

SECTION '2' – Applications meriting special consideration

Application No : 14/04199/FULL1

Ward:
Bromley Town

Address : 165 Masons Hill Bromley BR2 9HW

OS Grid Ref: E: 541030 N: 168240

Applicant : Mr M Overton

Objections : YES

Description of Development:

Demolition of existing buildings at 165-169 Masons Hill and 1-3 Homesdale Road and erection of part 3/4/5 storey mixed-use development comprising 328sqm ground floor Class A1 (retail) unit, 29 flats (20x2 bed and 9x1 bed) with car park for 24 cars (19 residential and 5 retail), cycle and refuse storage and associated landscaping

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads
Stat Routes

Proposal

Full planning permission is sought for the demolition of the existing buildings at 165-169 Masons Hill and Nos. 1 and 3 Homesdale Road and the erection of a part 3/4/5 storey mixed-use development comprising:

- 328sqm ground floor Class A1 (retail) unit
- 29 flats (20x2 bed and 9x1 bed) over three cores
- Car park for 24 cars (19 for residential use including 2 disabled bays and 5 spaces including 1 disabled bay for commercial use)
- Storage for 37 cycles and refuse storage
- Associated landscaping
- Height of between 7.2m and 16.1m

Location

The application site is located to the north-eastern junction of Masons Hill and Homesdale Road. Nos. 165-169 comprises a part one, part two storey building with roof dormers occupying the corner plot of the junction and is currently in use as a

Class A1 retail premises with parking accessed to the rear from Homesdale Road. Nos. 1-3 Homesdale Road comprise a pair of two storey semi-detached residential properties.

The junction is characterised by the three storey development at Archers Court at the junction of Masons Hill and Hayes Lane to the west of the site (formerly Class B1 offices, but with consent for conversion to Class C3 flats); the four/five storey flatted development at Gainsborough Court (52 flats) to south of the site; and the two storey detached and semi-detached dwellings to the southern edge of Bromley Common commencing with No.2 at the junction with Bromley Common and Hayes Lane.

To the west of the site on the western edge of Masons Hill are the five storey block of flats at 16-56 Fletcher's Close and the four/five storey office building at Rutland House. To the west of the north of the site at the eastern edge of Masons Hill are the two/three storey buildings of Nos. 161, 163 and 163a before the six storey office buildings of Nos.153-159 Masons Hill.

To the east of the site is the three storey terrace comprising Nos.5-9 Homesdale Road and feature commercial premises at ground floor level and residential units to the upper floors, before the two/three storey semi-detached residential properties at No.11-13. Beyond this are: the four storey office block of Tourama House (No.17); the three storey office block of Prospect House (Nos.19-21); the Currys retail unit at No.27; the five/six storey flatted block at Rosing Apartments (No.45); and the four storey flatted block at Cavendish House (No.47).

The southern edge of Homesdale Road also features the five storey flatted block at Iconia House (69 flats) and the adjoining block of Azuria House (33 flats) before the four storey flatted block at Sheridan Lodge.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 9 representations were received, of which 9 were in objection. These can be summarised as follows:

- There are not enough school places, doctors and other amenities to support such density of housing
- The entry and exit for this development is onto a TFL controlled red route that is already extremely busy and dangerous
- Traffic using this will be in direct contact with traffic turning off the A21 into Homesdale Road
- Too high and too dense, the size should be reduced
- Insufficient parking spaces in an area which is already short of places to park
- This proposal does not relate well to or respect the character of its surroundings (BE1: 6.10), would be over-dominant and a cramped overdevelopment, which would be visually intrusive because of its height and bulk
- The liveability of the proposed flats will be compromised by restricted amenity space and lack of car parking

- The proposal appears to cast shadow on some adjacent buildings and seems likely to compromise privacy
- The units per hectare would appear to exceed that permitted by UDP H7 Density Matrix
- The Planning Statement and Design & Access Statement contain a number of inaccuracies relating to the age and height of surrounding buildings
- Redevelopment of this prominent site is welcome, as is the provision of housing units, concern regarding location of a refuse facility on the Masons Hill side of the block so close to the signalled junction
- Like to see a condition imposed restricting the users of the A1 unit. If it is some sort of convenience store it will inevitably attract short stay parking on the road
- Out of character with the adjacent buildings
- The building is not attractive and will not enhance the area
- Cramped overdevelopment
- Privacy and light issues
- Overlooking of 161-163 Masons Hill causing shadowing and loss of daylight

Comments from Consultees

Highways - Following initial concerns at the level and ratio of parking provision, revised drawings have been submitted (drawing (21)001 H) received on 20/02/2015 showing the additional car parking spaces for the residential units and a barrier to residential parking which is acceptable and no objection is raised subject to conditions.

Access - the vehicle access will be located some 10m to the west of the current parking area on Homesdale Road leading to on-site car parking area.

The visibility splay to the west is in excess of 2.4m x 43m and the visibility splay to the east extends to the junction with Masons Hill and the accident data has not highlighted any issues there are no concerns over the future use of the proposed access.

Pedestrian access - will be provided on Homesdale Road and Masons Hill for both the residential and retail aspects of the proposals.

Cycle parking - Twenty nine secure and covered cycle stands will be located within the main body of the building, with a further 10 accessible to visitors if required. This is acceptable.

Deliveries and Servicing - The site will be serviced from Homesdale Road and Masons Hill as existing. Both commercial and residential bins will be located just within the site boundary.

Trip Generation - The vehicle trips are not considered to be a significant impact on the surrounding transport network. It is likely that only a small proportion of these trips will be primary trips and therefore it is expected that a number will already be on the network.

TfL - Road Network - The site has frontage to Masons Hill Road which forms part of the Transport for London Road Network (TLRN). Vehicle access will be via the side road, Homesdale Road. It is important to note that the TLRN extends along a portion of Homesdale Road and along the frontage of the subject site. Any modification to the vehicle access will require approval from Transport for London (TfL) in the form of a Section 278 agreement (Highways Act 1980). The applicant is welcome to contact TfL to enter into these discussions early.

It is noted in the Transport Statement that Delivery and Servicing will be on street, via the TLRN and Homesdale Road. TfL requires that a Delivery and Service Plan is secured as part of the application. A Construction and Logistics Plan should also be required.

Cycle Parking - TfL expects that cycle parking accords with London Plan (2011) standards and Revised Early Minor Alterations (2013) to the London Plan. It is noted that 39 cycle parks are proposed and TfL welcomes this level of parking. However, it is unclear in the application how the parking will be allocated to each use. This should be clarified by the developer. Changing facilities for cyclists should also be provided for staff of the retail outlets.

Vehicle Parking - Although the level of car parking proposed is acceptable in London Plan terms, the applicant would encourage the developer to consider a reduction in parking. Electric Vehicle Charge Points (EVCPs) should accord with London Plan (2011) standards and this should be secured by way of planning condition. EVCPs are not shown on the attached plans. TfL welcomes the level of blue badge parking proposed.

Further Responses

Drainage: no objection to proposed strategy subject to condition.

Thames Water: no objection.

Crime: no objection subject to condition. The original design did not show any restriction on pedestrian or vehicle access through the undercroft to the rear parking area, experience and recent research by CABE has shown that if access to such areas is left unrestricted they become crime generators and subject to anti-social behaviour. In the interest of crime and criminality this entrance needs to be secured restricting both pedestrian and vehicular access to the area. The proposed development has now incorporated electric gates separating the commercial and residential parking areas.

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

- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- S6 Retail and Leisure Development
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- 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 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
- 5.7 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
- 7.8 Heritage Assets and Archaeology
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

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 £154,431.62 for local education infrastructure
- o £57,996 for local health infrastructure

Planning History

There is no planning history for the site. However, the following history of nearby sites is considered relevant:

Rosing Apartments

08/01469 Planning permission granted subject to legal agreement at No.45 Homesdale Road, Rosing Apartments for a block between two and six storeys high with semi-basement parking area comprising 82 flats (21x1bed, 55x2 bed, 6x3 bed) with 82 car parking spaces/ cycle parking/ refuse storage.

Iconia and Azzura Houses

08/00833 Planning permission granted subject to legal agreement at Iconia House for the erection of a part one/five storey building comprising 105 flats with semi-basement level parking for 91 cars/ cycle parking/ refuse storage.

09/01137 Outline planning permission granted at Iconia House for the erection of 69 flats and 62 parking spaces together with a services building, refuse store, cycle parking, landscaped area, and retention of existing vehicular access from Fielding Lane.

10/00756 Planning permission granted at Azzura House for a six storey block comprising 32 flats and 20 car parking spaces.

Prospect House

08/00893 Planning permission granted (but not implemented) at Prospect House for a five storey rear and third floor extensions to office building to extend office accommodation on ground and first floors and convert/extend on second and

third floors comprising 4 two bedroom and 2 three bedroom flats with 19 car parking spaces at basement level.

11/01317 Planning permission refused at Prospect House for a five storey building comprising 37 flats (23x1 bed, 10x2 bed and 4x3 bed) with 21 car parking spaces, bicycle parking and refuse/ recycling storage at basement level on the grounds that:

1. "The proposal is lacking in adequate on-site car parking and will be likely to lead to increased demand for on-street car parking in the surrounding area detrimental to the amenities of nearby residents and prejudicial to the free flow of traffic and conditions of general safety along the highway.
2. The proposal would be an overdevelopment of the site at an excessive residential density providing inadequate separation to Cobden Court and insufficient opportunities for soft landscaping to enhance the setting of the development thereby contrary to Policies H7 and BE1 of the Unitary Development Plan."

Cavendish House

12/01838 Planning permission granted subject to legal agreement for the change of use of existing building together with erection of an extension at rooftop level and elevational alterations to provide 14x2 bed and 2x1 bed flats, 18 car parking spaces, refuse and recycling store and cycle store.

08/04250 Planning permission refused for a Six storey block comprising 7x1bed, 11x2 bed and 10x3 bed flats with 25 car parking spaces / bicycle parking / refuse and recycling storage on the grounds that:

1. "The proposal constitutes an overdevelopment of the site at an excessive residential density which is out of character with the surrounding area and contrary to Policies H7 and BE1 of the Unitary Development Plan.
2. The proposed development, due to its excessive height, bulk and mass, and unsympathetic design and materials, would detract from the appearance and character of the locality, contrary to Policy BE1 of the Unitary Development Plan.
3. The proposal would detract from the residential amenities of the area, in particular due to overlooking from the rear balconies, and would provide insufficient amenity space for future occupiers of the development, contrary to Policy BE1 of the Unitary Development Plan.
4. The level of on-site parking is considered to be insufficient, having regard to the number and type of residential units, and the likely travel patterns of future occupiers of the development, contrary to Policy T3 of the Unitary Development Plan."

This application was subsequently dismissed at appeal with the Inspector concluding that that the level of on-site parking would be sufficient having regard to highway safety along Homesdale Road and surrounding streets; the proposal would harm the character and appearance of the area and the living conditions of residents in Woldham Place; would not provide adequate amenity space for the proposed family housing; would make an efficient use of land in a fairly accessible, urban location, but there would be conflict with the development plan.

Gainsborough Court

96/01879 Planning permission granted for the development at Gainsborough Court comprising 52 flats.

2 Bromley Common

A number of applications for developments similar to each other have been refused at this address, most relevantly:

14/00194 Permission refused for the demolition of the existing dwelling and the erection of a three storey building comprising of 7 two bedroom flats and 1 three bedroom flats with 9 car parking spaces, refuse bin and bicycle store on the grounds that:

1. "The proposal would, by reason of its height, massing, density, site cover and type of housing proposed, constitute an overdominant and incongruous form of development, out of character with neighbouring development; and, if permitted, would be likely to set a pattern for similar undesirable development in the area, contrary to Policies H7 and BE1 of the Unitary Development Plan.
2. The use of the proposed car parking spaces alongside the boundaries with No. 4 Bromley Common and No. 1 Hayes Lane would give rise to an unacceptable level of general noise and disturbance, detrimental to the amenities that these properties currently enjoy, thereby contrary to Policy BE1 of the Unitary Development Plan."

However, Members will note that this decision has recently been overturned at appeal, dated 3rd February 2015 PINS ref. APP/G5180/A/14/2227813. In relation to the first ground of refusal, which is considered most relevant to this proposal, the Inspector commented that:

"The junction of Hayes Lane and Bromley Common marks a distinct change in the character of development from larger scale commercial and residential properties reflective of the edge of town centre location to predominantly smaller, lower density residential development on Bromley Common. Whilst the proposed new building would be bigger overall than the existing house, as a consequence of having a similar height to the existing house and its neighbours and neither of its two elevations which would face towards the roads being significantly larger than the elevations of other houses nearby, the new building would not stand out as unduly large in

comparison to the nearby properties on Bromley Common and it would be significantly smaller than the nearest buildings on the other side of Hayes Lane and Mason Hill.

Overall the visible transition from the edge of town centre pattern of development to the north of Hayes Lane to the smaller scale, domestic type development would be retained and I conclude that the development would accord with the aims of good design sought by the National Planning Policy Framework (the Framework) and Policies H7 and BE1 of the Bromley Unitary Development Plan (UDP)."

08/01783 Permission was refused for the demolition of Nos. 2/4/6 and the erection of a part two/three/four storey block comprising 12x1bed, 15x2 bed and 9x3 bed flats with 16 car parking spaces on the grounds that:

1. "The proposal lacks adequate on-site car parking provision and access arrangements and as such would be likely to interfere with the free flow of traffic and conditions of pedestrian and vehicular safety, having particular regard to the close proximity to the Hayes Lane/Bromley Common road junction and thereby contrary to Policies T3 and T18 of the Unitary Development Plan.
2. The proposal constitutes a cramped overdevelopment of the site by virtue of the size and bulk of buildings, the lack of amenity space and the amount of site coverage by buildings and hardstandings, and would harm the character of the area, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan and Policy 4B.1 of the London Plan.
3. The proposal would be overdominant, incongruous and out of character with the immediate surrounding development, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan and Policy 4B.1 of the London Plan.
4. The provision of car parking at the rear of the site will have a seriously detrimental impact on the residential amenities of adjoining properties, in particular No.1 Hayes Lane, by reason of visual impact and general noise and disturbance associated with its use, contrary to Policies H7 and BE1 of the Unitary Development Plan."

Members will note that the subsequent appeal was dismissed, however the Inspector made a number of points pertinent to this application:

Parking

"The proposed 16 car parking spaces would meet PPG13 advice that developers should not be asked to provide more car parking than developers themselves wish. There is no evidence that the exceptional circumstances that would lead to a need for higher provision.....In coming to that conclusion I am also taking into account of the advice contained in the Consolidated London Plan (2008) that sets out the maximum parking standards for new residential development with "1 to less than 1

space per unit". It goes on to advise that residential development with lower parking provision is encouraged in areas with high PTAL scores and/or close to town centres. It advises that, an element of car free housing should be included where accessibility and type of housing allows. I am satisfied that those conditions apply here.

While the 3 strands of the Council's argument provide some support for a higher parking standard, I regard them as misplaced in this case. Firstly, the DCLG research recommendations have not been adopted by the government as a way forward in dealing with residential car parking. Moreover, all 3 strands seem to rely on a return to "predict and provide" for assessing residential parking. That is not an approach that is current government or, indeed, London-wide policy. It would run counter to the objective of encouraging more sustainable modes of travel and reducing reliance on the private car, particularly in those areas well served by public transport.

In this case I am satisfied that, with the on-street parking controls already in place, combined with the adoption of an on-site parking management strategy that would allocate a numbered and controlled parking space to a specific residential unit, indiscriminate parking within the site could be effectively avoided. I conclude that the proposed 16 car parking spaces would be acceptable and sufficient for this scheme."

Character

"The appeal site sits at the conjunction of inter-war residential ribbon development that stretches for about 800m eastward on the south side of Bromley Common and for about 250m on the eastern side of Hayes Lane. The mostly semi-detached dwellings within these frontages sit on deep plots and, with the exception of the appeal site, back onto open land within the Green Belt.

At a density of some 105 dwellings/ha, the appeal scheme would be the first high density flat development within this 1km stretch of low density (10 dwellings/ha) ribbon development. By virtue of its height, density, site cover and type of housing proposed it would be of very different character to its neighbours. For that reason, in my judgement, it would appear incongruous and over- dominant within its mainly single family, one and 2-storey housing setting.

The appellant promotes the scheme on the basis that this important road junction deserves an important visual landmark on the approach to Bromley. For the reasons I set out above I do not support that approach since it assumes this site should read as part of the edge of centre development that lies to the west whereas I see it as marking a sharp change to a lower density and character that begins beyond the town centre."

Conclusions

Summary

The proposal is considered to represent an acceptable density of development within the context of the location with the overall height, mass and scale commensurate with other developments in the vicinity and would not be out of character with the area. The level of parking proposed is within the policy requirements for the location and is acceptable for this type of development, it is noted that other similar developments nearby have similar, or lower levels of parking considered acceptable. The design is considered to be of a good quality and relates well to the constraints of the site and the surrounding pattern and character of development.

Analysis

Transport and Parking

The development is situated on the corner of Mason Hill (A21) and signalised junction with Homesdale Road. The proposal is located in an area with a PTAL of 4 and within the Bromley Town Centre's Controlled Parking Zone (CPZ).

The London Plan requires a maximum of less than 1 space per 1-2 bed unit, the proposal allows for 5 commercial spaces and 19 residential spaces, with the required proportion of disabled spaces for each as well as 39 cycle spaces, 29 of which are for residential use. The site has a PTAL of 4 and it is considered that the development would broadly comply with the requirements of the London Plan and the Mayor's Housing SPG. This position is supported by the Council's Highway's officer and TfL and the provision proposed is considered to comply with London Plan Policies 6.9 and 6.13 Parking as well as UDP Policies T3, and T7.

It is noted that the development at 8-10 Homesdale Road, Iconia House and Azzura House, was permitted in 2010 (10/00756) for a total of 32 flats with 20 parking spaces (0.6 spaces per flat). Furthermore, both Inspector at the dismissed 2008 appeal at 2 Bromley Common concluded that the 16 parking spaces for 36 flats (0.4 spaces per flat) was acceptable and in accordance with adopted policy. Since that decision there has not been a significant change in adopted policy, in particular within the London Plan, which would alter that conclusion. Both of these developments comprise parking ratios below that currently proposed (0.65 spaces per flat) within a similar location and environment.

It is considered reasonable to secure by way of legal agreement restrictions on the eligibility of future occupiers of the units to apply to the Council for Residents Parking Permit given the CPZ location. A Construction Management Plan and a Delivery and Servicing Plan are also suggested by condition.

Affordable Housing and Contributions

Policy H2 requires all developments proposing 10 or more units to provide affordable housing at a proportion of 35% of habitable rooms and at a tenure split of 70% social-rented and 30% intermediate. The proposal complies with this requirement with 11 of the 12 units within Core 1 being affordable, amounting to 37% of the proposed units, and 32 of the 79 habitable rooms which equates to 40%.

The applicant has agreed to contribute the full calculation of health and education contributions in order to mitigate the impact of the development upon these services by way of a legal agreement. This is considered to comply with Policy IMP1

Land Use

There will be no alteration to the nature of the commercial offer on the site and as such the proposal does not conflict with the requirements of Policy S6 by reason of its scale in relation to the location, or any impact upon the vitality or viability of nearby centres. The ground floor Class A1 unit as proposed would replace the existing vacant Class A1 retail building that occupies No.165-169 with a net loss of 5.6sqm. It is therefore considered that the retail floorspace is re-provided within a modern unit and does not lead to a reduction in the business use of the site.

The upper floors are to be Class C3 residential units and given the predominantly residential nature of the surrounding area this is not considered to be unacceptable in principle, or harmful to the character of the area. The location has good access to transport links and employment opportunities given the proximity to Bromley Town centre and other nearby centres and considered an appropriate location for residential dwellings.

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

The application site has an area of 0.14ha and the development would realise a density of 207 dwellings per hectare, or 564 habitable rooms per hectare. The site is within 800m of the major town centre at Bromley (600m to the town centre boundary (junction of Masons Hill and Cromwell Avenue) and 750m to Bromley South station) and is typified by buildings of four to six storeys; as such the site is considered to be within a central location for the purposes of interpreting Table 3.2 of the London Plan. This density would be at the lower end of that expected by the London Plan for this location which has a guide of 215-405 dwellings and 650-1100 habitable rooms per hectare, however such figures act as guidelines and are to be taken into account with other considerations. Given the character of the area, the nature of the surrounding development and the location of the site in relation to the town centre and transport links it is not considered that the proposed density is unacceptable.

The NPPF emphasises good design as both a key aspect of sustainable development and being indivisible from good planning. Furthermore, paragraph 64 is clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy BE1 requires that new development is of a high standard of design and layout. It should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas and should respect the amenity of the occupiers of neighbouring buildings. Policy H7 requires new housing developments to provide a site layout, buildings, and space about

buildings designed to a high quality and recognise as well as complement the qualities of the surrounding area. London Plan Policy 3.5 requires housing developments to be of the highest quality internally, externally and in relation to their context and to the wider environment.

The height of the development is commensurate with the surrounding pattern of development with both the eaves and ridge height being less than that of Gainsborough Court opposite and reducing in height to be approximately level with the height of Nos.5-9 Holmesdale Road, whilst the height would present to Masons Hill as being comparable with Nos.161-163. The mass of the building is primarily focused onto the junction of Masons Hill and Homesdale Road as well as to the southern elevation onto Homesdale Road which is considered to reflect the prevailing character to Homesdale Road which is of large flatted buildings. As such the proposal is considered to be reflective of the mass and scale of this location whilst respecting the changes to lower development to the northern and eastern boundaries.

The building presents a rounded frontage onto the junction that is considered to introduce a new form and visual interest to this location and is in marked contrast to the large mass and scale articulated by Gainsborough Place to the south-east. The building lines largely follow those of the adjacent buildings to Masons Hill and Homesdale Road and as such the building does not protrude beyond the established pattern of development. The buildings mass is effectively broken by the use of recesses and set-backs at fifth floor level as well as the frontage to Homesdale Road; this is further aided by the staggered northern and eastern elevation where a stepping down to the adjacent properties creates further visual interest and relieves what would otherwise be a uniform structure within the constraints of the site.

The materials palette proposed contrasts to both reflect a similar brick and render treatment elsewhere in the area, in particular at Gainsborough Court, and further contributes to an effective design. The overall impact of the various treatments and design approaches is to create a contemporary building that respects its setting whilst being imaginative and attractive in the context of the surrounding development.

The development is therefore considered to comply with the requirements of Policies BE1 and H7 as well as Policy 3.5 of the London Plan and the relevant sections of the NPPF.

Impact on amenities of adjacent properties

To the rear is the raised two/three storey element that is set well below the main part of the building and is accessed from the residential section of the car park. This section is of the same height as the adjoining properties to Homesdale Road whilst being some 10m beyond the rear elevation of those properties. Balconies are set northward and primarily away from the rear of these properties, which it is noted are commercial at ground floor level with the residential units being at first and second floor. The separation is considered adequate in this context and any

mutual overlooking would not result in an unacceptable level of harm those occupiers.

With regard to the impact to the rear of Nos.161-163 Masons Hill, it should be noted that the existing development to the application site, in particular at Nos.1-3 Homesdale Road, is set within a similar footprint and is two storey in nature with additional roof height. Whilst the proposed development would be higher and there would be a relative increase in the impact upon daylight and overlooking, the existing development itself already has a large degree of impact over the rear of that site.

Quality of residential accommodation

The proposed accommodation satisfies the London Plan minimum space standards and the balconies provided match or exceed that required. 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.

Sustainability

The development seeks to incorporate a number of measures to reduce CO2 production. Solar photo-voltaic panels are provided to the roof with a 32% reduction in CO2 through on-site measures with a total achievable reduction through all measures of 35.7%. Living roofs are proposed in order to increase the ecological value of the site and to contribute to sustainable drainage.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/04199 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 09.02.2015 20.02.2015

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT

and the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

2054(10)001 A (Existing Site Plan); 2054(10)002 (Existing Site Location + Block Plan); 2054(20)001 (Existing Basement + Ground Floor Plan); 2054(20)002 (Existing First + Second Floor Plan); 2054(21)001 H (Proposed Ground Floor Plan); 2054(21)002 F (Proposed First Floor Plan); 2054(21)003 E (Proposed Second Floor Plan); 2054(21)004 F (Proposed Third Floor Plan); 2054(21)005 E (Proposed Fourth Floor Plan);

2054(21)006 B (Proposed Roof Plan); 2054(30)001 A (Existing West & South Elevations); 2054(31)001 B (Proposed South & East Elevations); 2054(31)002 B (Proposed North & West Elevations); 2054(41)001 (Proposed South + East Sections); 2054(41)002 (Proposed Bay Section)

ACK05R K05 reason

3 Details and samples of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority 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 the visual amenities of the area.

4 ACI24 Details of means of screening-balconies
ACI24R Reason I24R

5 ACA09 Landscaping scheme (inc.street furniture
ACA09R Reason A09

6 ACA07 Boundary enclosure - no detail submitted
ACA07R Reason A07

7 Details of proposals to provide dwellings capable of occupation by wheelchair users (including related car parking spaces) in accordance with the criteria set out in Supplementary Planning Guidance to the London Plan "Housing" Nov 2012) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted. Details shall also be submitted to and approved in writing by the Local Planning Authority of proposals for the construction of all the dwellings hereby permitted as "Lifetime Homes" in accordance with the criteria set out in Supplementary Planning Guidance to the London Plan "Accessible London: achieving an inclusive environment" (October 2014) prior to commencement of the development hereby permitted. The dwellings shall be constructed in accordance with the approved details.

Reason: In order to comply with Policy 3.8 of The London Plan and Policy H5 of the Unitary Development Plan.

8 ACI21 Secured By Design
ACI21R I21 reason

9 ACD04 Foul water drainage - no details submit
ADD04R Reason D04

10 ACD06 Sustainable drainage system (SuDS)

Reason: To ensure satisfactory means of surface water drainage and to accord with Policies 5.12 and 5.13 of the London Plan.

11 There shall be no deliveries to or from the Class A1 retail premises except within the hours of 8am-6pm.

ACJ08R J08 reason (1 insert)

12 ACJ22 Lighting Scheme
ACJ22R J22 reason

13 ACH03 Satisfactory parking - full application
ACH03R Reason H03

14 ACH18 Refuse storage - no details submitted
ACH18R Reason H18

- 15 ACH29 Construction Management Plan
ACH29R Reason H29
- 16 Prior to the commencement of the development hereby permitted a Delivery and Service Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how delivery and service traffic can access the site safely and how potential traffic conflicts can be minimised; the route delivery and service traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Delivery and Service Plan shall be implemented in accordance with the agreed timescale and details.
- Reason:** In order to comply with Policy T6, T7, T15, T16, T17 and T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.
- 17 Before any works on site are commenced, details of bicycle parking for a minimum of 39 cycles shall be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.
- Reason:** In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.
- 18 Before any works on site are commenced, a site-wide energy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The results of this strategy shall be incorporated into the building prior to first occupation. The strategy shall include measures to allow the development to achieve a reduction in carbon emissions of 40% above that required by the 2010 building regulations.
- 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.
- 19 Details of the number and location of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The electric vehicle charging points shall be installed in accordance with the approved details prior to first occupation of the development and shall be permanently maintained as such.
- Reason:** To comply with Policy 7.14 of the London Plan.
- 20 (i) No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.
(ii) 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 sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure which is protected in accordance with Policy 5.14 of the London Plan.

INFORMATIVE(S)

- 1 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 regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 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.

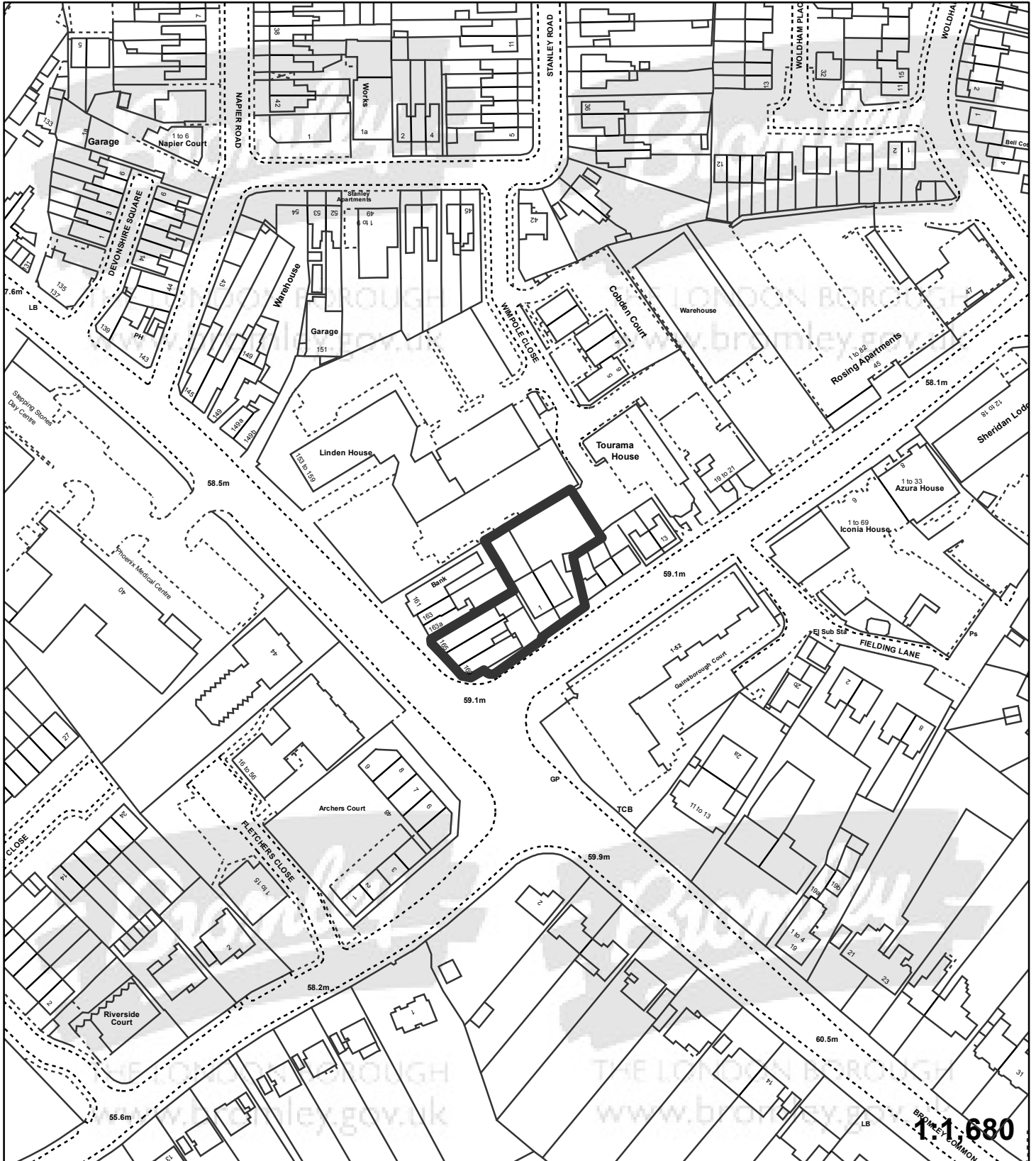
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 3 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 4 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Application:14/04199/FULL1

Address: 165 Masons Hill Bromley BR2 9HW

Proposal: Demolition of existing buildings at 165-169 Masons Hill and 1-3 Homesdale Road and erection of part 3/4/5 storey mixed-use development comprising 328sqm ground floor Class A1 (retail) unit, 29 flats (20x2 bed and 9x1 bed) with car park for 24 cars (19 residential and 5 retail), cycle



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

© Crown copyright and database rights 2013. Ordnance Survey 100017661.