

SECTION '2' – Applications meriting special consideration

Application No : 15/04458/OUT

Ward:
Penge And Cator

Address : 213 Kings Hall Road Beckenham BR3
1LL

OS Grid Ref: E: 536597 N: 170331

Applicant : Brookworth Homes Ltd

Objections : YES

Description of Development:

Outline application in respect of access and layout for the introduction of an access road and erection of three detached dwellings, each with a double garage, parking and associated landscaping.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Green Chain
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Metropolitan Open Land
Smoke Control SCA 25

Proposal

The application was put forward to planning committee on 21st February 2016 with a recommendation of approval. However on the day of the committee the Council received the dismissed appeal decision for the previous application for 5 dwellings ref: 15/00357/OUT. Given the appeal decision is a material consideration; the application was withdrawn from the committee by the Chief Planner.

Following consideration of the appeal decision, the applicant has now formally submitted amended plans which can be summarised as follows:

- The detached house (Plot 1) at the end of the access road has been moved further to the south, and the single storey garage is now located on the northern side of the dwelling.
- Plots 2 and 3 have been reduced in scale and footprint.

The application was re- advertised and the following assessment is based on these amended plans.

The application has been submitted in 'outline' for provision of an access road to the north of No. 215 Kings Hall Road and layout of the development. While all other matters (scale, appearance and landscaping) are reserved, the applicants have provided some indicative elevational drawings.

The application is accompanied by a significant body of additional further information including:

- o Drainage Statement
- o Flood Risk Assessment
- o Transport Statement
- o Phase 1 Habitat Survey (Ecology)
- o Arboricultural Impact Assessment
- o Tree Protection Plan

The site area will be 0.44ha and remains considered as suburban in nature. The proposal for 3 dwellings represents a density of 6.8 dwellings per hectare. The site has a PTAL rating of 2.

Location

The application site is a large parcel of residential garden land to the rear of No's 207-215 Kings Hall Road, currently serving No.213. The site adjoins residential gardens to the north and east belonging to properties in Lennard Road and Kings Hall Road respectively with the area being predominantly residential in nature, although the ground floor of No213 is currently used as offices. The site has no designation in the adopted UDP but it is bounded by Metropolitan Open Land (MOL) to the south and Pool River to the west.

The site falls within Flood Zone 2 and the far western edge is covered by a Tree Preservation Order (TPO).

Consultations

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

- o Continued reservation of essential matters makes it impossible to consider the application fully.
- o Inappropriate backland development should be resisted.
- o Materially the same as the previous application. Exactly the same in appearance and footprint. Second application is still at appeal.
- o Response to Inspectors comments is too selective.
- o No further advice has been sought from Bromley planners
- o Development fails to respond to local character or be sensitive to it.
- o Detached property will abut boundary to 177/179 Lennard Road.
- o Revised scheme does not respect neighbouring amenity.
- o Out of scale with properties in the locality
- o Clashes with architectural style of properties in Lennard Road. Properties will be visible through gaps in the houses.

- o Fails to meet criteria for sustainable homes.
- o Rumble strips will generate noise and disturbance
- o Increase in light pollution
- o Access road will be a risk to security
- o Concerns regarding Arboricultural and Habitat reports.
- o Comments that Bromley is able to meet its housing supply with existing sites.
- o Concerns regarding impact on highway safety and parking on surrounding roads.
- o Concerns regarding the impact to trees on site.
- o Concerns regarding the impact to habitat on site.
- o Issues with regard to impact on drainage and utilities in the locality.
- o Concerns regarding impact to flooding.
- o Acoustic fence should extend to rear of 191 to 175 Lennard Road.
- o Increase in land uses retained tree area and effectively does not increase land available.
- o Revised design does not eliminate the loss of privacy from an effectively 3 storey development.
- o Development is opportunistic. Need affordable housing in areas that suit it, not upmarket homes that suit it.
- o Could lead to further development at adjacent land
- o Pressure on local schools
- o Concerns over the possible future use of land r/o 207 Kings Hall Road
- o Application ignores Inspectors findings that such a development at this location would not be sympathetic to the environment.
- o Commercial pressures to maximise the profits from the land are compromising the interests of the environment and locale.
- o No pre-consultation exercise has been carried out with residents.
- o Information provided ignores key issues.
- o Loss of natural light to neighbouring outbuildings.
- o Concerns regarding the impact of construction works causing disruption.
- o Additional houses will contribute to poor air quality.
- o The Orpington Field Club have commented that scrub should be retained as well as existing trees and endorses recommendations in the habitat survey.

Reconsultation

Following receipt of amended plans, neighbours and consultees were reconsulted for 14 days and comments can be summarised as:

- o Strongly object to third application . Their persistence is frustrating considering their 2014 and 2015 applications were refused by the council and their 2 appeals were also dismissed.
- o Hard to understand what changes have been made to this proposal since the last application and considering that was refused by the council it is wrong that this developer can keep re-submitting the same proposal with minimal variations.
- o As it is outline the plan could attempt to build more properties on this land.

- o Highway impact. Cycle storage in the form of sheds shown on the drawings at the rear of the properties will do nothing to encourage cycling for short journeys.
- o The tables demonstrating the low impact on local traffic are unconvincing.
- o A new access road will create a new queue of traffic obstructing pedestrians and cyclists
- o Surprised with officers recommendation at the planning committee in January 2016.
- o Cannot see anything in the amended plans which could lead to a conclusion that the concerns of the second planning inspector have been addressed.
- o Fundamental concerns and issues of principle were raised with regard to development of a site which is described as 'contributing to the 'spacious and open character of the area' and affording 'verdant and open' views.
- o It is questionable as to whether any development of the site could ever be justified.
- o The artists impression shows mature and well established trees along boundaries where are present there are no trees at all.
- o The construction of three substantial buildings and the fact these are now to be detached rather than subdivided makes no overall or material difference to the proposal put forward in the rejected application.
- o The development footprint will increase the risk of flooding.
- o Destruction of a valuable local sanctuary for all sorts of wildlife, particularly birds.
- o Increase in security risk from a new access.
- o The loss of trees
- o Impact on wildlife
- o This proposed development sees an increase to the size and scale of structures
- o The habitat and tree survey is out of date
- o Impact on security
- o Construction noise and pollution
- o No purpose for this strip of land except to leave some form of access to the dog walking fields/green belt to the rear.

It should be noted that the above is a précis of the main themes of objection which have been repeated in different objector's comments. The full text of all representations received is available to view on the file.

Comments from Consultees

Highways:

Garage should normally have minimum internal dimensions of 2.6 metres in width by 6 metres in length and required measurement of a parking bay is 2.4m x 5m with a clear manoeuvring space of 6m

Swept Path Analysis using AutoTrack Road of refuse vehicle have been overlaid on the proposed site layout and satisfied that the vehicle can manoeuvre safely and efficiently within the site layout.

No objections subject to conditions

Drainage:

The submitted drainage statement report will raise finish floor levels by 600 mm, provide permeable paving in the access road and parking area and an attenuation tank to store surface water run-off is acceptable in principle. No objection is raised subject to further details of a surface water drainage strategy is supplied to implement a SUDS hierarchy.

Thames Water:

With regard to surface water drainage and water infrastructure capacity, no objection was raised on the previous application.

The Environment Agency:

Comments on the previous application stated that the application is covered by the EA's Flood risk standing advice. Therefore, no further comments are made.

Environmental Health - Pollution:

No comments have been received on this application. However the comments from the previous application are applicable to the current application which were no objection in principle subject to the submission of details through a standard land contamination condition.

Trees:

No comments have been received on this application. However the comments from application 14/01561/OUT remain relevant and are applicable to the current application. No objection to the proposal on tree grounds. It is considered that the proposal will have a negligible detrimental impact on the public visual amenity value of the trees within the site that are protected within the TPO numbered 1138A, and trees that adjoin the proposed development site when viewed from public open spaces of 209 to 217 Kings Hall Road, 169 to 199 Lennard Road and from Cator Park. A series of conditions relating to arboricultural practice are suggested, as well as condition relating to a woodland management plan.

Planning Considerations

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

BE1 Design of New Development
BE7 Railings, Boundary Walls and Other Means of Enclosure
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
NE3 Wildlife Features

NE7 Development and Trees
NE8 Conservation and Management of Trees and Woodland
ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

SPG No.1 - General Design Principles
SPG No.2 - Residential Design Guidance

London Plan (July 2011)

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

Planning History

PREAPP/14/00065: PRE-APP: Demolition of existing garage and side extension at 215 Kings Hall Road, formation of new access road and erection of seven dwellings. Response sent 07.04.2014.

14/01561/OUT: Introduction of access road and erection of 6 dwellings comprising 3 pairs of semi-detached houses, parking landscaping OUTLINE APPLICATION. Refused 05.08.2014.

Refusal reason:

The proposed development by reason of the restricted plot size and amenity space would be an overdevelopment of the site which would not accord with the spatial standards prevailing in the locality, and the proposal would therefore not be sensitive to the character of the surrounding residential area. Traffic accessing the site will harm the amenities of adjoining residential properties by reason of fumes, noise and disturbance. The proposal is therefore contrary to Policies BE1 and H7 of the Unitary Development Plan.

The decision was subsequently appealed and dismissed with the Inspector concluding that good design is a key aspect of sustainable development and is indivisible from good planning. Given the Inspector's conclusion about the adverse effect on the character and appearance of the area, it was not considered that the development as proposed was sustainable in environmental terms. This was considered to significantly and demonstrably outweigh the benefits of providing six additional houses.

The Inspector also commented that in terms of the relationship with the surrounding properties that given the distances, and the orientation of the properties, it was not considered that there would be significant overshadowing of the adjoining houses and gardens. It was also commented that the outlook of surrounding residents would evidently change from the view over the existing extensive garden area and orchard, but there would be sufficient separation for the proposed houses not to be overbearing in views from the neighbouring dwellings.

In terms of traffic accessing the site it was not considered that there would be likely to be excessive noise and disturbance for existing occupiers. Similarly with regard to drainage with implementation of a suitable SUDS scheme there is no evidence that a satisfactory drainage scheme could not be devised.

The above Inspector's conclusions are a material consideration in the assessment of the current application.

15/00357/OUT Construction of 5 dwellinghouses comprising 2 pairs of semi-detached and 1 detached property, access road, parking and associated landscaping.

Refusal reason:

The proposed development by reason of the restricted plot size and amenity space would be an overdevelopment of the site which would not accord with the spatial

standards prevailing in the locality, and the proposal would therefore not be sensitive to the character of the surrounding residential area. The proposal is therefore contrary to Policies BE1 and H7 of the Unitary Development Plan.

The decision was subsequently appealed and dismissed with the Inspector concluding that the proposal would appear cramped and out of keeping with the area. The Inspector also commented that at present there are open views above the extension and garage between Nos 215 and 217 Kings Hall Road to mature landscaping within the existing garden area and to the land beyond which contains a number of large mature trees which add to the verdant and open character of the area. The Inspector was not convinced that the indicative landscaping proposal would be capable of screening the proposal to such an extent that the impact on the open character and appearance of the area would be acceptable.

Conclusions

The main issues relating to the application are the principle of the development and the effect that a residential development would have on the character and appearance of the locality, the effect of the design layout on the locality and visual amenity of the area, access arrangements and the impact the scheme would have on the living conditions and amenities of nearby properties.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Principle of Development

Housing is a priority use for all London Boroughs and the Development Plan welcomes the provision of small scale infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy 3.4 Optimising housing potential of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.

Policy H7 of the UDP sets out criteria to assess whether new housing developments are appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

The site is located adjacent to residential land to the east and north. As has been discussed in the previous applications, in this location the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new dwelling units on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Density

The density of the proposal would be 6.8 units per hectare (11.3 units on the previous application). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 2 in a suburban area as 35-65 u/ha. The density of the proposal is below that guideline by this measure and is therefore considered to be acceptable.

Design, Siting and Layout.

Policy 3.4 of the London Plan 2011 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. Policy BE1 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

In order to address the previously refused scheme the application now proposes a reduction in the number of houses to three detached houses, two facing north to their principle elevation and one facing east at 90 degrees to the other houses in close proximity to the northern boundary of the site. As a result of the reduction to

three houses (previously 5), each dwelling will now be located on a larger plot, ensuring greater amenity space. The footprint of all three houses has also been substantially reduced and therefore the spatial standards of the proposal is considered to be acceptable, and would not be detrimental to the character of the area. The two storey flank wall of the detached property will be approximately 10m from the northern boundary, whilst the flank wall of its attached single storey garage will be 3.6m from the boundary. The two storey flank wall will therefore be approximately 48m from the rear elevation of Nos. 179 and 181 Lennard Road

The indicative design of the dwellings remains traditional in format. Attached garages are provided to the side of all three plots with an additional two spaces in front. The area of preserved trees on the western side of the site would largely be retained with some removals as would the existing trees along the boundary with the gardens of the houses in Lennard Road which would be supplemented with additional planting.

Both previous Inspectors comments are a material consideration in the assessment of this application. It was considered by the first Inspector that Kings Hall Road is characterised by substantial detached and semi-detached houses on a wide, tree-lined road. Those in Lennard Road are smaller, but again there is an open, tree-lined setting with playing fields on the opposite side of the road. The houses have generous rear gardens which is an integral part of the character of the area.

This scheme has addressed this conclusion by re orientating one of the dwellings to face the access way to create a sense of arrival in a traditional 'close' road layout in a conventional urban layout form. Views from Kings Hall Road will be perceived as a conventional urban vista indicating residential housing akin to what would be expected in a predominantly residential area. In order to address the second appeal decision regarding the loss of the existing open views above the extension and garage between Nos 215 and 217 Kings Hall Rad to mature landscaping within the existing garden area and to the land beyond, the detached dwelling at the head of the accessway (plot 1) has been shifted further south with the single storey garage repositioned on the northern side of the dwelling to allow for greater views over and beyond this plot.

The sizes of the proposed gardens are now considered to be comparable to surrounding provision in the immediate locality. Furthermore, landscaping is provided to the southern and eastern boundaries. Most of the properties in the area have shrubs and/or trees around the boundaries which add to the visual quality of the area. There are trees and bushes within and on the boundary to the site to the south. Many of these are retained within the site. Indicative screen planting has been shown along this boundary to soften the visual impact when seen from the rear of the Kings Hall Road houses.

Given the reduction in the number of dwellings and the larger plot sizes, it is now considered that with the revisions the proposal would be sensitive to the character of the surrounding area.

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

No details have been supplied in respect of the internal layout of the houses as this is not required for an outline application. This can be conditioned as part of the reserved matters to ensure a suitable quality of living space and compliance with the Mayors standards.

Impact on Adjoining Properties

In terms of outlook, the fenestration arrangement will provide front, rear and anticipated flank outlook for each unit overlooking amenity space or overlooking the street.

In terms of privacy, concerns were raised by a number of adjacent properties on Kings Hall Road and Lennard Road in terms of overlooking and loss of privacy. Officers have previously visited a number of these addresses and viewed the concerns raised from rear gardens and from within upper levels of the properties.

The distance between the properties as detailed above exceeds the minimum distance referred to within the Mayor's guidance. On this basis while the concerns are noted and taken account of, and it is acknowledged that there will be some interruption to currently unobstructed views from adjoining property, it is not considered that this is sufficient to warrant withholding planning permission. Indeed, there is no right to an uninterrupted view from a planning position.

The outlook from windows from the proposed properties is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property.

Light pollution has also been raised as an issue. However, given the separation distances between properties and the submission of suitable details in respect of a lighting scheme for the site this is also not considered a reason to withhold planning permission.

In terms of noise and disturbance an acoustic fence is proposed along the access way to deflect noise from vehicles entering and exiting the site. It is considered that this can be extended along the northern boundary to cover the whole of the accessway and hardstanding areas in front of the houses to protect neighbouring amenity and improve security. Further details can be sought by condition.

Access

The access road is sufficiently wide to allow passing of vehicles. Access gates are indicated and speed restricting rumble strips. In terms of access the Councils Highways Officer has not raised any objection as detailed above. On this basis the principle of access to the site is considered acceptable subject to further details.

Drainage, Ecology and landscaping

An indicative landscaping layout has been submitted as shown on the proposed site layout plan drawing that details the areas given over to garden for external amenity for future occupiers. Individual gardens are provided for each dwelling and these would provide opportunities for landscaping and greening of the site. These would be enclosed by a boundary structure individually and surrounding the site. Notwithstanding, the details shown on this plan, should permission be forthcoming, full details of hard and soft landscaping and boundary treatment could be sought by condition.

Details of land contamination measures have also been recommended to be sought by condition.

Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

The applicant has submitted a number of criteria to achieve a sustainable development listed in the Design and Access Statement which outlines that it will be possible for the development to meet these objectives.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL contributions will be sought in connection with any subsequent reserved matters applications.

Summary

It is considered that the proposal would bring forward additional much needed dwellings by intensifying the use of a currently underutilised site. The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions. It is considered that the density and tenure of the proposed housing is acceptable and that the indicated standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

as amended by documents received on 23.02.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1** (i) Details relating to the
- a) appearance**
 - b) landscaping**
 - c) scale**
 - d) internal layout of dwellings**

shall be submitted to and approved by the Local Planning Authority before any development is commenced.

(ii) Application for approval of the details referred to in paragraph (i) above must be made no later than the expiration of three years beginning with the date of this decision notice.

(iii) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the details referred to in paragraph (i) above, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: No such details have been submitted and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 2** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

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 a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. 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 in 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

- 4** 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

- 5** No trees on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees removed or which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that as many trees as possible are preserved at this stage, in the interest of amenity.

- 6** No demolition, site clearance or building works (including trenches, pipelines for services or drains) shall be undertaken until Chestnut Pale fencing not less than 1.2 metres in height has been erected around every tree or tree group on the site shown to be retained on the submitted drawings at the furthest extent of the spread of the canopy of any tree or tree group except where development is hereby permitted within this area. The fence shall be placed so as to exclude the site of the said development but otherwise as far as possible from the trees. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment, materials or spoil shall be stored or positioned within these areas. Such fencing shall be retained during the course of the building works hereby permitted.

In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained are adequately protected

- 7** No bonfires shall take place within 6 metres of the furthest extent of the spread of canopy of any tree or tree group shown to be retained on the submitted drawings

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained on the site are adequately protected.

- 8** No trenches, pipelines for services or drains shall be sited under the spread of the canopy of any tree or tree group shown to be retained on the submitted plans without the prior agreement in writing by the Local Planning Authority

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all trees to be retained on the site are adequately protected.

- 9** A woodland management plan, including tree and shrub planting, habitat enhancement, long term design objectives, management responsibilities and maintenance schedules for shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The plan shall include arrangements and

timetable for its implementation and shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of good arboricultural practice and the visual amenities of the area.

10 No demolition, site clearance or building works shall be undertaken, and no equipment, plant, machinery or materials for the purposes of development shall be taken onto the site until an arboricultural method statement detailing the measures to be taken to construct the development and protect trees is submitted to and approved in writing by the Local Planning Authority.

The statement shall include details of:

Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;

Type and siting of scaffolding (if required);

Details of the method and timing of demolition, site clearance and building works

Depth, extent and means of excavation of foundations and details of method of construction of new foundations

Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;

Location of bonfire site (if required);

Details of the location of underground services avoiding locating them within the protected zone

Details of the method to be used for the removal of existing hard surfacing within the protected zone

Details of the nature and installation of any new surfacing within the protected zone

Methods proposed for the watering of the trees during the course of the project

The method statement shall be implemented according to the details contained therein until completion of building works, and all plant, machinery or materials for the purposes of development have been removed from the site.

Reason: To ensure that all existing trees to be retained are adequately protected and to comply with Policy NE7 of the Unitary Development Plan.

11 The applicant shall at his own expense instruct an arboricultural consultant, approved by the Council in writing to liaise with the developer and/or his architect or engineer to approve details of construction methods, oversee the works and report to the Council throughout the period of the works in so far as the works may affect trees within the site. Works shall not commence on site until a consultant has been appointed. After commencement of the project, all persons employed or engaged on the project shall immediately comply with any reasonable instruction, advice or request given or made by the arboricultural consultant in respect of works in so far as they relate or affect trees within the site, including an instruction to cease work if the arboricultural consultant considers that

works have deviated from the agreed working methods and in these circumstances works shall not recommence until or unless written authority has been given by the Council or the arboricultural consultant that such works may recommence.

Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.

12 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed 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 development and the visual amenities of the area

13 Details 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 development and the visual amenities of the area

14 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

In order to comply with Policy BE1 of the Unitary Development plan and in the interest of the appearance of the development and the visual amenities of the area

15 The development permitted by this outline permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run off rates to Greenfield rates in line with the standard of the Mayor's London Plan.

Reason: To reduce the impact of flooding both on and from the proposed development and third parties and in order to comply with Policies 5.12 and 5.13 of the London Plan.

16 Details of the layout of the access road and turning area including its junction with and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of **** in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.

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

17 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) 2015 (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.

18 Parking bays shall measure 2.4m x 5m and there shall be a clear space of 6m in front of each space (or 7.5m if garages are provided) to allow for manoeuvring and these spaces shall be permanently retained as such thereafter.

Reason: In order to comply with Policy T3 of the Unitary Development Plan to ensure that adequate on site parking is provided and in the interest of pedestrian and vehicular safety.

19 Garages shall have minimum internal dimensions of 2.6m x 6m and there shall be a minimum clear space in front of their doors of 6m (or of 7.5m where the garages are in a compound or opposite a structure or means of enclosure) to allow for manoeuvring and these dimensions shall be permanently retained as such thereafter.

Reason: In order to comply with Policy T3 of the Unitary Development pan to ensure that adequate on site parking is provided and in the interest of pedestrian and vehicular safety.

20 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.

21 Details of the finished surfaces of the access road, garage drives and parking areas, which shall include coloured materials and block paving, and of the street lighting installations, shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the access road, drives, parking areas and street lighting shall be completed in accordance with the approved details before any of the dwellings hereby permitted are first occupied.

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

22 Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policies BE1 and T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

23 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 Policies BE1 T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

24 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.

25 Each of the dwellings shall meet the Lifetime Home Standards (in accordance with the 2010 (Revised document). Details of these measures shall be submitted and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted and implemented in accordance with the approved details.

Reason: In order to ensure an adequate supply of accessible housing in the Borough in accordance with Policy 3.8 of the London Plan

26 The development hereby permitted shall incorporate measure to minimise the risk of crime. No development shall take place until details of such measure, according to the principles and physical security requirements of Secured 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 retains.

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

27 The acoustic fence indicated to the northern boundary of the site shall extend from the site entrance from Kings Hall Road to the rear of 175 Lennard Road.

Reason: In order to comply with Policies of the Unitary development Plan and in the interest of the amenities of the adjacent properties.

28 No extensions or alterations to the building)s) hereby approved, whether or not permitted under Article 3 to Schedule of the Town and Country

Planning (General Permitted development) (England) Order 2015 (or any other revoking, re-enacting or modifying that Order, shall be carried out without the prior written permission of the local planning authority.

Reason : To ensure that any proposals for extensions or outbuilding to the properties hereby approved can be considered by the Council and that the potential for any impact on the amenities of the occupiers

29 The dwellings hereby permitted shall not be more than 10.0m in height

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

30 Before the development hereby permitted is first occupied the proposed window(s) shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any opening shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details. In the interests of the privacy of adjoining properties any openings should be at high level.

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

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