led development comprising 100 bed hotel, approximately 500 sqm of community use, appropriate replacement of existing office floorspace, faith uses and small retail units, as part of the hotel scheme, to provide vitality at street level. In addition the development will include safeguarding of land for future public transport priority measures in accordance with Policy BTC23. In addition the policy states that taller buildings may be acceptable on part of the site subject to an appropriate assessment in accordance with Policy BTC19.

The applicant has submitted the current scheme, which comprises a mix of residential and office development, in response to the second reason for refusal which relates to the absence of appropriate replacement office floorspace in the previous application.

The current application seeks permission for residential and office development and the hotel use that formed part of the previous application has been removed. Strictly speaking this proposal does not fully meet the requirements of Policy OSL.

To address this concern the applicant provides the following justification for the proposed mix in the Planning Statement and the Design and Access Statement - this is summarised below:

- The viability statement confirms that the proposal, as submitted, generates a profit that would not normally be considered acceptable by a developer. This is, in part, because the office floorspace requires cross-subsidy from the residential element - the introduction of a hotel would worsen the situation.
- Further, due to site constraints and the relatively small scale of development proposed, it is not physically possible for office development, residential and a hotel to all be accommodated within the development. There would be a need for multiple entrances, cores and servicing at ground level, all in a relatively small space, together with the difficulty of managing 3 different uses within the courtyard.

In addition to the applicants comments above, Members may wish to note that there are approximately 250 hotel bedspaces either proposed, completed or under construction in the town centre since the adoption of the Bromley Area Action Plan.

With regard to the quality of the office floorspace in the existing building, the applicant advises that the layout and quality is such that there is little demand for this floorspace from prospective tenants. The current scheme would replace 4450 sqm of office floorspace with high quality Grade A floorspace that is likely more attractive to future tenants.

In view of the various factors above the re-provision of office floorspace is welcomed. The provision of Grade A office accommodation as a self-contained element within the scheme, with its own separate entrance, meets current market expectations in terms of quality and space. It is recognised that, in terms of supply,

there is a marked deficit in quality Grade A office floorspace and this lack of space is a disincentive to investment and employment in Bromley. In light of the number of hotel bedspaces either proposed, completed or under construction it is considered that the absence of hotel bedspaces on this site is an acceptable approach.

In order to protect the proposed office provision, a condition is recommended removing permitted development rights to change the office use to residential. This is considered appropriate as the office floorspace provided is replacement of office floorspace that has been lost and this should be retained to ensure that the scheme accords with relevant policies in the UDP and the BTCAAP.

In addition a clause has been included in the draft s106 agreement that secures the proportion of office to residential floorspace proposed in this outline application is replicated when the reserved matters application is submitted.

## 2. Financial viability, affordable housing and S106 contributions

Policy H2 of the Unitary Development Plan and BTC3 of the BTCAAP require the provision of affordable housing as part of development proposals of this size. This policy states that 35% habitable rooms shall be for affordable housing.

Other contributions relating to health, education, wayfinding and public realm are also sought through Policy BTC OSL and BTC31 in the BTCAAP and Policy IMP1 in the UDP and the Council's adopted Planning Obligations SPD.

The applicant has undertaken a viability assessment of the financial viability assessment (FVA) that was submitted and their report concluded that the proposed scheme can support 6 intermediate affordable units and a financial contribution of £250,000 (includes health, education, housing, public realm and wayfinding).

The Council appointed a consultant to carry out an independent assessment of the applicant's financial viability appraisal. Following negotiations the applicant now offers 6 affordable housing units and a financial contribution of £350,000 (includes health, education, housing, public realm and wayfinding).

The independent consultant advises that this contribution is acceptable and therefore the scheme meets the policy requirements in respect of planning obligations.

## 3. The acceptability of the indicative building on the amenities of neighbouring properties.

It is accepted that there will have some impact on the amenity of the occupants of the nearest residential properties. In this respect the proposed building will be predominantly visible from the rear of properties in Pinewood Road and the front of properties in Sandford Road. It is necessary to consider whether this impact is acceptable.

With regard to the siting, bulk and massing of the indicative building, the indicative plans show that the footprint of the building will not be located closer to properties in Pinewood Road and Sandford Road than the existing building. At this immediate point the proposed building is indicated to be 4 storeys in height which is a similar height to the existing former DHSS building. The indicative plans show flats on each floor. The illustrative plans show some windows and balconies to habitable rooms in the elevation facing the properties in Pinewood Road. However it should be noted that this elevation of the existing building has numerous windows on each of the 4 floors. With regard to Sandford Road the closest part of the indicative building will be 27m from the nearest property and the new building is in a similar location with a similar height to the existing building at this point.

From the 5th to the 11th floor the building steps back away from the existing residential properties with balconies shown on each floor, Indicative sectional drawings show the closest distances from the balconies on these floors to the rear elevations of Nos. 28, 24 and 18 Pinewood Road are approximately 37m, 41m and 46m respectively.

In the Design and Access Statement the applicant has suggested measures to overcome potential direct and oblique overlooking including window screens for the 'courtyard' elevation, setting back balconies to restrict downward angles of view, side screening of balconies to limit oblique overlooking and retention and enhancement of screening on the southern boundary closest to 26 and 28 Pinewood Road.

With regard to daylight and sunlight the proposed building is sited due north of the residential properties in Pinewood Road and east of properties in Sandford Road. Preliminary studies show that the residential gardens in Pinewood Road will not be overshadowed by the proposed building until late evening in the summer and the sun will have set before overshadowing occurs during the winter months. In this respect it is not considered that daylight and sunlight presently enjoyed by residential properties will be significantly affected.

In addition it is necessary to consider the impact on the prospect that the residents of these properties currently enjoy. It is considered that this will be most affected by the proposed development above 5th floor level. The stepping back of these upper floors, thereby increasing the separation of these floors from the most affected residential properties, goes some way to minimising the visual impact of the proposed building. It is considered that, in principal, there will be a loss of prospect for properties in Sandford and Pinewood Roads but on balance this is acceptable. .

In summary it may be considered that the illustrative plans indicate that a building which corresponds to the indicative parameters could be accommodated on the site without having such a significant adverse impact on the amenities of the residents of nearby residential properties as to warrant refusal of this application.

4. The impact of the proposed buildings on the long distance views from the tow centre, particularly of the Keston Ridge.

Policies in both the UDP (Policies 17 and 18) and the BTCAAP (BTC19) seek to protect remaining views of the Keston Ridge. However Policy OSL does accept that taller buildings may be acceptable on part of the site. To respect this, the highest part of the building is situated to the west of the site. It is necessary to consider whether the level of encroachment on the long distance views is acceptable.

The previous application (ref 12/02385) included a reason for refusal relating to this matter. It was considered that the combination of the 11 storey 'taller' element and the 4 storey 'podium' would, when combined, detrimentally compromise the protected long distance view to Keston Ridge.

The applicant has addressed this concern by reducing the height of the 'podium' by 1m. As a result the overall height of this element would not exceed the full height of the existing building. This has been possible mainly by introducing offices to this element of the scheme. The floor to ceiling height for offices is greater than for the retail and hotel units previously proposed, but by providing only 3 floors of offices (rather than 4 floors of the previous uses), the overall height has been reduced. The applicant has submitted indicative sections to show the relative heights and they have advised that the overall height of this element cannot be reduced further as this would mean the development would not meet minimum height standards.

Revised photographic evidence has been submitted by the applicant that shows that, from the lower end of the High Street (approx. outside the Slug and Lettuce), the views of Keston Ridge are not now be completely obscured by the proposed building and the present time glimpse of the ridge above the existing building at this point will be retained above the 'podium' element. Views to the ridge are obscured by the 'taller' element of the building. Views of the ridge to the left of the front part of the Police Station remain unchanged.

Moving up the High Street views of the ridge beyond continue to be obscured by the 'taller' element but views are retained above the 'podium' element. Slightly further north the proposed building becomes obscured by other buildings in the High Street and, therefore, does not have an impact on long distance views.

The Area Action Plan Policies OSL and BTC19 and UDP Policies BE17 and 18 indicate that a tall building may be acceptable on this site providing that views of the Keston Ridge are taken into consideration. In order to provide the quantum of development envisaged by this policy a taller building is proposed. However to minimise the impact of the building a lower 'podium' element is also proposed. This has been reduced further since the previous application. On this basis Members may consider that, whilst part of the development will obscure long distance views from the town centre, this has now been minimised to an acceptable level.

## 5. Car Parking

The proposed car parking for this site is 47 spaces for 1517 sqm of office floorspace and 71 residential units. This amounts to 0.65 spaces per unit. The site currently has 35 car parking spaces.

Policy OSL of the BTCAAP requires a transport assessment to be submitted to establish parking levels, both residential and commercial.

Policy BTC25 states that parking provision for non-residential development will be provided in the form of publically available paid parking. Parking for residential uses should accord with the UDP and London Plan.

The Council's UDP Policy T3 states that:

'Off street parking for new development to be provided at levels no higher than the parking standards set out in Appendix 2.

Parking provision at higher levels may be acceptable only where it can be demonstrated that parking is required to meet the needs of disabled users or where lesser provision will lead to unsafe highway conditions, and it can be shown that the applicant has taken measures to minimise the need for parking.'

The UDP Appendix 2 car parking standards for open market residential units normally require 1 space per unit for flatted accommodation.

The London Plan Policy 6.13 states that:

'The Mayor wishes to see an appropriate balance struck between promoting new development and preventing excessive car parking provision that can undermine walking, cycling and public transport use.

The maximum standards set out in Table 6.2 in the Parking Addendum should be applied to planning applications.'

In Table 6.2 the parking standards for 1-2 bed units is less than 1 space per unit and for 3 bed units it is 1-1.5 spaces. The Notes to this table state that 'All developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit.'

The number of spaces proposed for this development is 47. The applicants Transport Assessment arrives at this figure by examining person trip generation in 3 similar sized housing developments found in the industry recognised TRICS database. The Council's Highways Officer supports this level of provision as it is in accordance with UDP and London Plan parking policies. The GLA, in their formal Stage 1 report, advise that the level of parking proposed accords with the London Plan. In addition Members should note that the Bromley South Central development (Site K) provides 100 spaces for 200 residential units which equates to 0.5 spaces per unit. This is less than the level of provision for this site.

In addition there are four 24hr car parks in the town centre (The Mall, the Civic Centre, The Hill and Westmoreland Road) and 3 further car parks in the town centre. Surrounding roads are protected by controlled parking zones.

In view of the above it is considered that the parking levels provided are in accordance with adopted development plan policies, both in general and site specific terms, and there are no other material considerations to outweigh these policies.

#### 6. The impact of the proposed building on the listed former St Marks School and the locally listed St Marks Church.

There will clearly be a significant impact on the setting of St Marks Church as a result of this development. However in the immediate environment the church is set back from Sandford Road, thereby providing a visual gap between it and the proposed building.

Policy OSL supports the provision of a tall building on this site to accommodate a significant quantum of development. Inevitably there will be a significant impact on the church. In this instance it may be considered that the benefits from the contribution to the local economy would outweigh the impact on the locally listed building, should the scheme be acceptable in other respects.

With regard to the listed former St Marks School, the closest part of the development is the 'podium'. As part of this application the height of this element has been reduced to 3 storeys which results in an overall reduction in height of 1m. As mentioned earlier in this report this now results in a building of a similar height to the existing building. In this respect it is considered that the impact on St Marks former school is less than the previous scheme.

In respect of the taller element this is significantly set back from this listed building. Whilst it would be visible in views of the listed building it may be considered that this part of the building would not unduly impact on the setting of the listed building.

In summary it is considered that, although the proposal would result in a tall building in relatively close proximity to listed and locally listed buildings, the relationship would not be harmed so significantly as to warrant refusal of the application on these grounds. The detailed design of future elevations is crucial to minimise the impact of the building on the locally and statutory listed building and high quality detailing and materials would be required if this proposal is likely to go ahead in the future.

### **Conclusion**

This outline proposal is submitted with illustrative plans to allow assessment of the proposal on both a local and wider context.

It is recognised that a large building will be needed on the site to accommodate the quantum of development envisaged by BTCAAP Policy OSL.

In this instance it is considered that a building of the illustrative parameters shown on the submitted plans can be accommodated on the site without having an unacceptably harmful effect on the amenities of the occupants of nearby residential

properties and the locally listed St Marks Church and the listed former St Marks School.

In the previous application (ref 12/02385) concerns were raised regarding the impact of the 4 storey 'podium' on the long distance views of Keston Ridge from the High Street and the application was refused. The height of this element of the current scheme has been reduced by 1m in order to address these concerns. On this basis it is considered that, on balance, the impact on these views has been lessened to such an extent that the scheme is now acceptable.

With regard to the uses proposed for the building, Policy BTC OSL seeks a hotel led, mixed use scheme. The current scheme proposes office and residential floorspace only. For the reasons set out in the report it is considered that the removal of the hotel element is acceptable. The overall quantum of office and residential floorspace is considered acceptable in principle. It is acknowledged that residential uses are needed to cross subsidise the replacement office floorspace and it is considered that the proportion of replacement office floorspace is acceptable.

Furthermore it is considered that the S106 contributions in respect of affordable housing, health and education payments, wayfinding and public realm are acceptable.

Therefore it is recommended that planning permission be granted subject to the recommended conditions and the signing of a S106 agreement.

Background papers referred to during the production of this report comprise all correspondence on file ref. 13/02451 excluding exempt information.

as amended by documents received on 16.09.2013

**RECOMMENDATION: PERMISSION (SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 AGREEMENT relating to affordable housing, education, health, wayfinding and public realm)**

and the following conditions:

- |   |        |  |             |
|---|--------|--|-------------|
| 1 | ACA02  | Details req. pursuant outline permission | appearance, |
|   |        | landscaping, scale and layout            |             |
|   | ACA02R | Reason A02                               |             |
| 2 | ACA03  | Compliance with landscaping details      | 1           |
|   | ACA03R | Reason A03                               |             |
| 3 | ACA07  | Boundary enclosure - no detail submitted |             |
|   | ACA07R | Reason A07                               |             |
| 4 | ACA09  | Landscaping scheme (inc.street furniture |             |
|   | ACA09R | Reason A09                               |             |
| 5 | ACC01  | Satisfactory materials (ext'nl surfaces) |             |
|   | ACC01R | Reason C01                               |             |
| 6 | ACC03  | Details of windows                       |             |
|   | ACC03R | Reason C03                               |             |



- 7 ACH01 Details of access layout (2 insert)  
ACH01R Reason H01
- 8 ACH02 Satisfactory parking - no details submit  
ACH02R Reason H02
- 9 ACH16 Hardstanding for wash-down facilities  
ACH16R Reason H16
- 10 ACH18 Refuse storage - no details submitted  
ACH18R Reason H18
- 11 ACH22 Bicycle Parking  
ACH22R Reason H22
- 12 ACH23 Lighting scheme for access/parking  
ACH23R Reason H23
- 13 ACH27 Arrangements for construction period  
ACH27R Reason H27
- 14 ACH29 Construction Management Plan  
ACH29R Reason H29
- 15 ACH32 Highway Drainage  
ADH32R Reason H32
- 16 ACH33 Car Free Housing  
ACH33R Reason H33
- 17 ACI20 Lifetime Homes Standard/wheelchair homes  
ADI20R Reason I20
- 18 ACI21 Secured By Design  
ACI21R I21 reason
- 19 ACK03 No equipment on roof  
ACK03R K03 reason
- 20 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 21 ACK07 Disabled access (see DI12)  
ADK07R Reason K07
- 22 ACK09 Soil survey - contaminated land  
ACK09R K09 reason
- 23 The reserved matters to be submitted for approval by the Local Planning Authority as part of Condition 1 above shall be within the parameters set out on Plan 27987 A-003-104 in respect of scale and layout.  
**Reason:** In order to ensure that the development complies with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the surrounding area.
- 24 The land within the site identified for safeguarding for future road alignment as shown on Plan 30271/001AC shall be permanently retained for such purposes and shall not be used for any other purposes.  
**Reason:** To comply with Policies BTC OSL and BTC23 in the Bromley Town Centre Area Action Plan to enable the implementation of future transport schemes.
- 25 The part of the development shown on indicative plan 27987 A-03-101 annotated as 'offices' on levels +2, +3 and +5 shall be used for Class B1(a) Offices only and for no other purpose in Part 3 of Schedule 2, Class J of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification. This condition will apply

to all office floorspace identified on plans to be submitted for approval by the Local Planning Authority at 'reserved matters' stage as required by Condition 1 above.

**Reason:** In order to comply with Policy OSL of the Bromley Town Centre Area Action Plan and to retain the re-provision of office floorspace as required by this policy.

26 Prior to the commencement of the use hereby permitted, a Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include measures to promote and encourage the use of alternative modes of transport to the car. It shall also include a timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating. Each land user will then develop individual travel plans within the context of the site-wide plan. These individual plans shall be submitted to and approved by the Local Planning Authority. The Travel Plans shall be implemented in accordance with the agreed timescale and approved details.

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

27 Prior to the first occupation of any part of the development details of a Service Delivery Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details and operated thereafter. The Plan shall include measures for annual monitoring and updating.

**Reason:** In order to comply with Policy T18 of the Unitary Development Plan and to provide adequate, safe and convenient access for service vehicles and in the interest of the free flow of traffic and conditions of highway safety.

28 Details of electric car charging points shall be submitted to and approved in writing by the Local Planning Authority and the charging points shall be installed in accordance with the approved details and shall be permanently retained in working order thereafter.

**Reason:** In the interests of promoting more sustainable means of car travel.

29 Details of measures to secure the privacy of the occupants of nearby residential properties from windows and amenity spaces within the approved development shall be submitted to and approved by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and to protect the amenities that nearby residents can expect to enjoy.

30 Measures to ensure an active frontage on the ground floor level for the proposed office element shall be submitted to and approved by the Local Planning Authority before the first occupation of any part of the building and shall be implemented in accordance with the approved details.

**Reason:** To comply with Policy BE1 of the UDP and Policy BTC OSL of the Bromley Town Centre Area Action Plan and to ensure that there is an improvement to the public realm in this respect.

31 Prior to the commencement of any development on the site a surface water strategy shall be submitted to and approved by the Local Planning Authority. The strategy should demonstrate that opportunities to implement

Sustainable Drainage System techniques at the site have been maximised, that surface water discharge from the site shall not exceed the greenfield run-off rate for the area of the site and the drainage system can accommodate any storm event up to and including the 1 in 100 year storm event plus climate change. The development shall be implemented in accordance with the approved details.

**Reason:** To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand and to comply with London Plan Policies 5.12, 5.13 and 5.15.

32 Before any works on site are commenced, an updated site-wide energy strategy assessment shall be submitted to and approved by the Local Planning Authority. The results of this strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve an agreed reduction in carbon dioxide emissions of at least 25% better than Building Regulations. This should include the reduction from on-site renewable energy generation as set out in the Sustainability Appraisal and Energy Strategy Report. The final designs, including the energy generation, detailed layout and elevations shall be submitted to and approved in writing by the Authority and shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

**Reason:** In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2011.

33 Prior to commencement of construction on the site, the applicant will carry out an assessment of the effect on local air quality as a result of the heating system provided as part of the proposed development. The objective of the assessment will be to demonstrate that the design of the heating system is such that emissions of nitrogen dioxide shall not have a significant detrimental impact on existing air quality. The applicant will agree the scope of and approach to the Air Quality Assessment with the Local Planning Authority, in consultation with the Council's Environmental Health Officer. The condition shall not be discharged until the results and conclusions of the assessment have been submitted and agreed by the Head of Planning in consultation with the Council's Environmental Health Officer.

**Reason:** To meet the requirements of Policy 7.14 Improving Air Quality and to ensure the Air Quality Management Area is not compromised.

34 A scheme for protecting the proposed dwellings from traffic noise (including glazing and ventilation specifications) shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences and the scheme shall be fully implemented before any of the dwellings are occupied and permanently maintained as such thereafter.

**Reason:** In the interests of the amenity of future residents and to comply with Policy 7.15 of the London Plan.

35 A scheme for protecting the proposed balconies overlooking Westmoreland Road and Masons Hill from traffic noise (which shall include imperforate screens of at least 1100mm height and Class A absorption on the balcony soffits) shall be submitted to and approved in writing by or on behalf of the

Local Planning Authority before development commences and the scheme shall be fully implemented before any of the dwellings are occupied and permanently maintained as such thereafter.

**Reason:** In the interests of the amenity of future residents and to comply with Policy 7.15 of the London Plan.

36 At any time during the daytime (07.00-23.00) the combined noise level from all plant in terms of dB(A) shall be 10 decibels below the relevant minimum background noise level (LA90 15mins) measured at any noise-sensitive location. If the plant has a distinctive tonal or intermittent nature the noise level of the plant shall be increased by a further 5dBA for comparison with the background level. Thus if the predicted noise level is 40dB(A) from the plant alone and the plant has a tonal nature, the 40dB(A) shall be increased to 45dB(A) for comparison with the background level. Also the L90 spectra can be used to help determine whether the plant will be perceived as tonal. At any time during the night-time (23.00-07.00) the combined noise level from all plant in terms of dB(A) shall not exceed 25dB LAeq (15 mins) measured at any noise-sensitive location. If the plant has a distinctive tonal or intermittent nature the noise level from the plant shall not exceed 20dB LAeq (15 mins) measured at any noise-sensitive location. The L90 spectra can be used to help determine whether the plant will be perceived as tonal.

**Reason:** In the interests of the amenity of future residents and to comply with Policy 7.15 of the London Plan.

37 No construction above the first floor level shall take place until the developer has secured:

- a. the completion of a baseline Airwave Interference Study to assess Airwave interference to/from the adjacent police station
- b. the implementation of a scheme of mitigation works for the purposes of ensuring nil detriment during construction of the development identified by the baseline study. Such schemes of mitigation works shall be first submitted and approved by the Local Planning authority.

No occupation of the development shall take place until the developer has secured

- a. the completion of a Post-Construction Airwave Study to ensure nil detriment to Airwave reception attributable to the development.
- b. the implementation of a scheme of mitigation works for the purposes of ensuring nil detriment to the Airwave reception attributable to the development identified by the post construction study. Such schemes of mitigation works shall be first submitted and approved by the Local Planning authority.

**Reason:** To comply with Policy BE1 of the Unitary Development Plan to safeguard the operational requirements of the adjacent police station.

38 Prior to commencement of development details demonstrating that there will be no development on the site within a minimum distance of 1.2 metres from the outer edge of the culvert wall other than ground level hardstanding shall be submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**Reason:** To ensure the structural integrity of the culvert wall and allow future maintenance and improvement of the culvert, thereby reducing the risk of flooding.

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

**Reason:** To protect controlled waters. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

40 No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**Reason:** The proposed works will be in close proximity to underground water and sewerage utility infrastructure and piling has the potential to impact upon this infrastructure.

#### INFORMATIVE(S)

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

2 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

3 You are reminded of your obligation under Section 80 of the Building Act 1984 to notify the Building Control Section at the Civic Centre six weeks

before demolition work is intended to commence. Please write to Building Control at the Civic Centre, or telephone 020 8313 4313, or e-mail: [buildingcontrol@bromley.gov.uk](mailto:buildingcontrol@bromley.gov.uk)

- 4 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at [www.bromley.gov.uk](http://www.bromley.gov.uk)
- 5 Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the River Ravensbourne, a main river. This is required in addition to planning permission. Please contact Rich Peddie on 01252 729541 for details on how to apply.
- 6 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 7 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 8 Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- 9 The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.
- 10 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

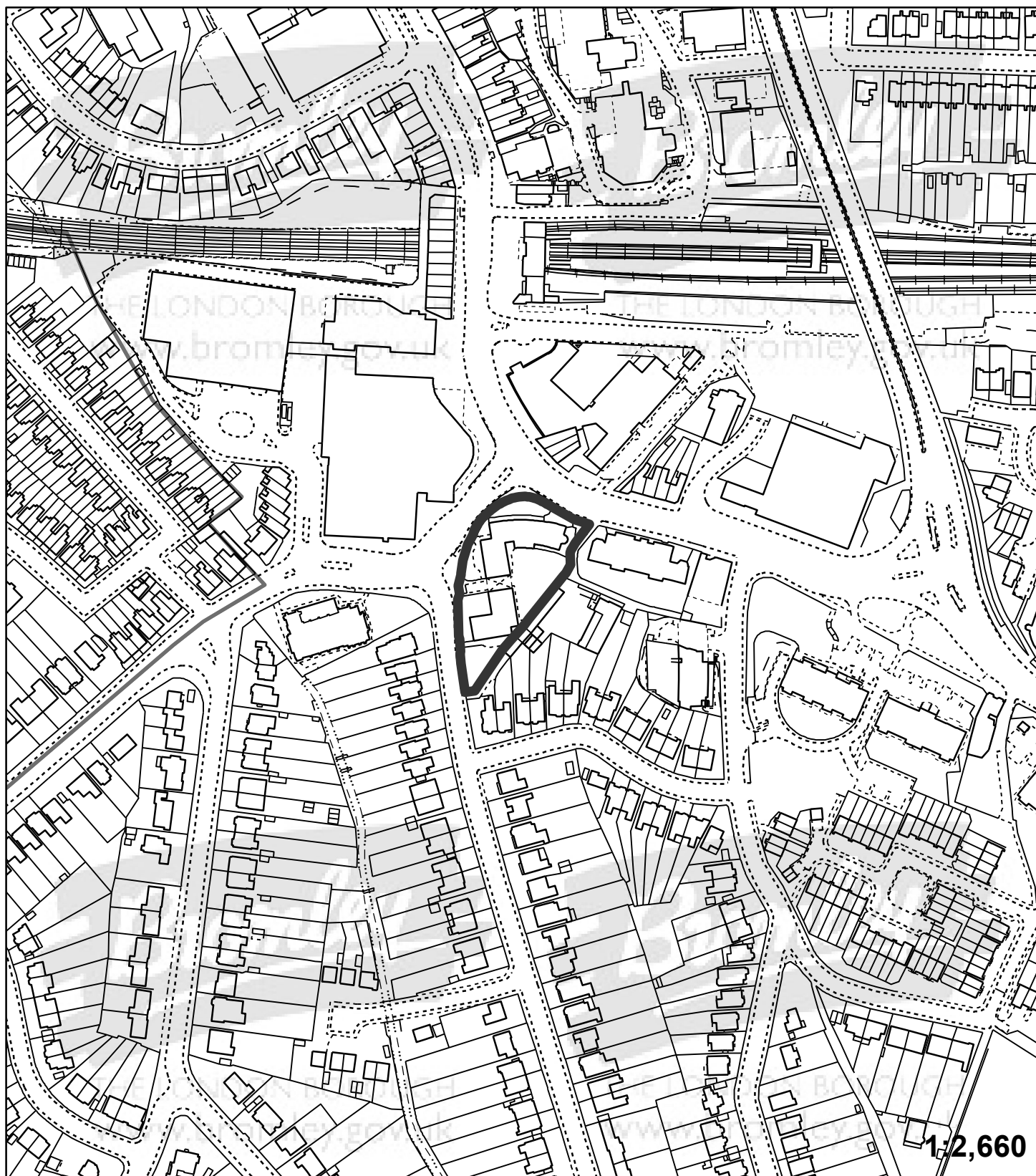
Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

- 11 There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services on 0845 850 2777.
- 12 Thames water will aim to provide customers with a minimum pressure of 10m (approx. 1 Bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 13 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, prior to the commencement of any development, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites' - [http://publications.environment-agency.gov.uk/?lang=\\_e](http://publications.environment-agency.gov.uk/?lang=_e). - Product Code SCHO0202BISW-E-E. We will not permit piling activities on parts of a site where an unacceptable risk is posed to controlled waters.

**Application:**13/02451/OUT

**Address:** 1 Westmoreland Road Bromley BR2 0TB

**Proposal:** Demolition of existing building and erection of a part 3/part 11 storey building comprising 1518 sqm Class B1 office floorspace and 71 residential units (25x1 bed; 30x2 bed; 16x3 bed flats), 47 car parking spaces and associated landscaping, servicing and cycle parking **OUTLINE**



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

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