

SECTION '2' – Applications meriting special consideration

Application No : 15/04574/FULL1

Ward:
Orpington

Address : Former Depot Site, Church Hill,
Orpington

OS Grid Ref: E: 546417 N: 166470

Applicant : Purelake Group

Objections : YES

Description of Development:

Demolition of existing depot buildings and erection of eight 2 storey, 3 bedroom terraced houses, 1 part 3/part 4 storey apartment block (Block B) with 17x2 bed, and 1x3 bed units and 1 part 2/part 3 storey apartment block (Block A) with 2x2 bed flats, together with 38 car parking spaces (including 2 visitor spaces), 66 cycle parking spaces, refuse and recycling facilities and associated landscaping , including pergolas in the car park.

Key designations:

Conservation Area: Orpington Priory
Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 29

Report Update

This application was originally report to Plans Sub-Committee No. 2 at the meeting held on 12th May 2016. The application was deferred for the following reasons:

- To re-assess the viability of the site for employment use or mixed use and to seek additional marketing
- Re-assess the affordable housing provision

The applicant's agent has provided the following response:

"It is strongly considered by the applicant that sufficient marketing information was submitted as part of the application, which demonstrated that the redevelopment of the site for employment use or mixed use would not be a viable option. The Case Officer, Karen Bradshaw, was satisfied with the level of information provided as part of the application, and recommended to Committee that the application should be approved. After careful consideration, we do not believe that providing additional information would be necessary.

With regards to affordable housing, it was also accepted by the Council that the proposed approach of a payment in lieu of on-site affordable housing was

acceptable. Contact was made with a number of the most prominent RP's in the local area who all responded with the same attitude that they would not be prepared to take on a small number of units on this site.

Therefore, both points have already been accepted by the London Borough of Bromley Council."

The original report is repeated below.

Proposal

Planning permission is sought for the demolition of the existing buildings and the erection of 28 new dwellings in 3 distinct areas on the site. Eight 2 storey terraced houses will be provided along the eastern boundary. Two x 2 bedroom flats will be provided in a part 2/part 3 storey building (Block A) along the western boundary of the site. Eighteen units (17x2 bedroom (including 2 wheelchair units) and 1x3 bedroom) will be provided in the southern part of the site (Block B). A courtyard is created in the centre of the development.

- Vehicle access into and out of the site will be provided using the existing vehicular access from Church Hill
- A total of 38 car parking spaces, including 2 visitor spaces and 3 disabled spaces, will be provided partly in the central courtyard and partly along the southern boundary of the site. A pedestrian access point is provided between this car parking area and the central courtyard to enable direct access to the flats from this area.
- A new pedestrian only access will be created in the eastern boundary between Block B and the houses providing access from the central courtyard to Bruce Grove.
- A total of 66 cycle parking spaces will be provided on site for the occupants of the flats and houses. 36 spaces are provided in a secure and lockable store within Block B. A further 30 spaces will be provided in secure and lockable store in Block A.
- Refuse and recycling storage is provided for all of the flats within Block B with access via an entrance facing Bruce Grove.
- A turning head is provided within the courtyard to enable vehicles to turn within the site and leave in a forward direction.
- A communal amenity area is provided to the rear of Block B.
- Balconies are provided for all of the upper floor flats.
- Terraces are provided for the ground floor flats.
- Rear gardens measuring 8.5m are provided for each of the houses.
- The existing entrance gates to Church Hill are to be retained and refurbished
- Provision of a green roof on Block B

There are a line of lime trees along the north-west side of the entrance road and 3 of these are protected by a Tree Protection Order. All of these are shown to be retained on the submitted plans.

Quantum of development

- The overall site area is 0.32 ha.
- The total gross internal floorspace proposed is 2,638 square metres (819 sqm of former depot buildings will be demolished).
- The footprint of the proposed building is 1153 sqm
- The total gross external area of the proposed buildings is 3952 sqm.
- The proposed density of development amounts to 87.5 units per hectare and 118 habitable rooms per hectare.

The applicant has submitted the following documents to support the application: Planning, Heritage and Affordable Housing Statement, Design and Access Statement, Financial Viability Assessment, Arboricultural Development Report, Transport Statement, Phase 2 Ground Investigation Report, Archaeological Desk Based Assessment, Bat Presence/Likely Absence Survey, Preliminary Ecological Appraisal, Site Investigation Report, Flood Risk Assessment, Marketing Report, Energy Statement, Statement of Community Involvement.

Details of the content of these reports are summarised in the relevant sections below.

Location

The 0.32 ha site is located immediately behind a row of properties on the eastern side of the northern end of Orpington High Street.

To the north east are commercial units and residential properties. The site is bounded by the Orpington Priory Conservation Area at this point and to the west of the site along the High Street. In this location and immediately adjacent to the site is also a statutory listed property known as Barn Hawe. This property is in the ownership of the applicant but is not included within the site. Barn Hawe is used currently used as offices on the ground floor and residential use on the first floor.

To the east are semi-detached residential properties in Bruce Grove, with on street parking controlled by a Controlled Parking Zone.

To the south west is a 3 storey continuous block of buildings associated with the High Street and private car parking.

To the north west are buildings fronting the High Street including a 4 storey office building, retail units and 2 restaurants.

The area is comprises a mixture of uses and includes both the commercial development in the High Street and the residential development in Bruce Grove.

The existing buildings on the site are those associated with the use of the site as a former dairy depot and have been used for informal storage and parking since the closure of the depot in 2012.

In addition the site lies within the Upper Cray Valley Archaeology Priority Area.

Consultations

Comments from Local Residents

Nearby properties were notified of the application. In addition a site notice was displayed and an advertisement published in the local press. Four representations have been received which can be summarised as follows;

- Serious concerns about parking as there is insufficient parking in this zone and this resident cannot park in Bruce Grove or surrounding streets at times. Insufficient number of parking spaces for residents and visitors.
- A condition requiring a Construction Methodology Statement should be added detailing how they intend to manage the site deliveries and impact on local residents (noise and dust) and agree the methodology with the Council.
- The application is not policy compliant - 50% affordable housing should be provided to meet London Plan policy, shortfall in onsite amenity space to the flats.
- Street scene and design is not in keeping with the surrounding area - monolithic and bulky continuous frontage to Bruce Grove with no breaks or staggers.
- Window to window conflict between new and future units.
- Materials condition is required.
- A condition should be applied to ensure that the new pedestrian access cannot be changed to a vehicle access in the future.
- The access gates should be removed or kept permanently open so that this does not become a gated development as this would be out of character with the area.
- The information about surface drainage is not sufficient and details of the effectiveness of the current surface water drainage system in relation to the development should be provided. A post-development surface water flood model for the local area indicating risks to existing properties and businesses should be provided.

Comments from Consultees

Highways

The site is located in an area with low PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible).

Thirty eight car parking spaces including spaces for visitors are proposed for all houses and flats instead of 39. It is 1 car space short but I will accept this as this area has CPZ/pay and display parking. The parking layout looks a bit tight so I would like to see a swept path analysis using Autotrack software for the proposed parking.

I have checked the swept path analysis for the delivery lorry and am concerned as the vehicle used for this analysis is 4.6t Light Van. This is not satisfactory as up to a 7.5t Box Van is required for 2 to 3+ bedroom house moves. I have attached

requirement by Freight Transport Association. Please ask the applicant to submit a swept path analysis for a 7.5 ton vehicle.

The applicant is now proposing to keep the existing vehicular access from Church Hill. For above mentioned reason I am not satisfied and am of the opinion that an in and out access would be beneficial i.e. enter from Church Hill and exit from Bruce Grove. Also a refuse vehicle or a removal company truck will completely block the traffic on Bruce Grove for a considerable amount of time.

A total of 66 cycle parking spaces will be provided on site. This level of provision is satisfactory but I noticed that the Hi-Rise Two Tier Cycle Storage is Non-Lift Assisted type. A Gas Assisted model should be provided so that less physically strong people such as women and children can use this facility with ease.

The refuse storage is located closer to the highway boundary and a dropped kerb is proposed protected through the introduction of a single yellow line. This is satisfactory; however, LBB Waste Service should be consulted regarding refuse storage and servicing of the units and also wheeling the bin between cars at pedestrian access point on Bruce Grove.

Please ask the applicant to address the above mentioned points so that I am able to make an informed decision.

Following submissions from the applicant the following revised comments have been received:

"The site is located in an area with low PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible).

Thirty eight car parking spaces including spaces for visitors are proposed for all houses and flats instead of 39. It is 1 car space short but I will accept this as this area has CPZ/pay and display parking.

I have seen the swept path analysis using Autotrack software for the proposed parking and am satisfied.

The applicant is now proposing to keep the existing vehicular access from Church Hill. Waste Services are satisfied that there sufficient width to safely manoeuvre containers with care and that there is a dropped kerb on Bruce Grove. The applicant has submitted a car Parking Video Survey for Bruce Grove and I am satisfied with the results.

A total of 66 cycle parking spaces will be provided on site. This level of provision is satisfactory and the applicant has agreed to provide a Hi-Rise Two Tier Cycle Storage is Non-Lift Assisted type Gas Assisted model so that less physically strong people such as women and children can use this facility with ease.

The refuse storage is located closer to the highway boundary and a dropped kerb is proposed protected through hatched lines. I have discussed this with our traffic section and they are prepared to accept introduction of a double yellow line, 24/7

No parking at any time, however, LBB Waste Service should be consulted regarding refuse storage and servicing of the units and also wheeling the bin between cars at pedestrian access point on Bruce Grove.

Please include the following with any permission:

Condition

H03 (Satisfactory Parking)

H08 (Turning area)

H16 (Hardstanding for wash-down facilities)

H19 (Refuse storage)

H22 (Cycle parking)

H23 (Lighting scheme for access/parking)

H24 (Stopping up of access)

H29 (Construction Management Plan)

H32 (Highway Drainage)

Non Standard Condition

- No loose materials shall be used for surfacing of the parking and turning area hereby permitted
- Section 106 contribution secured by section 106 agreement
- Contribution of £3000 towards future CPZ extension to be set against Orpington Town Centre as a whole.

Informative

DI16 (Crossover)

Non standard informative

Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant."

Waste Adviser

Comments that his only concern is that the passage from the bin store to the Refuse Collection Vehicle as potentially damage could occur from containers swinging into parked cars. There's also the risk of cars parking on the hatchings which would obviously impede access. That said, there is sufficient width to safely manoeuvre containers with care - as long as the kerb is dropped, I have no objections. Any condition relating to waste collection and storage can be discharged.

Drainage

Raises no objection and states that the submitted Surface Water design to include permeable paving, green roofs as well as a tank to restrict the discharge rate to 5l/s is acceptable. A condition is recommended requiring the submission of a surface water drainage scheme

Environmental Health

Noise

The site is located just off the High Street with a number of licensed premises in the immediate vicinity including two directly adjacent. There is potential for noise from these premises, people traffic using the High Street and plant noise. I would

recommend that we request an environmental noise assessment which should cover typical daytime and Friday or Saturday night time noise levels to determine whether any mitigations are necessary.

Air Quality

I would recommend that the following conditions are attached:

- Demolition works shall not begin until a dust management plan for protecting nearby residents and commercial occupiers from dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The development shall not be carried out other than in accordance with the approved dust management plan.
Reason: To protect the amenity of nearby residents and commercial occupiers in accordance with the London Plan Supplementary Planning Guidance The Control of Dust and Emissions During Construction and Demolition Guidance.
- Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site identifying efficiency and sustainability measures to be undertaken during site construction of the development has been submitted to approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.
Reason: To ensure that construction works do not have an advisers impact on the transport network In accordance with London Plan Policy 6.14.
- 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: To minimise the effect of the development on local air quality in line with NPPF p124 and Policy 7.14 of the London Plan.
- An electric car charging point shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces.
Reason: To minimise the effect of the development on local air quality in line with NPPF p124 and Policies 6.13 and 7.14 of the London Plan

Environment Agency

States that they have no objections and advise that the site is at low risk of fluvial flooding but consider that the site is at high risk if flooding from surface water and groundwater. They have amended their Flood Map for Planning (Rivers and Sea) provide to local planning authorities with the last update. With the update they removed a few of what were commonly referred to as 'phantom watercourses.' The Flood Map for Planning is a composite of a national generalised model, detailed localised modelling model, also picks up natural low points where there are no actual rivers. Most of these got filtered out, but a few remained, such as here. As

there is no river at this location, the flood risk here should not be classified as coming from a river. It is therefore, reclassified as surface water risk. According to the NPPF, residential development is categorised as more vulnerable in terms of flood risk.

Under the Flood and Water Management Act 2010, the responsibility for surface water runoff, ground water and ordinary watercourses now sits with the lead local authority, which is Bromley, and not with the EA. Advice should be sought from the Council's drainage team.

In addition, the EA have reviewed the 'Ground Investigation Report' submitted by Soils Ltd. An elevated concentration of arsenic in the soil was identified but the EA do not consider this to be a significant risk to Controlled waters and not requiring remedial measures. Relevant conditions are recommended relating to protection of ground water.

Thames Water raise no objections. In terms of sewerage waste disposal TW recommend a condition relating to the need for a piling method statement if piling takes place on the site. In terms of surface water drainage TW recommend a condition that shall ensure that storm flows are adequately attenuated or regulated, regarding manhole connection. In terms of water an informative is recommended about water pressure.

Metropolitan Police Crime Prevention Design Adviser

Raises no objections and states that the submitted documentation does not seem to give details of what measures are to be incorporated to achieve Secure by Design standards. The layout needs to be changed to ensure that the binstore and cycle store in Block B are completely separate. The MPCPDA recommends that a condition to seek a 'Secure by Design' Certification is attached to this application should permission be granted.

Historic England (Archaeology)

Raise no objection and state that no archaeological work need to be undertaken prior to determination of the application and recommend a condition to secure a programme of site work once the site is cleared to ground level.

Tree Officer

From an arboricultural point of view, the only significant trees within the site are the limes situated adjacent to the existing access. Three are protected by TPO and have been pollarded in the past. The protection measures illustrated in the Tree Protection Plan provide adequate protection to the retained trees.

The site will be largely hard landscaped to accommodate the parking area. This reduces the opportunities to incorporate new planting into the design layout. The Landscape Masterplan indicates proposed tree planting and other soft landscaping features. The landscape scheme is considered to be acceptable.

Conservation Officer

From a heritage and design point of view, this site is immediately south of the Grade II listed Barn Hawe which dates from the early-mid 19th century. The former

depot site is also just outside the Orpington Priory Conservation Area. The proposed development would improve the derelict site and the site layout and building heights acknowledge the listed building and there are no concerns about any negative impact on the setting of the asset or the conservation area. The design standards appear to be high and the active street frontage to Bruce Grove would be a positive enhancement to this area.

Planning Considerations

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes the Bromley Unitary Development Plan (UDP) (2006) and the London Plan (March 2015). Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) as well as other guidance and relevant legislation, must also be taken into account.

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

- H1 Housing Supply
- H2 & H3 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T18 Road Safety
- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE13 Development Adjacent to a Conservation Area
- NE7 Development and Trees
- IMP1 Planning Obligations

Planning Obligations Supplementary Planning Document
Affordable Housing Supplementary Planning Document

Emerging Bromley Local Plan

A consultation on draft Local Plan policies was undertaken early in 2014 in a document entitled Draft Policies and Designations Policies. In addition a consultation was undertaken in October 2015 in a document entitled Draft Allocation, further policies and designation document. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The most relevant emerging policies include:

Draft Policies and Designations Policies (2014)

- 5.1 Housing supply
- 5.3 Housing design
- 5.4 Provision of affordable housing
- 5.8 Side space
- 6.3 Social infrastructure in new developments
- 7.1 Parking
- 7.3 Access to services for all
- 8.1 General design of development
- 8.7 Development and trees
- 8.37 Development adjacent to a Conservation Area
- 10.1 Sustainable waste management
- 10.3 Reducing flood risk
- 10.4 Sustainable urban drainage systems
- 10.6 Noise pollution
- 10.7 Air quality
- 10.10 Sustainable design and construction
- 10.11 Carbon reduction, decentralise energy networks and renewable energy

Draft Allocations, Further Policies and Designation document (Sept 2015)

The application site is identified in this document as a draft site for residential and/or employment (approx. 30 units). The allocation does not include the building known as Barn Hawe. As stated above the document is a material consideration but at this stage in the development of the emerging Local Plan the policy carries minimal weight.

2. In strategic terms the most relevant London Plan 2015 policies include:

- Policy 1.1 Delivering the strategic vision and objectives for London
- Policy 2.6 Outer London: vision and strategy
- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 Affordable housing thresholds
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.5 Decentralised energy networks
- Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
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 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.13 Parking
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

Mayors Housing Supplementary Planning Guidance 2016
Housing Standards: Minor Alterations to the London Plan 2016
Parking Standards: Minor Alterations to the London Plan 2016

3. The National Planning Policy Framework 2012 (NPPF) is also relevant. The NPPF contains a wide range of guidance relevant to this application specifically sustainable development, delivering a wide choice of quality homes, requiring good design, conserving and enhancing the natural environment, decision-taking and implementation. The NPPF makes it clear that weight should be given to emerging policies that are consistent with the NPPF.

Planning History

The site has been the subject of numerous previous applications relating to the previous use as follows:

DC00/01235: Rationalisation of car park to form a total of 35 float charging bays and 8 staff parking spaces including new surface treatment to entrance together

with external alterations to garage block to create offices ancillary to dairy depot and partial demolition of wall attached to Barn Hawe. Approved 21.8.2000

DC/00/01239/LBC: Partial demolition of wall attached to Barn Hawe. Approved 14.06.2000

DC/00915/VAR: Variation of condition 06 of permission 00/01235 to allow dual use of parking bays for floats/delivery vehicles and staff parking in connection with rationalisation of car park and associated development. Approved 10.05.2001

DC/01/03377: Retention of five lighting columns - Revised lighting details pursuant to condition 4 of DC/01/00915 permitted 21.05.01 for rationalisation of car park to form a total of 35 float charging bays, 8 staff parking spaces and associated development. Refused and allowed on appeal on 19.5.2003

Conclusions

It is considered that the main planning issues relating to the proposed scheme are as follows:

- Principle of Development
- Scale, Siting, Massing and Appearance (including density)
- S106 contributions
- Standard of Accommodation and Amenity Space
- Impact on Neighbour Amenity
- Impact on Heritage Assets and character of the area
- Highways and Traffic Matters (including Cycle Parking and Refuse)
- Trees and Landscaping
- Other technical matters

Principle of Development

Loss of the existing buildings

The site is currently occupied by 2 structures; one is an open sided metal canopy with a small ancillary office building and the other is a brick building which wraps around part of the south and western boundaries. The buildings are commercial in appearance and do not contribute, in architectural terms, to the appearance of the site or the character and appearance of the local area or the adjacent Conservation Area. As such the demolition of these buildings is considered acceptable.

Loss of employment use

The applicant advises that the site was closed as a milk distribution depot in April 2012 and has since remained vacant apart from informal storage and parking. It should be noted that the applicant owns both the application site and adjacent listed building known as Barn Hawe, which was previously used as an office on the ground floor, which is now vacant, with a residential flat on the first floor with a long term tenant.

In policy terms, UDP Policy EMP 5: Development outside business areas is relevant and this states:

The redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that:

- (i) the size, configuration, access arrangements or other characteristics make it unsuitable for Use Classes B1, B2 or B8, and
- (ii) full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for these uses.

In addition the site has been included in the emerging Local Plan document entitled 'Draft Allocations, further policies and designations document'. The site is one of a number of sites in the borough identified as a possible site for residential and/or employment allocation. This document has been the subject of initial public consultation which was undertaken in October 2015 and it should be noted that this document is a material consideration. At this time the document has not been progressed to the next stage and, as such, carries minimal weight in terms of policy guidance.

Furthermore, NPPF Paragraph 22 is relevant here, which states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

To support the loss of the use of the site for business purposes the applicant has submitted a marketing report which sets out details of the marketing process undertaken for this site. The report advises that the marketing was undertaken between August and October 2012, shortly after the site was vacated. Eighteen offers were received from a range of developers including house builders, a supermarket development, a hotel scheme and a commercial development.

A significant number of offers, including all but one of the commercial and retail offers, were withdrawn when the bidders were advised by the agent that the demolition of the listed building would not be acceptable and the long term residential tenant has a Regulated Tenancy. One further commercial bid was rejected as the offer made was unacceptably low to the then owner.

One unconditional offer was accepted from the current applicant. The site remained on the market for a further year and no further interest was received for commercial or mixed use development. The freehold sale of the site was completed with the applicants in December 2014 and they have purchased both the application site and the listed building.

With regard to the suitability of the site for B1, B2 or B8 use, the site would not be suitable for B2 use due to its close proximity to residential properties in Bruce Grove and Church Hill. The site may be suitable for B1 use or B8 use with regard to size, configuration and access arrangements but the marketing campaign satisfactorily demonstrates that it was not possible to secure commercial interest in the site for these uses, having particular regard to the presence of the listed building on the site, the loss of which would not be acceptable in planning terms.

Having regard to the evidence provided by the applicant, it is considered that an appropriate marketing campaign has been carried out as required by Policy EMP5, which failed to secure commercial interest in the site. Furthermore, the proposed development would make a valuable contribution towards the delivery of housing (which is discussed in more detail below). On this occasion it is considered that the redevelopment of this business site is acceptable on balance.

Acceptability of proposed housing use

UDP Policy H1 requires the Borough to make provision for additional dwellings over the plan period acknowledging a requirement to make efficient use of sites in accordance with density/location matrix in Policy H7. London Plan policy 3.3 establishes a target for the provision of housing for the Borough. The target for Bromley is set at 641 units per annum. It is considered that, if approved, this scheme will make a valuable contribute to the housing supply.

The site lies to the rear of the High Street and is bounded to the north and east by streets that are primarily residential in character. The development has been designed to relate to these streets with the height of the buildings increasing towards the south, where there are other taller buildings beyond. In this respect it is considered that, in principle, the use of the site would provide a suitable setting for a development involving a mix of family houses and flats of varied housing types and sizes.

S106 contributions

The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, meaning that it is not possible to secure a planning obligation unless it meets the three tests.

In this instance in order to make the development acceptable in planning terms the following obligations are considered to be necessary:-

- Affordable Housing
- Contributions towards Education (£120,035) and Health (£38,015)

- £3000 towards future CPZ extension to be set against Orpington Town Centre as a whole.
- Reimbursement of the Council's legal costs associated with the drafting, finalising and monitoring the agreement.
- £3000 towards highway works in Bruce Grove to provide suitable access for refuse collection

The applicant has agreed to enter into a Section 106 agreement to secure the above obligations.

With regard to the provision of affordable housing, Policy H2 of the UDP requires the provision of 35% of habitable rooms as affordable housing. The London Plan policies 3.11 and 3.12 confirm that the borough should maximise affordable housing provision, where 60% of provision should be social housing and 40% should be for intermediate provision.

The applicant has submitted a Financial Viability Assessment (FVA) to demonstrate that the delivery of affordable housing as part of this scheme would not provide a viable development. In order to evaluate this position, the Council has appointed an independent consultant to assess the applicant's FVA. The initial assessment by the Council's consultant found that the suggestion that the scheme is unviable was not proven and that the scheme could support some affordable housing. Following discussions with the applicant, it is recommended that the scheme can support 3 units, namely 2 shared ownership units and 1 affordable rent unit or an equivalent payment in lieu set at £210,000.

The Council's preference is for the provision of on-site affordable housing and this is reflected in Policy H3 of the UDP which states that where it is determined that a site meets the size threshold and is suitable for affordable housing, payment in lieu of affordable housing on site or provision in another location will be acceptable only in exceptional circumstances and where it can be demonstrated that:

- (i) it would be impractical to transfer the affordable housing to a registered social landlord (RSL); or
- (ii) on site provision of affordable units would reduce the viability of the development to such a degree that it would not proceed;
- (iii) on site provision of affordable units would not create mixed and balanced communities and there would be benefit in providing units at another location.

In this instance, the applicant has provided evidence that they have contacted 5 Registered Providers (RP's), including Affinity Sutton and Hyde who are Council preferred providers, and in all cases the RP's have advised that they would not wish to take on the management of 3 units.

On this basis it is considered that the first criterion in Policy H3 has been met and it is recommended that a payment in lieu of £210,000 is accepted for the provision of affordable housing in this instance.

Scale, Siting, Massing and Appearance (including density)

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

UDP Policies BE1, BE11, H7 and H9 and London Plan Policies 3.5, 7.4 and 7.6 set out specific policy requirements relating to the standard of residential development that is expected in the borough. In addition Policies BE8, BE9 and BE11 set out standards expected for development involving or related to listed and locally listed building and in and adjacent to conservation areas. These policies refer to the design of new development, the standard that the development is expected to meet and the impact on the amenities of future occupants of the development and occupants of nearby properties.

The London Plan Policy 3.4 and UDP policy H7 seeks to ensure that development proposals achieve the optimum housing density within the local context, design principles and public transport capacity. Table 32 identifies appropriate residential density ranges and this site is considered to be in an urban location which allows between 55-225 units per hectare and 200-700 habitable rooms per hectare.

Officers have calculated the density of this 0.32ha site to be 87 units per hectare and 368 habitable rooms per hectare which sits within the London Plan matrix ranges above.

In terms of scale this is largely determined by the height and mass of the proposed development. In this case the scheme is divided into 3 distinct elements which, together inform the scale of the development.

In terms of height, the tallest building is Block B, which is a maximum of 4 storeys where it is close to the southern boundary reducing to 3 storeys as the building extends northwards towards Bruce Grove. The proposed houses are 3 storey in

overall height, some with a modern design and flat roof and some with a more traditional pitched roof design.

To put the height of the buildings into context there are 3-4 storey buildings close to the southern and western boundary where the Block B is tallest. The lower part of the Block B flats and houses relate primarily to the houses in Bruce Grove.

Block A sits behind the main building. The mass of this building is minimised when viewed from Bruce Grove and from the rear of properties in the High Street as a result of the provision of the 3rd floor in the form of a narrow, lightweight structure.

On this basis it is considered that the development has been designed to minimise the impact and the buildings relate favourably to the built form that is adjacent to each structure.

In terms of siting all of the built form is around the perimeter of the site leaving an open internal courtyard. This provides space within the development for parking, landscaping and amenity space. This also results in a more traditional pattern of urban form with flats and houses facing the street contributing to the urban setting that this development is within. The siting of the buildings in this manner also minimises the impact on the occupants of nearby dwellings; this matter is discussed further elsewhere in the report. The site provides a minimum side space of 1m to all boundaries in accordance with the requirements of UDP Policy H9.

In terms of appearance, there are a variety of elevational treatments that result in varied styles of building which creates interest both within and outside the site. There are 2 different house types that break up the elevational treatment of the proposed houses; one is more contemporary closest to the modern flats and the other is more traditional closest to the Conservation Area. The flats are a modern design and also make use of different and high quality materials to emphasise the varied elevation and roof types. Balconies are provided on all elevations, which adds relief and further breaks up the elevations and mass of the built form.

In summary it is considered that the scale, siting, massing and appearance of the proposed development relates well to the site itself and to the surrounding area reflecting the height of existing buildings and not overpowering the street scene. This will be complemented by landscaping in the front gardens for the houses and landscaping around the flats.

Impact on Heritage Assets and character of the area

In policy terms the application falls to be considered against policies BE8 and BE13 of the UDP and Policy 7.8 of the London Plan. These policies seek to identify heritage assets so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account. More specifically Policy BE13 expects that development adjacent to a Conservation Area will be expected to preserve or enhance its setting and not detract from view into and out of the Conservation Area. UDP Policy BE8 states that applications for development involving a listed building or its setting will be

permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting.

In the Planning, Heritage and Affordable Housing Statement, the applicant has considered the impact of the development on the adjoining Orpington Priory Conservation Area and the statutory listed building at Barn Hawe. It is expected that any impact on the setting of the listed building will be minor and an enhancement from the current inappropriate canopy and outbuildings from the dairy use. The removal of the canopy will improve the setting of the building. The proposed use will also constitute an enhancement of the setting of the building and satisfy the relevant tests as defined in the NPPF.

With regard to the impact of the development on the Orpington Priory Conservation Area, the Planning, Heritage and Affordable Housing Statement goes on to state that the conservation area borders the site on the north and west boundaries. The proximity of the site to the Conservation Area has required the design of the scheme to preserve or enhance the character and appearance of the Conservation Area. The characteristic iron gates at the site entrance will be retained as an important feature of the site and the Conservation Area.

In assessing the impact of the Conservation Area and the listed building it should be noted that, at the present time, the application site comprises 2 commercial buildings, namely a large canopy with integral office and a brick built storage building, with the remainder of the site set to hardstanding used for storage of products and vehicles. It is considered that the building detracts from the setting of the listed building and the character and appearance of the Conservation Area so the loss of the buildings is acceptable.

Turning to the impact of the development on the listed building, the existing canopy building is located approximately 5m immediately to the rear of the listed building and has a significant impact on the setting of the building. In the proposed layout the land closet to Barn Hawe will be rear garden area. The proposed northern elevation of the closest house will be between 6m and 10m from the back of Barn Hawe. It is recognised that the new building would be higher than the existing canopy but it is considered that the design and appearance of the proposed buildings will result in a significant visual improvement on the existing outlook and appearance of Barn Hawe.

On this basis it is considered that the proposed development will not result in significant harm to the setting of the listed building at Barn Hawe and, as such, is acceptable.

Turning to the impact on the Conservation Area, the closest building to the western boundary will be Block A which presents a rear elevation to the Conservation Area. The height of the building will be part 2 storey with a small 3 storey element and it is only the upper floors that will be visible from the High Street. The materials to be used are grey bricks with grey windows and a metal clad 3rd floor element. There will be vertical 'slit' windows to provide lighting to the internal corridor and break up this elevation.

Similarly the rest of the development will also be visible through gaps between the High Street buildings. The taller buildings that provide the houses and the flats in Block B are set back from the western boundary by between 20m and 30m.

The elevation to Church Hill remains unchanged with the listed building and the existing gates retained and the vehicle access continuing in use as such.

Whilst all of the new buildings will be visible from the High Street and Church Hill, it is considered that their location and height, with the tallest buildings set back from the Conservation Area boundary, means that the development will not be overly dominant and, when coupled with the removal of the existing commercial buildings from the site, would enhance the character and appearance of the Conservation Area.

Standard of Accommodation and Amenity Space

Part 2 of the London Plan Housing SPD (March 2016) sets out detailed guidance for achieving a high quality design for all new development that will ensure that the needs of all Londoners are met at different stages of life. The standards that development must meet relate to unit size and layout, private and communal open space, designing out crime, circulation within the building and within individual units, wheelchair units, car parking, cycle parking, refuse and recycling facilities, privacy and dual aspect units. Other London Plan policies also provide guidance on noise, daylight and sunlight, floor to ceiling heights, air quality, climate change and mitigation, water supply, flooding and ecology.

New developments should provide a range of housing choices in terms of mix of housing sizes and types. The development proposes the provision of units with a mix of sizes namely 9 x 3 bed units and 19 x 2 bed units.

In terms of standard of accommodation for all new residential accommodation, guidance is provided by the relevant policies of the London Plan. Table 4 in Policy 3.5 sets out the minimum space standards for dwellings and all of the proposed units exceed these minimum unit sizes.

All new housing will be required to meet the standards set out in Policy 3.8 of the London Plan which seeks 90% of new housing to meet the Building Regulation requirements M4(2) 'accessible and adaptable dwelling' and 10% to meet Building Regulations M4(3) 'wheelchair user dwellings.' This has replaced the previous Lifetime Homes and GLA Wheelchair standards. In this case the layout of the wheelchair units should demonstrate that they are easily adaptable for future residents who are wheelchair users. The aim of this policy is to provide housing for residents which is easily adaptable in order to lead dignified and independent lives. In order to secure these standards, it is necessary to apply a condition that the development meets the requirements meet the relevant Building Regulation standards.

Detailed layout plans have been provided for all units, including 2 wheelchair units. The applicant has confirmed that the proposed development is capable of meeting the requirements and the relevant conditions are recommended in this case.

In terms of amenity space, each flat has a private balcony or terrace that reflects the size of the dwelling and the number of proposed residents. In addition there is a communal green space to the north of Block B. The houses will have small front gardens facing Bruce Grove with rear gardens for each unit at the rear.

Through the design of the internal layout of the proposed buildings nearly all of the proposed units will benefit from dual access. The exceptions are the 2 flats in Block A which face onto the internal courtyard. The provision of windows in the rear elevation of this block to provide dual access would result in overlooking to properties in the High Street and it is considered that this is not acceptable.

In terms of daylight and sunlight London Plan policy guidance states that all homes should receive direct sunlight to enter at least 1 habitable room for part of the day and living area and kitchen dining spaces should preferably receive direct sunlight. The layout of each of the units is such that they will benefit from daylight and sunlight for part of the day, including the living and dining areas.

Impact on Neighbour Amenity

The relevant UDP policy relating to the impact of development on the amenity of the residents of adjoining residential properties is Policy BE1: Design of New Development. In addition to the site coverage, height and massing, which have been discussed previously in this report, it is necessary to assess the impact of overlooking that may result in the loss of privacy and the potential loss of daylight and sunlight to fully understand the impact of the proposed development on the amenity of occupants of adjoining residential properties.

In terms of loss of privacy, the main sensitive areas in this respect are the residents of houses in Bruce Grove and above the shops in the High Street.

With regard to the occupants of the High Street properties that back on the site, the rear elevation of Block A, which sits in this location will have vertical 'slit' windows to provide lighting to the internal corridor. This will minimise overlooking to the adjacent High Street properties and a condition requiring that these windows shall be fixed and obscure glazed is recommended.

The introduction of residential development on the site will give rise to a degree of overlooking towards properties opposite the site in Bruce Grove, however it should be noted that this would be towards the front of properties in a traditional street relationship. A separation distance of around 17m is to be maintained between the front elevations of the existing and proposed dwellings, which is considered sufficient to mitigate any potential overlooking in this case.

Having regard to the separation distances between the nearest properties in the High Street and Bruce Grove, it is not anticipated that a significant loss of light or prospect would arise, which would justify the refusal of planning permission on amenity grounds. The largest of the proposed buildings, the four storey flatted block (Block B) would be located in the southern corner of the site. The nearest dwelling at 6 Bruce Grove presents a flank elevation to this part of the site and it is

not anticipated that the scale of the development here would result in harm to the amenities of the occupiers of this property.

London Plan policy 7.15 seeks to limit the transmission of noise to sound sensitive rooms within dwellings. In this instance the Council's Environmental Health Officer raises some concern about the possible noise levels for future occupants of the development, particularly from the commercial properties in the High Street. To assess this impact a condition is recommended for the carrying out of an environmental noise assessment which should cover typical daytime and Friday or Saturday night time noise levels to determine whether any mitigation is necessary.

Highways and Traffic Matters (including Cycle Parking and Refuse)

In policy terms, the relevant UDP policies are T2 (transport effects) and T18 (road safety). The London Plan policy 6.13 seeks provision for car parking and charging electric vehicles and policy 6.9 seeks suitable provision for cyclists. These policies seek to ensure that the projected level of traffic generation will not have an adverse impact on the surrounding road network, that the level of proposed car parking is sufficient to minimise any impact on nearby streets from off-site parking, that the provision of cycle parking is sufficient to meet the London Plan and that the layout of the vehicle access provides safe access to and from the site.

In the Transport Statement, the applicant provides data relating to the likely number of trips generated by the site and looks at residential sites with similar characteristics to the application site. It also looks at the traffic generation from the previous use of the site as a depot. The report concludes that there would not be a material impact on the local highway network.

With regard to car parking for the site the TS shows a total of 38 vehicles which equates to 1 space per flat (including 3 disabled spaces) and 2 spaces per house plus 2 visitor spaces will be provided. The applicant considers this to be a generous allowance which is not likely to result in overspill parking. An evening 'beat survey' of the existing demand for on-street parking was also undertaken and it was found that at least 1 space (and up to 10 at certain times) was available in Bruce Grove. A report entitled 'Response to LB Highway Comments' included a 24 hour 'video survey' of the use of on-street parking in Bruce Grove. This shows that on average throughout the day there are 5 vehicles parked in Bruce Grove which leaves spaces for car parking and delivery vehicles if the need arises.

The applicant advises that the London Plan 2016 standards in Policy 3.13 would allow for up to 1.5 spaces per 3 bed unit and less than 1 space per 1-2 bedroom unit. The proposed parking would be an average of 1.36 spaces per unit which is in keeping with the matrix in the London Plan which suggests the provision of 1-1.5 spaces per unit in development of the density proposed and in the location proposed.

With regard to larger delivery/removals vehicles, the applicant states that the proposed development is unlikely to generate significant numbers of such movements and that the parking surveys show that there is likely to be on-street parking to deal with these events. Regarding refuse and recycling collection, the

applicant proposes that this takes place from Bruce Grove. In order to facilitate this, the applicant has agreed to contribute towards highway works to alter the existing on-street car parking arrangements (by reducing 2 car parking spaces to 5m length) to provide a gap between the cars and the provision of associated yellow hatched markings, single yellow lines and a dropped kerb in the highway to secure pull space from the bin store to a waiting refuse vehicle.

The applicant advises that 66 cycle parking spaces will be provided for the flats and houses. These are shown to be in secure and covered accommodation within Blocks A and B.

Initially concerns were raised by the Councils Highways Officer to arrangements for refuse collections and large commercial vehicles, such as removal lorries, to use Bruce Grove, the accessibility of certain car parking spaces, the arrangements for the internal turning area for lighter delivery vehicles and the lack of provision for assisted cycle racks. The applicant submitted a document entitled 'Response to LB Bromley Highway Comments' addressing these concerns

Following consideration of the original and revised submissions, it is considered that the impact on the highway network is not significantly different to the level of activity associated with the previous use and that the number of vehicles entering and leaving the site will not generate significant local congestion at peak times. Cars will not be entering or leaving the site via Bruce Grove so the impact on the occupants of houses in this street is largely unaffected in this respect.

In the light of the parking 'beat' survey, the 24 hour video car parking survey in Bruce Grove, the availability of CPZ spaces in Bruce Grove and the level of on-site car parking spaces it is considered that the level of provision for car parking for this development is acceptable.

With regard to cycle parking the number of spaces and the cycle parking storage provision for the flats is considered acceptable. A condition securing assisted cycle racks is recommended.

The arrangements for refuse/recycling collection and deliveries via Bruce Grove described above is also considered acceptable.

It should be noted that 8 parking spaces are provided on the southern boundary with access taken from a highway that serves the rear of properties at 115-123 High Street. This highway is already used for access and car parking for the above development. In order to ensure that access to the car parking spaces can be secured, the applicant has submitted legal documents that have been checked by officers and found to confirm that access can be provided into the long term future.

Trees and Landscaping

Policies BE11, NE7 and NE8 of the Unitary Development Plan provide policy guidance for the consideration of the impact of development on trees.

Policy NE7 requires new development to take particular account of existing trees on the site which, in the interests of visual amenity and wildlife habitat, are considered desirable to retain. Tree Preservation Orders will be used to protect trees of environmental importance and visual amenity. Where trees have to be felled, the Council will seek suitable replanting. Policy NE8 seeks to improve the amenity and conservation value of trees and woodlands and the Council will encourage appropriate beneficial management, appropriate new planting in suitable locations and promote public interest in and enjoyment of trees and woodlands.

The applicant has submitted an Arboricultural Development Report which advises that 2 individual and 3 groups of trees will be removed from the site as they are in direct conflict with the proposed development. These trees are all located along the eastern boundary. These trees are all classified as Class C or U trees (which means that they are trees of low quality and value and could be retained until new planting has been established or removed for good arboricultural reasons).

The landscaping plan shows a scheme for landscaping and replacement tree planting. The tree planting will include standard and extra heavy standard trees on the boundary and within the site. Shrub planting will be provided around all of the buildings with lawn areas for the communal area and the rear gardens of the houses. Pergolas are shown covering some of the car parking spaces in the courtyard and these will have planting over them.

A green roof is shown on the top of Block B.

The existing trees along the vehicle access are shown to be protected in accordance with the tree protection measures set out in the arboricultural report. The applicant advises that they will seek to reduce the canopy of the TPO trees within the access drive and this will be considered as part of a separate application.

The Council's Tree Officer has observed that the site will be largely hard landscaped to accommodate the parking area. This reduces the opportunities to incorporate new planting into the design layout. The Landscape Masterplan indicates new tree planting and other soft landscaping features. The landscape scheme is considered to be acceptable.

On this basis it is considered that the removal of the trees along the boundary, the landscaping strategy showing shrub and replacement and new tree planting and the protection measures set out in the Arboricultural Report are acceptable, subject to compliance conditions seeking these works to be carried out in accordance with approved plans and documents

Other Technical Matters

Ecology

In policy terms this report is assessed against Policy 7.19 of the London Plan which seeks a proactive approach to the protection, enhancement, promotion and management of biodiversity in support of the Mayor's Biodiversity Strategy.

The Preliminary Ecological Appraisal carried out a site inspection and took account of other freely available ecological information and it was found that only 2 protected species warranted further investigation, namely bats and birds. There was negligible evidence found of other protected species on the site.

With regard to birds, it was found that they may nest in the trees on the site. If this was found to be the case removal of trees should be undertaken outside the period of 1st March to 1st August.

With regard to bats, a Bat Presence/Likely Absence was recommended and undertaken in July 2015. Bats were heard but not seen in the area and no bat roosts were found. No further survey work is considered necessary and the report recommends that 5 bat boxes are provided on houses in the development. A condition to secure this measure is recommended.

Sustainability and Energy

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. For major development proposals there are a number of London Plan requirements in respect of energy assessments, reduction of carbon emissions, sustainable design and construction, decentralised and renewable energy. Major developments are expected to prepare an energy strategy based upon the Mayors energy hierarchy adopting lean, clean, green principles.

The applicant has submitted an Energy Statement which sets out measures to meet London Plan policies 5.2: Minimising carbon dioxide emissions and Policy 7.7: Renewable energy.

The report concludes that the proposed building enhancements will result in the building DER meeting the TER under the Building Regulations 2013. Photo Voltaic panels would be incorporated to help meet London Plan CO2 reductions through renewable sources. The proposal will address sustainability principles in terms of use of energy and water, construction techniques and building materials, waste, pollution and health and well-being. The site is not located within proximity of a district heat network and is not considered to be suitable for CHP.

Whilst the information suggests that the scheme can technically achieve the policy requirement, officers would expect to see an increase in the proportion of carbon reduction from energy efficiency in the final design of the development and not rely

so heavily upon PV panels. In summary, it should be clear that energy efficiency has been maximised before the remainder of the energy hierarchy is engaged. Consequently a condition is recommended to ensure that a further more detailed site wide energy statement is submitted so that policy requirements in the London Plan can be met in full.

The applicant has also submitted documentation regarding the use of solar panels in conjunction with a green roof. A condition has been recommended requiring full details of these products.

Drainage and Sustainable Urban Drainage Systems (SUDS)

Policy 5.13 of the London Plan requires development to utilise SUDS, unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy in the policy. The supporting text to the policy also recognises the contribution 'green' roofs can make to SUDS. The hierarchy within that policy is for a preference for developments to store water for later use.

The Environment Agency advise that the site is situated in an area of low risk from river-related flooding but there is a high risk from surface water and groundwater flooding. As required by the paragraph 103 of the NPPF, the applicant has submitted a Flood Risk Assessment with the original submission. Their report considers the site to be low risk of flooding from groundwater, sewers, reservoirs and artificial drainage. However to take account of the risk, the finished floor levels have been raised 620mm above the road level.

The applicant goes on to advise that the existing site is currently a large expanse of impermeable hardstanding, which increases the rate of water run-off and increases the problem of flood risk. The proposed development would increase the amount of permeable surfaces on the site which would help infiltration and percolation of surface water into the ground, and, therefore, reduce the risk of flooding on and around the site in accordance with the SUDS hierarchy .

In accordance with the current legislation the Council is lead local authority and responsibility for surface water runoff, ground water and ordinary watercourses. The Councils Drainage Officer has assessed the submitted drainage strategy and advises that the submitted surface water design to include permeable paving, green roofs as well as a tank to restrict the discharge rate to 5l/s is acceptable. A condition is recommended requiring the submission of a surface water drainage scheme at detailed design stage and prior to the commencement of any works on site.

The Environment Agency has also reviewed the 'Ground Investigation Report' submitted by Soils Ltd. An elevated concentration of arsenic in the soil was identified but the EA do not consider this to be a significant risk to Controlled waters and not requiring remedial measures. Relevant conditions are recommended relating to protection of ground water.

Contaminated Land

The applicant has submitted a Phase II Ground Investigation report and found that there are elevated levels of arsenic and asbestos on the site. The report sets out a detailed strategy to deal with these pollutants. The Council's Environmental Health Officer has recommended a condition to seek the submission of details of remedial works and subsequent appropriate actions.

Archaeology

The site lies within the Upper Cray Valley Archaeology Priority Area.

The applicant has submitted an Archaeological Desk-Based Assessment of the site which advises that there is high potential for 19th century and modern remains at the site. Artefacts have historically been found near the site in Bruce Grove and Priory Gardens and there is potential for deeply buried prehistoric, roman and medieval remains to be found.

Historic England (Archaeology) have assessed the submitted report and recommend that work to remove the existing structures from the site to ground level is acceptable. Prior to any further work below ground level a Written Scheme of Investigation, including a trial trench evaluation, should be submitted to the LPA for consideration. A condition requiring the submission of the Written Scheme of Investigation is recommended accordingly.

Mayoral Community Infrastructure Levy

The development will be liable for the payment of the Mayoral CIL

Environmental Impact Assessment

As the site is less than 1ha in size and provides fewer than 150 dwellings there is no requirement to screen the proposed development under the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2015.

Summary

The proposed development raises issues relating to the loss of an employment site, the nature and scale of the proposed development, its impact on adjacent heritage assets and residential neighbouring properties. This report has considered matters in the light of adopted and emerging policies and other material considerations including third party representations. As discussed above the redevelopment of the site is considered to make a positive contribution at a time where commercial or mixed use development on the site has not attracted developers to implement such a scheme. The quantum of development is considered to relate successfully to the local environment and would not result in a significant impact on nearby residents so as to warrant refusal of the application. In addition the removal of unsightly existing buildings and replacement with a varied mix and style of buildings with varied appearance and materials is considered to

make a positive contribution to the character and appearance of the Conservation Area and the setting of the listed building.

Officers consider that, with the recommended mitigation, planning condition and obligations in place, the proposal represents an appropriate form of development.

Background papers referred to during the production of this report comprise all correspondence on file ref: 15/04574, excluding exempt information.

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT (relating to affordable housing, highway works, CPZ extension and health and education contributions)

and the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990

2. The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans and documents, as follows:

Existing Plans

6187 40 P1; 6187 41 P1; 6187 42 P1

Proposed Plans

6187 LOC P1; 6187 01 P1-A; 6187 01 P1-A; 6187 05 P1; 6187 06 P1-B; 6187 07 P1; 6187 08 P1; 6187 09 P1; 6187 10 P1-B; 6187 11 P1; 6187 12 P1; 6187 13 P1; 6187 15 P1; 6187 016 P1; 6187 17 P1-A; 6187 18 P1-A; 6187 19 P1-A; 6187 20 P1; 6187 21 P1; 6187 22 P1; 6187 50 P1; LLD873/01 Rev 01; 6187 SK 05

Documents

Planning, Heritage and Affordable Housing Statement by ECE Planning dated November 2015

Design and Access Statement by ECE Architecture dated September 2015

Transport Statement by Vectos dated October 2015 including plan 151704/AT/E01A

Vectos Response to LB Highway Comments dated 11.1.13 received by email on 11.1.16

Broxap details of Hi-Rise Two Tier Cycle Storage System

Accommodation Schedule 002 received on 23.11.2015

Financial Viability Assessment by Turner Morum dated 20.10.2016

Flood Risk Assessment by RSK dated October 2015

Phase II Ground Investigation Report by Soils Ltd dated March 2015

Archaeological Desk-Based Assessment by Heritage dated February 2015

Statement of Community Involvement by ECE Planning dated October 2015

Energy Statement by SRS Partnership dated October 2015

Preliminary Ecological Appraisal by Arbtech dated

Bat Presence/Likely Absence by Arbtech

Arboricultural Development Report by Arbtech dated 22.4.2016 and Landscape Masterplan Strategy (LLD873/01 Rev 01 by Lizard Landscape Design)

Flood Risk Assessment by RSK dated October 2015

Marketing Report by Harold Stiles Williams dated 25.9.2015

Letter dated November 20th 2015 from ECE Planning

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with Policy BE1 of the Bromley Unitary Development Plan

- 3 Details and sample boards of all external materials to be used for the development, including roof cladding, wall facing materials and cladding, windows and door frames, window glass, decorative features, rainwater goods and any parts of the site not covered by buildings, 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 Bromley Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 4 Before any work on site is commenced a site wide energy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The assessment shall include details of measures to incorporate PV panels in conjunction with a green roof. The results of the strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve an agreed reduction in carbon dioxide emissions of at least 35% above the TER level required by the Building Regulations 2013. The development shall aim to achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final design, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.**

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2015.

- 5 Details of PV panels that are compatible with the provision of a green roof shall be submitted to and approved by the Local Planning Authority prior to the commencement of development and shall be installed in accordance with the approved plans prior to the first occupation of the development and shall be permanently maintained in operational order thereafter.

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2, 5.7 and 7.19 of the London Plan 2015.

- 6 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: To ensure a satisfactory means of surface water drainage and to accord with Policy ER13 of the Unitary Development Plan.

- 7 Demolition works shall not begin until a dust management plan for protecting nearby residents and commercial occupiers from dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The development shall not be carried out other than in accordance with the approved dust management plan.

Reason: To protect the amenity of nearby residents and commercial occupiers in accordance with the London Plan Supplementary Planning Guidance: The Control of Dust and Emissions During Construction and Demolition Guidance.

- 8 Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site identifying efficiency and sustainability measures to be undertaken during site construction of the development has been submitted to approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

Reason: To ensure that construction works do not have an advisers impact on the transport network In accordance with London Plan Policy 6.14.

- 9 Prior to the commencement of development an assessment of environmental noise which shall include consideration of existing and likely future noise from surrounding commercial uses (including noise from licensed premises and fixed plant) shall be submitted to and approved in writing by the Local Planning Authority. The results of the approved assessment shall be used to inform a scheme of mitigation to the proposed dwellings which shall include, as necessary, glazing and ventilation specification and other mitigations to ensure a good standard of residential amenity at all times. The scheme of mitigation shall be submitted to the Local Planning Authority prior to the commencement of development and once approved shall be implemented prior to the first occupation of the development in accordance with the approved details and permanently maintained thereafter.**

Reason: To comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of future residents of the site.

- 10 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.

11 (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 a Written Scheme of Investigation which has been approved by the local planning authority in writing and a report on that valuation has been submitted to and approved by the local Planning authority in writing.

(B) Under Part A, the applicant (or heirs and successors in title) shall implement a programme of archaeological trial trench in accordance with the Written Scheme of Investigation.

(C) the development shall not be occupied until the site investigation and post-investigation has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision of analysis, publication and dissemination of the results and archive deposition secured.

Reason: Heritage Assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF

12 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations 2010 M4(2) for the units identified in the Compliance Checklist marked as non-wheelchair compliant units and shall be retained permanently thereafter

Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants

13 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations 2010 M4(3) for the units identified in the Compliance Checklist marked as wheelchair units and shall be retained permanently thereafter.

Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.

- 14 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet specific needs of the application site and the development. Details of those measures shall be submitted to 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. The security measures to be implemented in compliance with this condition shall achieve the Secured by Design accreditation awarded by the Metropolitan Police.**

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

- 15 The development shall be implemented in accordance with the Tree Protection Plan submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.**

Reason: To maintain the visual amenity of the area. Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

- 16 The approved landscaping details shall be implemented in the first planting season following the 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 completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a 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.

- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

REASON: In order to enable the local planning authority to control future development in the interests of visual and residential amenity

- 18 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

- 19 The development hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawing(s).

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.

- 20 Before the development hereby permitted in first occupied, the proposed windows shown on the upper levels of the north western elevation of Block A on the approved plans shall be glazed to a minimum privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room in which the window is installed and shall be subsequently permanently retained as such.

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

- 21 Prior to the first occupation of any of the units details of the provision of 5 Bat boxes to be provided on buildings facing south or south east shall be submitted to and approved by the Local Planning Authority. The boxes shall be installed prior to the first occupation of any of the units and permanently retained thereafter.

Reason: To comply with the Bat Presence/Likely Absence report and to improve the biodiversity value of the site in accordance with policy 7.19 of the London Plan.

- 22 No construction works or deliveries in connection with construction works shall take place on the site other than between the hours of 8am and 6pm on Monday to Fridays and 8am and 1pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Policy BE1 of the Unitary Development Plan.

- 23 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 prior to the first occupation of the development hereby permitted. 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 Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

- 24** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted 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.

- 25** 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

- 26** The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings 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.

- 27** Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided in accordance with the details shown on the submitted drawings and the technical information for the Broxap Hi Rise Two Tier Cycle Storage System (Gas assisted) 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.

- 28 The proposed vehicle access from Church Hill shall be kept clear of parked motor vehicles at all times to maintain a carriageway width of a minimum of 6m and to allow two way vehicle traffic flow at all times.**

Reason: In the interests of highway safety and the safety of vehicles and pedestrians entering and leaving the site and to comply with Policy T18 of the Unitary Development Plan.

- 29 The new pedestrian access to Bruce Grove between Block B and the terrace of houses hereby approved shall be used for pedestrian access only and not be used for vehicle access at any time without the prior written approval of the Local Planning Authority.**

Reason: To accord with the approved plans and documents and comply with Policy BE1 in the interests of the amenity of the residents of nearby residential properties.

- 30 No impact piling shall take place until a piling impact method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage and infrastructure subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the team of the approved piling statement**

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local sewerage utility infrastructure In the interests of the protection of the sewerage system and to comply with Policy 5.14 of the London Plan.

- 31 Piling and other foundation designs using penetrative methods shall not be permitted other than with the express consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. Where soil contamination is found it is recommended that a risk assessment is carried out in accordance with Environment Agency guidance 'Piling on Contaminated Sites.' The development shall be carried out in accordance with the approved details.**

Reason: Piling and other penetrative methods of foundation design can potentially result in unacceptable risks to underlying groundwaters and to comply with Policy 5.14 of the London Plan 2016.

- 32 If, during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for a remediation strategy detailing how this**

unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the local planning authority. The applicant to also consult the Environment Agency should any contamination be identified that could present unacceptable risk to controlled waters.

Reason: To deal with the risk of unexpected circumstances during development groundworks and to comply with Policy 5.14 and 5.21 of the London Plan.

- 33 Whilst the principles and installation of sustainable drainage systems are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than that with the express consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater and to comply with Policy 5.14 of the London Plan 2016.

- 34 Other than structures shown on the approved plans, no other structures, including water tanks, plant and lift rooms shall be erected upon the roof(s) of the approved building without the written approval of the Local Planning Authority.

- 35 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: To minimise the effect of the development on local air quality in line with NPPF p124 and Policy 7.14 of the London Plan.

- 36 An electric car charging point shall be provided to a minimum of 20% of car parking spaces within the site, with passive provision of electric charging capacity provided to an additional 20% of spaces.

Reason: To minimise the effect of the development on local air quality in line with NPPF p124 and Policies 6.13 and 7.14 of the London Plan

You are further informed that :

- 1 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 in 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 this site and/or take action to recover the debt.

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

- 2 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses, or suitable sewer, In respect of surface water it is recommended that the applicant should ensure the storm flows are attenuated are attenuated or regulated into the receiving public network through on and off site storage. When it is proposed to connect to a combined sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777
- 3 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and Numbering
- 4 Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with GLAAS guidelines. They must be approved by the planning authority before any on-site development related activity occurs
- 5 Thames Water aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9litres/minute at the point where it leaves Thames Water pipes. The developer shall take account of this minimum pressure aim the design of the proposed development.
- 6 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 7 DI16 crossovers
- 8 You are advised to contact the Pollution Team of the Environmental Health and Trading Standards to agree the methodology for the environmental noise assessment recommended in condition XX above.
- 9 Before works commence, the applicant is advised to contact the Pollution Team of the Environmental Health and Trading Standards

regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Pollution Act 1990. The applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Site Core of Practice 2008 which is available on the Bromley website.

If during works on site any suspected contamination is encountered the Environmental Health should be contacted immediately.

- 10 It should be noted that loose materials for surfacing of the vehicle access, parking and turning area will not be acceptable**