

SECTION '2' – Applications meriting special consideration

Application No : 15/01616/VAR

Ward:
West Wickham

Address : Summit House Glebe Way West
Wickham BR4 0RJ

OS Grid Ref: E: 538368 N: 165910

Applicant : Crest And Lidl

Objections : YES

Description of Development:

Variation of condition 13 of ref. 14/03324 (granted permission for Demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom) with associated car parking, landscaping and infrastructure) to amend hours of delivery from between 8am - 6pm to between 7am - 10pm Monday to Saturday and 10am - 5pm Sundays and bank holidays

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Primary Shopping Frontage
Smoke Control SCA 51

Proposal

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Planning permission is sought to vary condition 13 of planning permission ref. 14/03324. Members resolved to grant planning permission subject to the prior completion of a legal agreement at Plans Sub-Committee 1 on 22nd January. However, since this decision the applicant has raised concerns regarding Condition 13, 'hours of delivery' and has requested that this be changed.

Condition 13 currently states:

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

It is proposed to change this to:

"There shall be no deliveries to or from the Class A1 retail premises except within the hours of 07:00 to 22:00 Monday to Saturday; or 10:00 to 17:00 on Sundays and bank holidays."

All other matters with regard to the development remain as previously granted permission and as such have been considered acceptable. For completeness the details of the recently approved scheme are set out in full below.

Description of Development

Permission was granted for the demolition of the existing three storey mixed use building and the erection of a part one, part two, part four storey mixed use building comprising:

- 1,623sqm Class A1 (retail) use at ground floor
- 54 residential units
- 125 car parking spaces with 70 cycle spaces
- landscaping to the rear of the site consisting of planting to the podium level and a south (rear) facing green wall

Appearance and scale

- Four storey building to a maximum height of 15.6m with two storey eastern element (entrance core 2) and a single storey western element (entrance core 1)
- Total width of 116.5m
- Podium parking area to rear to a height of 6.5m
- Southern section features undercroft parking area with access to retail unit and access to ramp at rear
- Projecting balconies to each apartment, floor level terraces for first floor units onto car park (units 1-9)
- Residential use commences from 1st floor
- Front exterior treatment separated into two areas: the eastern section features brick and render with powder coated steel balconies; the western section features trespa panels (sun yellow) with similar balcony treatments
- The elevational treatments to the rear are repeated, with the eastern ground floor section featuring a green wall for the entirety of the ground floor rear elevation
- The eastern end section, entrance core 1, is finished in brick
- Planting and trees are provided to the podium deck
- Balconies to the eastern section are angled inwards with slated screening to one side, to the western section traditional box balconies are featured with obscure glazed screening
- Ground floor front elevation features a mixture of full height and high level windows with textured brickwork and glazed access doors
- Photo-voltaic cells to the roof

Site layout

- Ground floor retail unit accessed from undercroft
- Residential elements split into two cores accessed from eastern and western front elevation entrances
- Vehicular ramp and stairwell to rear provide access to podium area
- Refuse storage located at podium level within three stores
- Cycle storage for residents provided within each core (26 and 28 respectively), visitors spaces set to the western boundary (two sections for 6 and 10 cycles)
- 75 car parking spaces at ground floor level, 4 of which are disabled spaces to Glebe Way and 3 are family spaces to entrance of retail unit
- 50 residents parking spaces at first floor podium level to rear 5 of which are disabled spaces. 4 spaces to the service road will be made available to residents out of retail opening hours

Mix of uses

- A total of 54 residential flats comprising at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom). None are affordable.
- All residential units will be built to the 'Lifetime Homes' standard and 10% wheelchair accessible
- A single Class A1 retail unit of 1,623sqm

The site has an area of 0.5ha giving a residential density of 108 dwellings per hectare, or 314 habitable rooms per hectare.

Location

The application site is located to the southern edge of Glebe Way (A232) and comprises a three storey mixed development comprising three Class A1 retail units (Iceland, The Original Factory Shop and Topps Tiles) with a floor area of some 2,077sqm at ground floor level and vacant Class B1 offices at first and second floor at some 3,080sqm. Parking is present at the access road onto Glebe Way, the undercroft area between Iceland and Topps Tiles and a podium car park to the rear.

The building itself is a post-war flat roofed commercial building that is set against the predominant inter-war vernacular of the area characterised in the immediate vicinity by generally two storey red brick buildings; the high street to the west features a broader range of styles and scales of buildings with three storey buildings being a regular feature with other three storey buildings also being present to Station Road. The building and the units within it are served by access roads set off of Glebe Way with parking provision and largely featuring a grassed verge and mature trees to the front of the current Iceland and Factory Shop frontage

The site forms part of the Primary Retail Frontage which continues to the west, the eastern boundary of the site commences the Secondary Retail Frontage. To the west are Nos 2 and 4 Glebe Way which are three storey buildings with commercial units at ground floor level. Beyond this is Bell Parade, Nos. 1-6, a two storey terrace that forms the corner plot with Wickham Court Road. To the south of Bell

Parade and the west of the site is West Wickham Service Station, a single storey car dealership that fronts Wickham Court Road. To the east of the application site are Nos.32-62 Glebe Way which are served by an access road at the eastern boundary of the site and comprise a range of ground floor commercial uses within two/three storey terrace properties

To the rear of the site to the south-west are two storey semi-detached properties of Wickham Court Road, Nos. 1a-19 (with No.1a being a detached office building), and to the south are two storey terraced dwellings at Nos. 1-23 Wickham Crescent with Nos.25-35 further to the west Nos. 1-23 Wickham Crescent are served by an access road to garages set to the rear and this road forms the southern boundary of the application site.

The northern edge of Glebe Way is predominantly residential in nature and is characterised by the end of the cul-de-sacs of Oak Grove, Ash Grove and Croft Avenue which are presented perpendicular to the site and feature two storey semi-detached and terraced dwellings. To the north-west and the junction with Station Road is West Wickham Library.

Consultations

Comments from Local Residents (on current scheme)

Nearby owners/occupiers were notified of the application and 14 representations were received. 13 were in objection which can be summarised as follows:

- The extended hours proposed are too early and too late for deliveries. They exceed the usual business day and will disrupt the high street.
- Having deliveries as late as 10pm will cause unnecessary noise and disruption in the evenings.
- Glebe Way is already becoming a busier road and to have lorries in out and out on a daily basis as late as that will only make it worse
- Whilst we were used to deliveries being made to the previous stores, they weren't as late as 10pm
- Noise and the lights of lorries
- We have had to endure the banging of the delivery crates, lorries and delivery men talking loudly which is effectively at the bottom of our garden
- Extremely concerned with the parking in our road
- Lidl and the owners have not thought about the feelings of local residents and this shows in their actions of trying to change the delivery hours after the event
- The alteration of delivery times will have a significant impact upon local residents from noise pollution cause by engines and reversing alarms
- Inadequate level of parking for residents and visitors
- The noise would be audible from Ash Grove as it currently is from Iceland
- What is the impact upon TV and phone reception?
- How will vibration from demolition be assessed?
- Why is 10pm now required?
- If the reasons for the condition are sound why vary it

- Lidl should be experienced enough to deal with the operational issues that may arise, they do not want to because it will cost money

Comments from Consultees (on current scheme)

Highways

No objection.

Environmental Health

The proposed delivery times, although a substantial increase over the original permission, are still within the times commonly regarded as 'daytime' and in fact make no difference to the original noise predictions. No objections are raised.

Planning Considerations

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
- EMP3 Office Development
- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- S1 Primary Frontages
- 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
- 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 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

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 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 (secured as part of the recent approval)

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

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

Planning History

In addition to the extant permission to be varied which summarised in full above the most relevant history for the site is as follows:

02/03132 Permission refused 28/08/2003 for the retention of a roof mounted air conditioning unit and air conditioning unit housing

04/00393 Permission refused 17/06/2004 for the retention of a roof mounted air conditioning plant with 1.5m high acoustic wall panel enclosure to replace existing mesh enclosure - Unit 2

06/01078 Permission refused 21/06/2006 for a third floor extension to provide additional floor comprising 4 one bedroom 8 two bedroom flats/plant room/extension to lift shaft and 5 additional car parking spaces (at Summit House and Bed City and Sommerfield Stores Ltd on Glebe Way) on the following grounds:

1. "The proposed extensions due to their massing, design and the resultant overall height of Summit House, will be unduly prominent and obtrusive, harmful to the character of the streetscene and the wider area and detrimental to the visual amenities of neighbouring residential properties by reason of loss of light, privacy and prospect, thereby contrary to Policies H.2 and E.1 of the adopted Unitary Development Plan, Policies H6 and BE1 of the second deposit draft Unitary Development Plan (September 2002) and Policy 4B.1 of The London Plan."

2. "The proposed dedicated parking provision will be inadequate for the number of flats to be created and will thereby give rise to increased parking pressure on surrounding roads injurious to highway safety and thereby contrary to Policies T.6 and T.15 of the adopted Unitary Development Plan and Policies T3 and T22 of the second deposit draft Unitary Development Plan (September 2002)."

Application ref. 06/01078 was subsequently dismissed at appeal, in summary the Inspector made the following comments:

"The flat-roofed fourth floor extension would provide 12 flats in a relatively sustainable location within a built up area and its height would be similar to that of

the existing lift motor room which presently has little impact on the street scene. However, because of the considerable additional bulk of the flats, and their form, much longer and wider than the existing lift motor room on the already relatively tall existing building, the proposal would be a disproportionately dominant and conspicuous addition which would harm the street scene and the local distinctiveness.

"...the additional floor would look out of keeping in many views including from the opposite side of Glebe Way and from the dwelling at the rear....because of its height, bulk and its design the proposal would be at odds with the street scene and the surrounding development....the proposal would harm the character and appearance of the surrounding area.

"..the hours of use of the offices were stated to be unrestricted at the hearing. In these circumstances and because there is sufficient distance between the flats and the nearest dwellings and their back gardens in Ash Grove and Oak grove, the overlooking that would occur would not cause a harmful loss of privacy.

"...the rearmost flat...closest to 1 Wickham Court Road would be a not unreasonable distance...because of its height it would have an overbearing visual impact on the outlook from the rear rooms of that dwelling and from the back garden...There would also be windows in the living rooms and bedrooms of that flat from which the future occupiers could overlook the back garden of 1 Wickham Court Road which would cause an unacceptable loss of privacy.

"Due to the location of the third floor external walkway people....could overlook the back gardens of a number of dwellings to Wickham Court Road and Wickham Crescent with a resultant loss of privacy....the impact of screening tall enough to be effective would be likely to have an unacceptable effect on the character and appearance of the proposal.

"Whilst the additional floor...would be noticeable to the occupiers of some of the dwellings at Wickham Crescent...due to the sufficient distance...it would not cause an unacceptable visual impact...future occupants of the nearest flats could overlook those back gardens....which would cause a loss of privacy...it would be unreasonable to deny future occupiers an open outlook [by installing obscure glazing].

"I have found that the proposal would not cause a harmful loss of daylight or sunlight to neighbouring occupiers, that there would be no harmful loss of privacy for occupiers in Oak Grove or Ash Grove and that the proposal would not have a harmful visual impact on the occupiers in Wickham Crescent.

"I consider that the proposal would cause harm to the living conditions of nearby occupiers at 1 Wickham Court Road due to its oppressive visual impact, overlooking and loss of privacy and to the living conditions of the occupiers of the nearest dwellings in Wickham Court Road and Wickham Crescent due to overlooking and loss of privacy.

"...the proposal would not be likely to cause on-street parking that would endanger highway safety to impede the free flow of traffic on the surrounding roads."

Conclusions

As advised by the National Planning Policy Guidance, when assessing applications to amend a planning permission under Section 73 the Town and Country Planning Act 1990 (as amended), local planning authorities should have regard to the Development Plan and material considerations which may have changed significantly since the original grant of permission, together with the conditions attached to the existing permission. Members will be aware that the granting of planning permission will result in a new planning permission being issued that will sit alongside the existing, un-amended permission and as such a new s106 agreement is required to secure the obligations.

The height, siting and design of the building, together with its parking provision, the impact upon the character of the area and the amenities of neighbouring residents, has already been assessed and considered acceptable. It is not considered that any of the material considerations that were assessed under the previous application have altered since the granting of planning permission in January of this year. As such the principle of the development has been established and it falls to be considered whether the proposed hours of delivery set out within the revised condition are acceptable with regard to amenities and any impact upon the highway network.

Assessment

Members will note that the existing three retail uses do not appear to have any restrictions upon their hours of delivery and that, as previously noted by the appeal Inspector; the operating times of the offices are also uncontrolled. However, the extant planning permission does introduce hours of control over deliveries to the proposed retail unit in the interests of the amenities primarily of the future occupants of the residential units to the upper floors that are being introduced to the site, together with introducing planning controls in the interest of the existing residents who do not currently benefit from such provision.

The area for deliveries has been approved and is shown on the drawings submitted under the extant permission. This area is located to the eastern flank elevation of the proposed building that adjoins the existing access road from Glebe Way principally to the rear of Nos. 32-62 Glebe Way with access also onto Rose Walk, this access also serves the eastern boundary of the existing Iceland store and the proposed retail use. The purpose of this access is to serve the rear of the commercial uses of Nos.32-62 together with the occupiers of the two eastern retail units, formerly Iceland and The Original Factory Shop. As such this access road forms a delivery area for a range of commercial uses as well as refuse storage and parking; none of these arrangements appear to have any restriction upon the hours of these activities.

The proposed hours of delivery will represent an additional hour in the morning and an extra four hours in the evening Monday to Saturday (08:00-18:00 compared to

07:00-22:00), with an additional restriction on Sundays and bank holidays that would see the currently approved hours of 08:00-18:00 being reduced to 10:00-17:00. As such, whilst there would be an additional impact Monday to Saturday, there would be an improvement on Sundays and bank holidays. The opening hours, as stipulated by Condition 12, would remain the same at preventing the retail unit to open before 08:00 and after 21:00 on any day.

It is noted that in addition to the currently unrestricted hours of delivery to all three retail units and the eastern pair in particular that use this delivery area, during opening hours customers - as is presently the case with the existing retail uses as well as with other premises along this part of Glebe Way - are and would be free to utilise the existing 24 hour pay and display car park and the proposed commercial car park without restriction and this also applies to the use of the proposed residential car park.

As such there is no restriction upon the hours at which vehicular activity may occur and it is not considered reasonable or enforceable to impose such a limitation on the future provision. Due to the nature of deliveries to a large retail store it is, however, reasonable to impose a condition limiting when such activity can take place and that any such limitation would be an improvement upon the existing situation with regard to amenity as well as impacts upon the highway that would occur.

The approved noise assessment previously submitted concludes that noise levels would be acceptable for deliveries of up to 30 minutes at a time, the majority of which would be loading of waste and unloading of goods. The approved Transport Assessment notes that the deliveries to Iceland and The Original Factory Shop are uncoordinated and it is proposed (paragraphs 3.13-3.15) that Lidl's policy is of having a limit of one to two delivery vehicles per store per day normally outside of peak network and trading hours.

In order to mitigate the further hours available for deliveries to take place upon the amenities of the future occupiers of the proposed residential units on the floors above it is considered reasonable to further propose an additional condition relating to the submission of a Delivery and Service Plan which forms Condition 34 of the proposed conditions attached to this report. This will provide details of the number and times of the deliveries and the methods that will be adopted to mitigate the impact of them. Such a plan would be required to be implemented and allow the Council to take enforcement action if not adhered to.

Whilst the revised hours of delivery would result in an earlier and later period of activity it is not considered that this would result in an impact upon existing and proposed residential amenities so harmful as to warrant refusal of the application. The deliveries would be taking place within an existing commercial access road already utilised for the purpose and would be limited to one or two deliveries per day, the hours of these deliveries and the methods used in loading and unloading can be secured by way of the aforementioned condition.

It is noted that the Council's Environmental Health officer has raised no objection to the variation of the delivery hours and has stated that there will be no difference to the original noise predictions.

It is considered that subject to the inclusion and subsequent discharge of the additional condition the proposed alteration to Condition 13 is acceptable and would accord with Policies BE1 and T17.

Viability and S106 Contributions

The viability of the proposed development has already been assessed and contributions secured by way of a legal agreement. Since 6th April 2015 such contributions must be secured against specified infrastructure projects and the pooling of more than five contributions for each of these projects is prohibited. Any permission granted for this variation of condition under s73 of the Town and Country Planning Act (as amended) would result in a new planning permission being issued and as such a new legal agreement has been entered into to not only reflect this planning application, but also to introduce the required projects to the obligations sought.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 15/01616/VAR and 14/03324/FULL1 set out in the Planning History section above, excluding exempt information.

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

and the following conditions:

- 1 The development to which this permission relates must be begun not later than 2nd April 2018.

Reason: Section 91, Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

- 13-2262-101 G (Proposed Ground Floor Plan)
- 13-2262-102 E (Proposed First Floor Plan)
- 13-02262-103 E (Proposed Second and Third Floor Plan)
- 13-2262-104 E (Proposed Roof Plan)
- 13-2262-105 A (Proximal Distances)
- 13-2262-106 C (Fire and Refuse Strategy)
- 13-2262-107 G (Proposed Elevations Sheet 1)
- 13-2262-108 G (Proposed Elevations Sheet 2)
- 13-2262-109 B (Proposed Sections)
- 13-2262-110 B (1 Bedroom 2 Person Variation 1)
- 13-2262-111 B (1 Bedroom 2 Person Variation 2)

13-2262-112 C (2 Bedroom 4 Person Variation 1)
13-2262-113 B (2 Bedroom 4 Person Variation 2)
13-2262-114 B (1 Bedroom 4 Person Variation 3)
13-2262-115 B (3 Bedroom 5 Person Variation 1)
13-2262-116 B (2 Bedroom 4 Person Variation 4)
13-2262-117 (1 Bedroom 2 Person Variation 3)

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area

- 3 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area

- 4 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

- 5 Details of the means of privacy screening for the balconies 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 and permanently retained as such

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

- 6 A scheme for landscaping, which shall include details of all proposed hard surfacing, means of enclosure, lighting columns, bollards and any other street furniture, and of planting (to include a schedule of the sizes and species of plants) 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. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings, or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or

diseased shall be replaced within the next planting season with others of similar size and species to those originally planted.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development

- 7 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

- 8 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.

- 9 The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Secured by Design, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason: In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan.

- 10 Details of a foul water drainage system shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently maintained thereafter.

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

11 No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

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

12 The use shall not operate before 8am and after 9pm on any day.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the area

13 There shall be no deliveries to or from the Class A1 retail premises except within the hours of 07:00 to 22:00 Monday to Saturday; or 10:00 to 17:00 on Sundays and bank holidays.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the area.

14 Details of a scheme of lighting (including the appearance, siting and technical details of the orientation and screening of the lights and the means of construction and laying out of the cabling) shall be submitted to and approved in writing by the Local Planning Authority before any work

is commenced, and the approved scheme shall be implemented before the development hereby permitted is first occupied. Thereafter the approved scheme shall be permanently maintained in an efficient working manner and no further lighting shall be installed on the site without the prior approval in writing by the Local Planning Authority.

Reason: In order to comply with Policy ER10 of the Unitary Development Plan and in the interest of amenity and public safety

- 15 Before any work is commenced details of parking spaces and/or garages and sufficient turning space shall be submitted to and approved in writing by the Local Planning Authority and such provision shall be completed before the commencement of the use of the land or building hereby permitted and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 1995 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 16 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

- 17 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 18 Details of a scheme for the management of the car park shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied and the car park shall

be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

19 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

20 Prior to the commencement of the use hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include measures to promote and encourage the use of alternative modes of transport to the car. It shall also include a timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating. The Travel Plan shall be implemented in accordance with the agreed timescale and details.

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

21 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

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

22 Before any works on site are commenced, details of bicycle parking for a minimum of 57 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

- 23 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

- 24 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.

- 25 A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological site work in accordance with the Written Scheme of Investigation as submitted on 13th and 21st April 2015 in relation to Condition 25 of planning permission ref. 14/03324/FULL1 and approved by the Local Planning Authority in writing on 1st May 2015 under ref. 14/03324/CONDIT1.

B) Under Part A, the applicant (or their heirs and successors in title) shall implement the programme of archaeological site work in accordance with the Written Scheme of Investigation submitted and approved under ref. 14/03324/CONDIT1. C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part A, and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To ensure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Policy 7.8 of the London Plan Section 12 of the NPPF

26 At any time the combined noise level from all fixed plant at this site in terms of dB(A) shall be 10 decibels below the relevant minimum background noise level, LA90(15mins) measured at any noise-sensitive building. This requirement shall be subject to an absolute lower limit of 28dB(A) so that at times when the minimum background L90 level is below 38dB the plant noise rating requirement does not fall below 28dB(A). If the plant has a distinctive tonal or intermittent nature the predicted noise level of the plant shall be increased by a further 5dBA. Thus if the predicted noise level is 40dB(A) from the plant alone and the plant has a tonal nature, the 40dB(A) shall be increased to 45dB(A) for comparison with the background level. The L90 spectra can be used to help determine whether the plant will be perceived as tonal.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and Policy 7.15 of the London Plan and to ensure a satisfactory standard of residential amenity.

27 A scheme for protecting the proposed dwellings from traffic noise (including glazing and ventilation specifications in line with the recommendations of Grant Acoustic report GA-2014-0025-R1 of August 2014) shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences and the scheme shall be fully implemented before any of the dwellings are occupied and permanently maintained as such thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and Policy 7.15 of the London Plan and to ensure a satisfactory standard of residential amenity

28 A scheme for reducing traffic noise on the proposed balconies on the Northern Façade (which shall include imperforate front screen and Class A absorption on the balcony soffits) shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences and the scheme shall be fully implemented before any of the dwellings are occupied and permanently maintained as such thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and Policy 7.15 of the London Plan and to ensure a satisfactory standard of residential amenity.

29 Before external illumination becomes operational, full details of the lighting scheme including type, orientation and screening of the lights shall be submitted to and approved by the Local Planning Authority and shall be permanently maintained as approved thereafter.

Reason: In order to comply with Policy ER10 of the Unitary Development Plan and in the interest of amenity and public safety.

30 Air Quality mitigations during the construction phase shall be fully in accordance with Table 6.1 of submitted Ardent Air Quality report reference T930-05 of August 2014.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and Policy 7.15 of the London Plan and to ensure a satisfactory standard of residential amenity.

31 In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NO_x emission rate of <40mg/kWh

Reason: In order to comply with Policy 7.14 of the London Plan and the National Planning Policy Framework and to minimise the effect of the development on local air quality to ensure a satisfactory standard of residential amenity

32 No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.

a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in writing. The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

e) Upon completion of the works, a closure report shall be submitted to and approved in writing by the Authority. The closure report shall include details of the remediation works carried out, (including of waste materials removed from the site), the quality assurance certificates and details of post-remediation sampling.

f) The contaminated land assessment, site investigation (including report), remediation works and closure report shall all be carried out by contractor(s) approved in writing by the Local Planning Authority

Reason: In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the environment

33 Demolition works shall not begin until the dust management plan for protecting nearby residents and commercial occupiers from dust and other environmental effects has been implemented in accordance with the details submitted on 25th March 2015 in relation to Condition 33 of planning permission ref. 14/03324/FULL1 and approved in writing by the Local Planning Authority on 2nd April 2015 under ref. 14/03324/CONDIT. The development shall not be carried out other than in accordance with the approved dust management plan.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and London Plan Supplementary Planning Guidance: The Control of Dust and Emissions During Construction and Demolition Guidance and to protect the amenity of nearby residents and commercial occupiers.

34 Prior to the commencement of the Class A1 retail use hereby permitted, a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include details of the expected number and time of delivery and servicing trips to the site for all commercial uses, with the aim of reducing the impact of servicing activity. The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

Reason: In order to ensure appropriate management of transport implications of the development and to accord with Policies BE1, T2 and T17 of the Unitary Development Plan.

You are further informed that :

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 Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs. It is recommended that the archaeological fieldwork should comprise of the following:

Watching Brief

An archaeological watching brief involves observation of groundworks and investigation of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive.