

**Application No : 13/03345/FULL1**

**Ward:  
Bromley Town**

**Address : H G Wells Centre St Marks Road  
Bromley BR2 9HG**

**OS Grid Ref: E: 540522 N: 168636**

**Applicant : Cobalt Bromley South LTD**

**Objections : YES**

**Description of Development:**

Demolition of existing building and erection of a part 7, part 11, part 17 storey mixed use building comprising 256sqm community uses (use Class D1/D2), 1,467sqm office use (use Class B1) and 52 residential flats with associated landscaping and public realm works, new pedestrian links, refuse and cycle stores, plant room and 3 disabled car parking spaces

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Bromley Town Centre Area  
Flood Zone 2  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Open Space Deficiency  
River Centre Line

**Proposal**

Permission is sought for the demolition of the existing building and the erection of a part 7, part 11, part 17 storey mixed use building comprising:

- 256sqm community uses (use Class D1/D2)
- 1,467sqm office use (use Class B1)
- 52 residential flats
- Associated landscaping and public realm works
- New pedestrian links
- Refuse and cycle stores
- Plant room
- 3 disabled car parking spaces

Appearance and scale

- Part 7, 11, 17 storey building to a maximum height of 54m
- 7 storey element to the western boundary, 17 storeys to the east
- Recessed balconies to each apartment

- Residential use commences from 4th floor
- Exterior comprised of red brick and aluminium cladding

#### Site layout

- Lower ground floor comprises Class D1/D2 community hall, ancillary facilities, lounge, meeting room with entrance to the south
- A commercial entrance and single core access to first, second and third floors is set to the eastern elevation
- Residential access to the east provides access to commercial and residential refuse storage, two lifts, plant room and 52 cycle storage spaces
- Additional residential access to single core from northern elevation
- Creation of permeable access to the Waitrose car park to north
- Predominately hard landscaping to front of site with limited planting
- Three disabled parking spaces to front of public realm onto Masons Hill
- First floor being 'Upper Ground' with ground level access to northern elevation providing a secondary residential entrance and opening for commercial unit

#### Mix of uses

- A total of 52 residential flats comprising 11x1 bed, 40x2 bed and 1x3 bed units. 6 of these are proposed to be affordable (11.5%)
- all residential units will be built to the 'Lifetime Homes' standard and 10% wheelchair accessible
- Commercial Class B1 space at ground (32sqm), first (365sqm), second (420sqm) and third (430sqm) floors
- Commercial space divided as two open plan Class B1 office areas over three floors (1-3)

The site has an area of 0.08ha giving a residential density of 650 dwellings/ha.

#### Applicant's Submission in Support

The application is accompanied by a Planning Statement and Design and Access Statement (Addendum submitted 19th August 2014), in which the applicant submits the following summary points in support of the application:

- Bromley Town Centre is undergoing considerable change and the proposal would add to this by providing the opportunity to regenerate this part of Bromley South
- The site is within the town centre and comprises town centre uses with a significant quantum of office space and some 103 jobs
- The site represents a gateway into Bromley South and is significant in acting as a catalyst for future economic growth and regeneration in this part of the town centre
- The site is within an area which is deemed suitable for tall buildings in the AAP
- The site is a sustainable location with a high PTAL rating of 6a

- The proposal promotes town centre living which adds to the vitality of the area
- It will increase spending in the town centre helping to ensure the centre does not decline
- Providing residential development in the town centre assists in providing a secure environment at all times of the day and also encourages the night time economy
- Represents a deliverable windfall site with the applicant willing and able to push the development forward
- Although the site is not designated the AAP makes it clear that other sites can come forward where they meet the objectives of the AAP and Transport Strategy which the development does
- The proposal provides a sustainable development where people will want to work, live and socialise
- The site has little permeability at present and the proposal would open up the site providing secondary uses and spaces that will draw people from the High Street
- A pedestrian friendly environment
- The residential uses as part of a mixed use scheme accord with national and regional policy
- The development would assist the Council in meeting its aspirations for the town centre and housing targets
- Office provision over three floors accords with the AAP and will bring local jobs to local people
- Re-provision of community uses in line with planning policy
- Liaison has been entered into with the current Labour Club occupants and the option has been made available to them to occupy the proposed community space
- The community space has been designed to be flexible and high quality
- CABE commended the proposal on its high quality design and well thought out approach to the site and area, the written response was taken into account in the final design
- The proposal represents a landmark building of a high quality design and uses high quality materials ensuring longevity and a role as a facilitator for future regeneration
- The NPPF unequivocally states that sustainable development should be approved without delay and we urge the Council to approve the application so that this significant regeneration proposal can take place
- The site is informed by the tall buildings to the north and represents an ideal location for a tall building
- The buildings respond to the mass of the police station
- The proposal is set back from the southern boundary to respect the listed building opposite
- A comprehensive design encompassing the properties fronting Masons Hill is envisioned as a phase 2 development
- Creation of a vibrant public frontage to Masons Hill
- A site wide response to the urban context
- High quality landscaping

- The top of the building has been celebrated by increased height focused on certain view points, and the bottom encourages permeability interaction through the increased use of glazing
- The building has been designed to appear slender when viewed from a distance, to have a distinctive form yet integrate within its surroundings
- The proposals include for the provision of a new pedestrian linkage from St Mark's Road connecting to the northern part of Mason's Hill
- The proposals will not only increase natural surveillance at all hours of the day through the provision of active frontages as well as residential and commercial uses, but will also encourage the flow of pedestrian activity through this space
- The apartments within the building will all comply with the Lifetime Homes criteria which allows for flexible living for all
- The office space is designed to allow maximum flexibility to respond to the commercial demands of 21st century office use

The application is supported by the following documents and reports: Economic Viability Appraisal (revised 19th August 2014); Air Quality Assessment; Daylight, Sunlight and Overshadowing Report; Energy Statement; Flood Risk Assessment; Noise Assessment; Sustainability Statement; Draft Construction Logistics Plan; framework Travel Plan; Transport Assessment; and a Unit Schedule.

### **Location**

The site is located within St Mark's Road, to the northern edge of Masons Hill, at the southern edge of Bromley Town Centre and in close proximity to Bromley South Railway Station to the north-west with the line being to the north of the site. At present, the site is occupied by a 2 storey brick-built building, the HG Wells Centre, currently in use by the local Labour political party as a social club, with associated off-street car parking.

The south of the site is bounded by a terrace of five properties featuring small retail units at ground floor level with residential above. The Metropolitan Police Station is located to the west with the access road to this building forming the western boundary of the site. Waitrose supermarket is located to the east with the service entrance being set to the eastern edge of St Mark's Road and the supermarket car park is adjacent to the northern boundary at a higher ground level, with Bromley South mainline train station beyond. On the opposite side of Masons Hill lies the listed former St Marks Primary School with residential properties beyond.

The site is within Flood Zone 2 with a number of culverts running under the site whilst Masons Hill is a local distributor road.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and 20 representations were received. 16 were in objection which can be summarised as follows:

- the existing building represents the only pre-war building in Bromley with any architectural or cultural or historical significance and should be protected as a future community use
- impacts on traffic
- lack of parking
- further traffic and parking issues when South Central is taken into account
- pressure upon school places
- loss of privacy to residents at Prospect Place
- the building will lead to overshadowing at Prospect Place
- there is no provision for parking with greater pressure on the nearby area
- out of proportion with the surrounding buildings
- with the proposed development of the Crown building opposite this is unnecessary
- in making way for the new in Bromley we should protect the old
- 17 storeys will be an eyesore
- will provide a building with no architectural significance
- potential for accidents
- there are already enough office buildings in Bromley
- too high for the surrounding area and blocking the skyline in all directions
- the whole of St Marks Road, 33-41 Masons Hill, the Police access road and Waitrose car park should be treated as a single unit
- the integrity of the culverts and structures and access to them must be a major consideration
- the site is not defined within the AAP as a possible location for a taller building
- even if the site is suitable for a tall building it does not conform with the 2007 government guidance on this
- the proposal would be obtrusive
- out of character with the neighbouring properties and twice the height causing overshadowing
- unnecessary and overly dense form of development
- insensitive development that will create additional congestion
- although 'stepped' down on one side it is aesthetically unpleasing and would be very dominating
- it would overlook houses on the Palace Estate

The Bromley Civic Society have objected on the grounds that the site is not designated for a tall building within the AAP; the proposal is an overdevelopment in terms of bulk and height and out of scale with the location; detrimental to the setting of the Grade II St Marks Church; overlooking to Masons Hill; the loss of the HG Wells Centre as a heritage asset.

Bromley Friends of the Earth have objected on the grounds that the development is out of scale with its surroundings; the bulk would dominate the area; overlooking to residential properties; loss of the unique architecture of the HG Wells building.

The Bromley Green Party have objected on the grounds of the building being too tall for the site; overlooking to the houses of the Palace Estate; height and size are

out of character; the HG Wells Centre should be retained as an asset to Bromley's heritage.

4 representations were in support which can be summarised as follows:

- needed to utilise the structural and transport advantages of town centre living and adds value to Bromley town centre
- location to transport hubs makes it sustainable development
- the Travel Plan deals with the potential car demand as the site is severely restricted access off Masons Hill
- there is no potential overlooking
- the scale is not out of character with the site being opportunity area with the Local Plan
- the density is appropriate along with a new community use which could be at ground floor level
- the HG Wells site is blighting the local Bromley South area
- provide much needed community centre and office space with high quality residential units
- zero parking will encourage use of public transport
- makes good use of an underused site within the town centre
- valuable additional office space creating employment
- provides much needed high quality residential accommodation to the area
- space made available for community use will be a very welcome addition to the area
- development would make a fine addition to our town centre

## **Comments from Consultees**

### Highways

Further to revised drawings and information provided 19th August Highways have maintained their original comments as follows:

The proposal includes very limited car parking with 3 spaces for disabled use. There is no concern for the lack of parking for the D1/D2 or B1 uses given the town centre location. The two main concerns are the lack of parking for the residential use and the servicing arrangements.

Reference is made to a car club contribution although it is not clear how far forward agreement for a car club bay in this area is. The cycle parking appears cramped and more details will be needed. People also seem to have to go through 3 sets of doors with their bikes which may not be that convenient. The entrance to the residential units is from the adopted footpath alongside the access road to the police station. There is another pedestrian link being created which appears to go into Waitrose's car park which may need the landowner's agreement.

The proposal recently allowed on the nearby site in Simpsons Road has a car park including residential parking provision at 0.5 spaces per unit which is likely to be acceptable here. This site is within a high (6a) PTAL location. There is reliance in

the proposal that residents will not own cars based on the high PTAL and potential condition that future residents cannot apply for parking permits. Car ownership in the nearby area is about 1 per unit on average in spite of the high PTAL. Without a parking permit on-street parking is not easy, but with the 2 hour restriction on permit bays in the Outer Area being in the middle of the day and some free bays available there is the potential for this to happen. Any additional cars will put pressure on the on-street parking in the area, including St Marks Road itself.

Servicing for all the uses within the development will be from St Marks Road. The area in front of the disabled parking bays, which is part of the public footway, will be used for turning by heavy vehicles and the construction may need to be checked for suitability. It will also bring vehicles into conflict with pedestrians and is not particularly ideal. Dedicated service bays should be provided within the site. The number of estimated vehicle movements gives potential for vehicles queuing back in St Mark's Road and blocking accesses, if permission is granted an improved Construction Management Plan will be required.

The parking issue could be partially mitigated by not allowing residents to apply for parking permits, but there is the potential for them to own cars and add to the demand for on-street parking.

There is concern about the lack of dedicated servicing facilities which appear to be contrary to Policies T17 and BTC29. Given the cramped nature of the site and road layout it would require a substantial redesign to overcome, but would also remove any potential road safety issues with manoeuvring vehicles on the footway.

### Flood Risk and Drainage

Drainage have commented that there is an issue with the Ravensbourne East Branch Main River crossing part of the site, foul and surface water public sewers also crosses the site. The proposed use of lower levels for less vulnerable users and above for more vulnerable is acceptable. The proposal to reduce surface water run-off to greenfield rate is also acceptable. The use of green roofs is highly recommended. Objections are raised to this application because of the risk of building on the top of main river.

Thames Water advise that a drainage strategy would be required by condition should permission be granted whilst noting that public sewers run under or near the site and that access must be provided and approval sought from them, in relation to new buildings such approval would normally be refused. The applicant should contact Thames Water to discuss the options at the site.

The Environment Agency have withdrawn their objection to the scheme on the basis of issues relating to maintenance and emergency access to the culvert in response to the revised information received 19th August 2014.

### Further Responses

From a Crime Prevention perspective concern is raised to the pedestrian entrance being directly opposite the emergency vehicle exit of the police station, the kerb

line in front of this entrance should be designed to prevent drop off/pick up. A safe pedestrian route at the mini-roundabout and Waitrose car park should be implemented. Subject to these issues being overcome accreditation should be achievable.

Environmental Health have raised no objection.

### Mayor of London

The application was referable to the Mayor of London under category 1C of the schedule to the Town and Country Planning (Mayor of London) Order 2008, since comprising a new building of more than 30m in height outside of the City of London. The Greater London Authority provided its Stage 1 response on 27th November 2013, which concluded that whilst the application is broadly acceptable in strategic terms, on balance, the application does not fully comply with the London Plan. The following areas of concern were identified:

- no social or affordable rent tenures are proposed and the proportion falls significantly below the 35% required, however the applicant's financial viability appraisal identifies that the scheme would not be viable to provide more within the scheme
- the provision of a single family unit is disappointing
- although on-site provision of play space for children under five is not required in this instance, clarification is required of the provision on-site if no alternative is identified within 100m of the site
- the proposed building is significantly taller than the average height of the surrounding buildings and while the location is suited for a taller landmark building this should be of exceptional design quality and further work is required
- concern at the ground floor western edge is treated as the back of the building and this should be made an active frontage for possible future development of this area
- the residential quality is acceptable
- the appearance of the building needs work with a simplification of the massing so the building is more legible and elegant
- the choice of materials should be integral to its form but simple with attention to detailing
- a reduced palette of materials will create a simpler more attractive building
- brick should be considered for use throughout the building
- a clear distinction should be made between public and private realm with inclusive signage and way-finding strategy throughout the site
- there are no details of evacuation for disabled residents or details of inclusive access arrangements

The Mayor's Stage 1 response also incorporated comments from Transport for London. Whilst supporting the development proposal in principle, a number of strategic transport issues were identified which need to be addressed, as follows:



- with 10% wheelchair accessible units, no dedicated parking for two wheelchair units and disabled visitors or staff would have to rely on existing town centre parking, none of which is convenient to the site; clarification of the management and provision of these spaces is required
- a detailed travel plan including deliveries and servicing should be secured
- a contribution should be made towards car club promotion
- a commitment to review and increase cycle parking for non-residential use
- secure a detailed construction/logistics plan

## Design

Prior to the submission of the application a CABE review was sought which made the following observations:

- further consideration of the relationship to the east and west
- sensitivity of the phase 2 building to the listed school and new public realm
- elements of the architectural composition, in particular the entrances and overhangs at ground floor level and the north elevation

The Council sought external design advice on the application. This found that:

- the proposal's massing and form do not achieve a balanced composition and appears disproportionately high in relation to its surroundings and site size
- the building suffers from an overly complex form and mixture of materials
- the layout of the perimeter to some extent improves public realm and connectivity, however within a wider context it makes the existing relationships more coarse and discordant
- a better long term option would be to amalgamate the site with the terrace to Masons Hill
- there is no assurance as to the detailing of panel systems, brick would be a better material
- by virtue of the compromises of trying to fit too much accommodation onto a site with difficult building relationships to the perimeter does not deliver a positive contribution by being of outstanding design
- the building would not create a distinctive identity for Bromley and the division to three facades does not contribute significantly to the quality of the site or as a precedent for future development

## **Planning Considerations**

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

- BE1 Design of New Development
- BE2 Mixed Use Developments
- BE4 The Public Realm
- BE17 High Buildings
- BE18 The Skyline

C1 Community Facilities  
EMP2 Office Development  
H1 Housing Supply  
H2 Affordable Housing  
H7 Housing Density and Design  
H9 Side Space  
T1 Transport Demand  
T2 Assessment of Transport Effects  
T3 Parking  
T5 Access for People with Restricted Mobility  
T6 Pedestrians  
T7 Cyclists  
T11 New Accesses  
T16 Traffic Management and Sensitive Environments  
T17 Servicing of Premises  
T18 Road Safety  
IMP1 Planning Obligations

In addition to:

Affordable Housing Supplementary Planning Document (SPD)  
Planning Obligations Supplementary Planning Document (SPD)

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

The application falls to be determined in accordance with the following policies of the Bromley Town Centre Area Action Plan (AAP)

BTC1 Mixed Use Development  
BTC2 Residential Development  
BTC3 Promoting Housing Choice  
BTC4 New Retail Facilities  
BTC5 Office Development  
BTC8 Sustainable Design and Construction  
BTC9 Flood Risk  
BTC11 Drainage  
BTC12 Water and Sewerage Infrastructure  
BTC16 Noise  
BTC17 Design Quality  
BTC18 Public Realm  
BTC19 Building Height  
BTC20 Play and Informal Recreation  
BTC24 Walking and Cycling  
BTC25 Parking  
BTC28: Car Clubs

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

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London Economy
- 2.8 Outer London: Transport
- 2.15 Town Centres
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13 Affordable Housing Thresholds
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.5 Decentralised energy networks
- 5.6 Decentralised energy and development proposals
- 5.7 Renewable Energy
- 5.10 Urban greening
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.7 Location and Design of Tall and Large Buildings
- 7.8 Heritage assets and archaeology
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

In addition to:

The Mayor's Economic Development Strategy  
 Supplementary Planning Guidance: Housing  
 Providing for Children and Young People's Play and Informal Recreation  
 Supplementary Planning Guidance  
 Housing Strategy  
 Accessible London: achieving an inclusive environment  
 The Mayor's Transport Strategy  
 Mayor's Climate Change Mitigation and Energy Strategy  
 Sustainable Design and Construction Supplementary Planning Guidance

The following non-statutory guidance is also relevant:

CABE/English Heritage Guidance on Tall Buildings (2007)

The National Planning Policy Framework is also a material consideration, with which the above policies are considered to be in accordance. Sections 2 'Ensuring the vitality of town centres'; 6 'Delivering a wide choice of high quality homes' and 7 'Requiring good design' are of particular relevance.

### Financial Contributions

In accordance with the adopted Planning Obligations SPD, the Council would be seeking the following contributions based upon the mix proposed in the application:

- o £132,871.08 for local education infrastructure
- o £54,392 for local health infrastructure

This is based upon a provision of 2x1 bed and 4x2 bed intermediate housing of the 52 units provided, representing 11.5% affordable housing. The total contributions are £187,263.08.

It should be noted that this provision does not allow for socially rented units, if these were provided within the applicant's 11.5% offer (1x1 bed and 1x2 bed intermediate and 1x1 and 3x2 bed socially rented) then the contributions would total £192,999.07 as follows:

- o £140,635.07 for local education infrastructure
- o £52,364 for local health infrastructure

An example of a fully policy compliant scheme providing 35% affordable housing and a 70:30 split of socially rented and intermediate (1x1 bed and 4x2 bed intermediate; 3x1 bed and 10x2 bed socially rented) would result in total contributions of £205,836.62 consisting of:

- o £155,136.62 for local education infrastructure
- o £50,700 for local health infrastructure

The development will also be liable for payment of the Mayoral Community Infrastructure Levy.

### Viability

A financial viability assessment (FVA) was submitted confidentially with the application and revised 19th August 2014. An independent review of this information was commissioned by the Council, the findings of which were relayed to the applicant with no response to date. The review found that the development is of an inefficient design with a low net to gross ratio of 68% which results in less 'saleable' area being created. Based upon the consultant's evaluation of detailed pricing a significantly higher blended value is reached. The Council's consultants also disagreed with aspects of the methodology used in reaching the benchmark valuation, with different residential and build costs being applied based upon local market comparable and appropriate BCIS benchmarks. The analysis demonstrates

that the development is viable and produces a surplus which can be used to provide further s106 contributions and affordable housing without impacting upon the viability of the development, but that the proposed scheme would not be viable with full policy compliant affordable housing provision. However, the building design will restrict the efficiency of the building.

## **Planning History**

There is no relevant planning history for the site.

## **Conclusions**

### Analysis

Amount of development, height, siting and design of the building and its impact on the character of the area

The Bromley Town Centre Area Action Plan (AAP) recognises that the majority of buildings in the town are between 2-5 storeys in height, however south of Elmfield Road, some buildings are up to 10 storeys high. The AAP identifies four sites which, in accordance with policy BTC19 'Building Height', are considered to be suitable for the development of taller buildings, subject to design and environmental considerations, impact on listed buildings and the Bromley Town Conservation Area, impact on views of the Keston Ridge and integration with the surrounding area. Members will be aware that Opportunity Site K, located at Simpsons Road at the southern gateway to the town centre, is one such site which the AAP identifies as suitable for a taller building, and that development is currently underway to comprehensively redevelop the site, with a mixed use development of up to 19 storeys in height.

The application site is not one of the sites identified as having potential for a taller building in the AAP subject to various considerations. This is significant because they represent the AAP's policy on a suitable location for tall buildings, based on urban design and townscape analysis.

Policy BE17 and London Plan Policy 7.7 are of relevance in regard to tall buildings. Policy BE17 states that proposals for buildings which significantly exceed the general height of buildings will be required to provide a design of outstanding architectural quality that will enhance the skyline and a complete and well-designed setting, including hard and soft landscaping, so that development will interact and contribute positively to its surroundings at street level.

London Plan Policy 7.7 states that taller buildings should only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building. Among other considerations, London Plan Policy 7.7 also states that taller buildings should relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level, and incorporate the highest standards of architecture and materials. Tall buildings should not detrimentally affect their surroundings with regard to microclimate, wind turbulence,

overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference, and should not impact on local or strategic views adversely.

Members will note that in a continuation of these policies, Policy BE1, which relates to the design of new development and London Plan Policies 7.6 'Architecture' and 3.5 'Quality and design of housing developments' are also of relevance. A consistent theme of these policies is that new development should respond to its physical context, respecting and complementing the form, proportion, layout and scale of adjacent development.

The proposal will, at its highest, be 17 storeys in height and will be significantly taller than the surrounding development to Masons Hill and will be highly prominent in regard to the relatively open area forming the Waitrose car park, access road and the railway line to the north. The tallest building within the immediate area is that of the Bank of America building on Elmfield Road at 10 storeys and Unicorn House which are elevated above the application site and are readily visible within much of the wider townscape together with Unicorn House, 28 Elmfield Road. The topography of the Bromley South and the built form at present facilitate a transition between the land south of and including the railway station at the eastern edge of the high street and the business area to the north at Elmfield Road.

The proposed building is set within an extremely small footprint currently occupied by a single storey community hall with a part two/three storey terrace to the south, a five storey supermarket to the east and a seven storey police station to the west separated by an access road. As a result the development will be bound on two sides by relatively low level development and to the west by an already substantial development within the context of the town centre. Further to the east is the elevated highway of Kentish Way and to the west is the seven storey 'Churchill Court'.

The impact of the development is exacerbated by the site's location at the entrance to the south of the town centre from Masons Hill, with the Waitrose supermarket currently forming the initial development at the junction with Kentish way to the north. As such any tall building on this site would represent a landmark development for the town centre and would be required to not only fulfil the objectives laid out in the policies above with regard to height and design, but also to be of an outstanding design to reflect the buildings position at this southern gateway.

The development will relate poorly to its neighbours on Masons Hill, being of significantly greater scale, appearing discordant with this part of the Bromley town skyline. Set against the adjacent two/three storey buildings that form the terrace at Nos.33-41 Masons Hill and the Waitrose supermarket, the development would appear jarring and out of character. Only the western seven storey element of the development would be comparable in height to the adjoining police station with the 11 and 17 storey sections being substantially higher.

Consideration is also given to the surrounding development in relation to the topography of the immediate area. Due to the downward slope of Masons Hill westward and the elevated nature of Kentish Way northward, the Police Station,

the application site and Waitrose form a roughly triangular area of land with the existing development appearing as a relatively flat form into the train station; the increase in ground levels height northward leads the building at Unicorn House to commence taller buildings overlooking the railway line. The proposal would therefore project from the centre of this existing development to Masons Hill with the 11 and 17 storey elements being substantially higher than the surroundings and appearing as a singular form of overbearing and dominant development detached from the surrounding built form.

The creation of access to the car park to the north adds permeability and connectivity and whilst this is a relative benefit, it is questionable as to the overall benefit given that access is effectively being created to the supermarket alone and the existing pedestrian access between the site and the police station. The main purpose of this element would appear to be the creation of an active frontage to the northern ground floor elevation which is a positive consideration, however there is limited space for landscaping due to the proximity to the perimeter of the site and the resulting relationship to what is and would remain a supermarket car park with a poor pedestrian environment and an emergency access for the police station. As this elevation provides a secondary residential access that is likely to be used by commuters from the station, and residents utilising the supermarket, a sizeable degree of pedestrian use is likely to be forthcoming at this point and little consideration would appear to be given over to the relationship with the public realm at this interface which would be unsatisfactory due to the importance of this façade within the development and its relationship to its environment at ground floor level as well as pedestrian and road safety, contrary to Policy BE1.

To the front of the site onto Masons Hill features the main public realm which is open if sparsely planted, with three disabled parking spaces to the western boundary. However, to the east there is and would remain the supermarket service entrance which would feature a regular use by large lorries and vehicles within a functionally utilitarian space outside of the applicant's control and as such in direct contrast to the proposed development.

The development would have a density of 650 dwellings per hectare, which is considered to represent an overdevelopment of a site of 0.08ha when considered against the density matrix of Table 3.2 and Policy 3.4 of the London Plan. The density proposed is representative of the height of the building, the number of units on site with such a footprint requiring a height that is disproportionate and out of character with the surrounding pattern of development. A reduction in the number of units together with a more efficient use of both the site and the floorspace proposed would result in both a lower building and a more manageable density.

With particular regard to the design of the building, both Policy BE17 and London Plan Policy 7.7 require taller development to be of the highest architectural quality. In the GLA's Stage 1 response, it was advised that the architectural design of the scheme needs further work to ensure that the building is inspiring and elegant, and reflects its prominence on the Bromley skyline. The response further advised the applicant to keep the massing simple and slender and focus on the quality of the detailing, and the designers encouraged to increase the use of brick over aluminium cladding.

As contained within the independent design advice received by the Council, it is considered that in its current form, the proposal is not of the highest architectural quality and would not reflect the prominent siting of the building on the edge of the town centre. The overall form of the building is overly complex and suffers from the mixture of materials. The use of brick is welcomed, however the panel system proposed can be poorly detailed and there is a lack of assurance as to who or how this high quality will be achieved. As a result of the compromises of trying to fit too much accommodation within the site that has difficult relationships to the perimeter the development does not deliver on the requirements for exceptionally high standards of design.

In conclusion the proposal is contrary to Policies BE1 and BE17 of the Unitary Development Plan, Policy BTC19 of the Area Action Plan and London Plan Policy 7.7.

#### Impact on amenities of adjacent properties

The nearest residential properties would be the Reflex and Maxim Apartments to the south-east toward Cromwell Avenue, the dwellings to Pinewood Close to the south, and the properties at Prospect Place and Langdon Wood to the east. Whilst separated from the application site by Kentish Way, the development would appear as a large and overbearing development to the residents of Prospect Plan and parts of Langdon Wood with a subsequent impact upon the perception of overlooking and loss of privacy and loss of amenity that would result.

Consideration must be given to the residents of the upper floors of Nos. 35-41 Masons Hill who will have a direct view from the northern rear windows on to the development. Such an impact is considered to result in a detrimental loss of outlook with a harmful sense of enclosure and perception of a loss of privacy. Whilst the applicant has made comments within the supporting documents accompanying the application, notably the Design and Access Statement, with regards to a Phase 2 development encompassing this terrace to be replaced with further development as part of a holistic redevelopment, this is not part of the current proposal and it is noted that the entire terrace is not within the ownership of the applicant.

As such the impact of the proposal upon the amenity of nearby properties is considered contrary to Policy BE1 and London Plan Policy 7.7

#### Quality of residential accommodation

The proposed accommodation satisfies the London Plan minimum space standards and the balconies provided match or exceed that required with the majority of units being dual aspect. The room sizes satisfy the requirements of the Mayor's Housing SPG. The development accords with Lifetime Homes requirements and with 10% of the units being wheelchair accessible. The level of accommodation is therefore considered satisfactory.

#### Affordable Housing and S106 Contributions



The development proposes 11.5% of the residential units to be affordable, although not a mix of tenures that is policy compliant. A suitable mix is cited above. The review of the applicant's submitted viability appraisal agreed that the development could not achieve a policy compliant 35% affordable housing provision, however a higher 14% was viably achievable within the proposed development at the desired tenure mix together with additionally s106 contributions based upon the surplus identified. This report has been made available to the applicant and no response has been received to date with regard to disputing the findings, or altering the current offer upward.

The applicant's allowance of £285,000 for health and education contributions exceeds the £192,999.07 expected for an appropriate tenure mix, which the current scheme does not allow for, of the number of units proposed.

The independent assessor working on behalf of the Council has indicated that the current offer does not represent the maximum level of affordable housing that can be viably provided onsite. As such, the application does not comply with Policy H2.

### Transport and Parking

The proposal includes very limited car parking with 3 spaces for disabled use. There is no concern for the lack of parking for the D1/D2 or B1 uses given the town centre location. The two main concerns are the lack of parking for the residential use and the servicing arrangements.

There is a reliance in the proposal that residents will not own cars based on the high PTAL and potential condition that future residents cannot apply for parking permits. Car ownership in the nearby area is about 1 per unit on average in spite of the high PTAL. Without a parking permit on-street parking is not easy, but with the 2 hour restriction on permit bays in the Outer Area being in the middle of the day and some free bays available there is the potential for this to happen. Any additional cars will put pressure on the on-street parking in the area, including St Marks Road itself.

Servicing for all the uses within the development will be from St Marks Road. The area in front of the disabled parking bays, which is part of the public footway, will be used for turning by heavy vehicles and the construction may need to be checked for suitability. It will also bring vehicles into conflict with pedestrians and is not particularly ideal. The number of estimated vehicle movements gives potential for vehicles queuing back in St Mark's Road and blocking accesses and dedicated service bays should be provided within the site.

The parking issue could be partially mitigated by not allowing residents to apply for parking permits, but there is the potential for them to own cars and add to the demand for on-street parking.

The lack of dedicated servicing facilities is contrary to Policies T17 and BTC29. Given the cramped nature of the site and road layout this would require a substantial redesign to resolve, but should also remove any potential road safety issues with manoeuvring vehicles on the footway. As such it is considered that the

design of the scheme has failed to take this issue into account and the lack of servicing would have a detrimental impact upon road safety and free passage of the highway.

Transport for London (TfL) have provided comments as part of the GLA's Stage 1 response, which identified a number of areas which required further consideration. Some of the matters, including the submission of a travel plan and construction methodology statement, were also raised by Highways and could be the subject of suitable conditions in the event that planning permission is granted.

### Summary

The existing building on the site makes a neutral contribution to the area and there is no objection in principle to the redevelopment of the site with a slightly taller development incorporating an appropriate mix of uses

However, the development currently proposed is excessive in terms of height and scale, and would result in excessive site coverage constitute an overdevelopment of the site, with inadequate separation to boundaries and space retained at ground floor level to offset the significant height and mass of the building. The residential density of the development, which exceeds policy guidance, is a further symptom of overdevelopment in this case.

The proposed development is not of the highest architectural quality and will have a negative impact on the character of the area appearing as an overly dominant and overbearing addition to Masons Hill and the Bromley South townscape. In this case, it is not considered that the site can suitably accommodate a building of the height and scale proposed given its restricted size and sensitive location on the edge of the town centre adjacent to small scale, low density residential and commercial development

Whilst the applicant has been able to provide an offer of 6 affordable (intermediate) units on site, which falls short of the 35% on-site provision required by Policy H2 and would not provide any rented units with insufficient justification provided to demonstrate that this cannot be provided on site. A revised Financial Viability Assessment has been considered by the Council's appointed independent assessors, and initial comments received suggest that the scheme could support a higher offer of on-site provision and continue to be viable.

The lack of servicing for the proposed commercial space would result in a road safety and highway management impacts that would bring the development into direct conflict with pedestrians and there is a lack of opportunity due to the site coverage to provide service areas. Concerns are also raised with regard to the pedestrian access and relationship to the northern elevation onto the emergency police road and supermarket car park. A lack of on-site parking may well result in a knock on impact within the surrounding streets and there is a lack of detail regarding car club contributions.

Background papers referred to during production of this report comprise all correspondence on the file ref. 13/03345 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 19.08.2014

## **RECOMMENDATION: PERMISSION BE REFUSED**

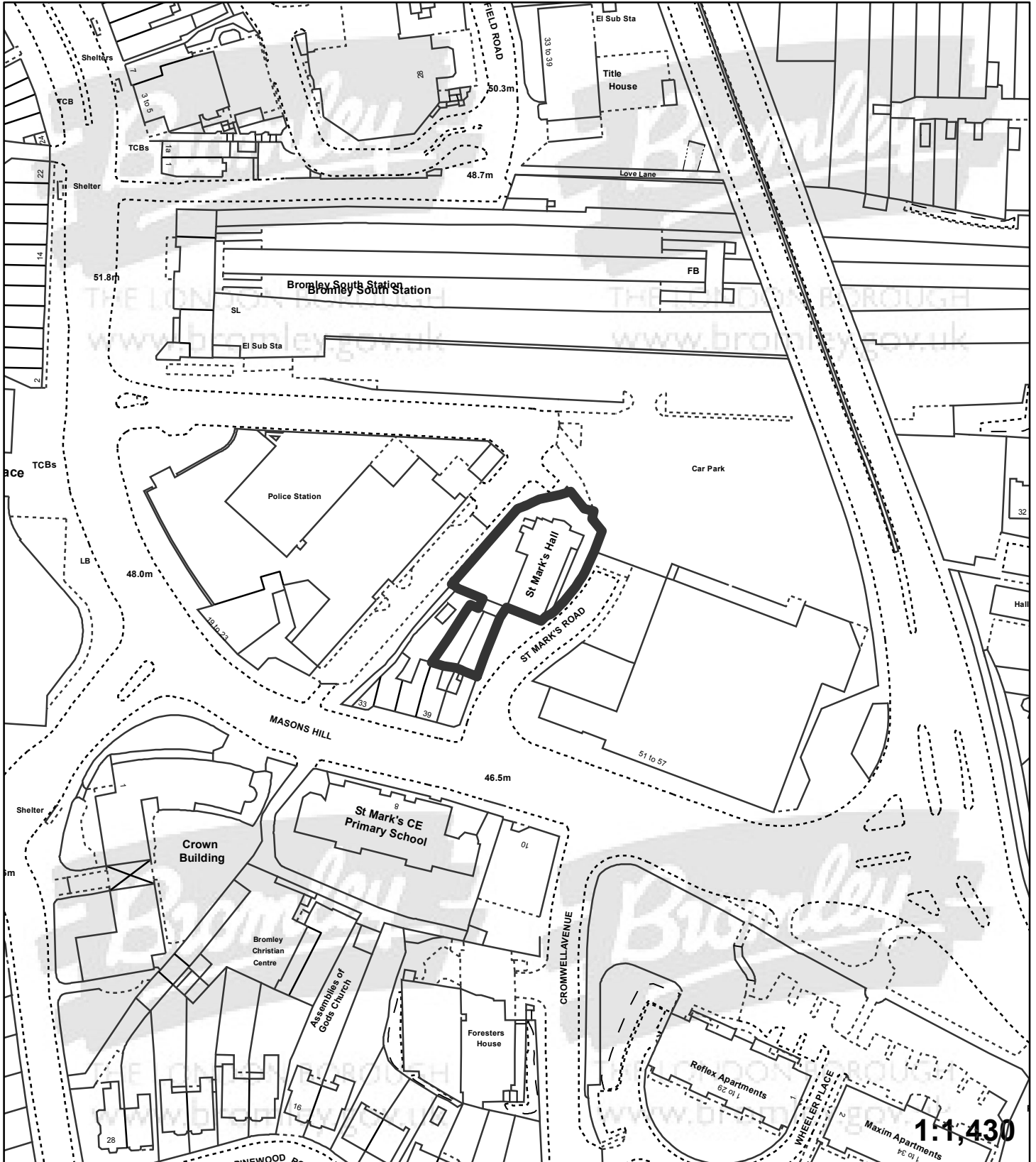
The reasons for refusal are:

- 1 The proposed development would, by reason of its height, scale, siting and design which would not be of the outstanding architectural quality required by the development plan, appear as an unduly prominent, incongruous and overbearing addition to the town centre skyline, out of character with the scale, form and proportion of adjacent development, giving rise to an unacceptable degree of harm to the character and appearance of the area, contrary to Policies BE1 and BE17 of the Unitary Development Plan, Policy BTC19 of the Bromley Town Centre Area Action Plan and London Plan Policy 7.7.
- 2 The proposed development would, by reason of the height, scale and footprint of the building constitute an overdevelopment of the site, with very limited space retained at street level to offset the significant mass of built development and provide a satisfactory setting for the development, and would give rise to a loss of amenity to neighbouring residents with particular regard to an unacceptable and detrimental perception of overlooking and loss of privacy, contrary to Policy BE1 of the Unitary Development Plan and London Plan Policy 7.7.
- 3 The proposed development would fail to meet the Council's requirements for the provision of on-site affordable housing, with insufficient justification provided to demonstrate that a lower level of on-site affordable housing or different tenure mix should be sought in this case, contrary to Policy H2 of the Unitary Development Plan.
- 4 The proposed development would lack servicing arrangements for the proposed commercial uses which would result in a detrimental impact upon road and pedestrian safety and highway management contrary to Policies T17 of the Unitary Development Plan and Policy BTC29 of the Bromley Town Centre Area Action Plan.

**Application:**13/03345/FULL1

**Address:** H G Wells Centre St Marks Road Bromley BR2 9HG

**Proposal:** Demolition of existing building and erection of a part 7, part 11, part 17 storey mixed use building comprising 256sqm community uses (use Class D1/D2), 1,467sqm office use (use Class B1) and 52 residential flats with associated landscaping and public realm works, new pedestrian



"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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