

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/02685/FULL1

**Ward:**  
**Darwin**

**Address :** Land Adjacent 2 (demolished) Main  
Road Biggin Hill

**OS Grid Ref:** E: 541204 N: 160889

**Applicant :** Taylor Wimpey South West Thames      **Objections :** YES

### **Description of Development:**

Erection of 16 dwellings (4 x 2 bed flats, 4 x 3 bed houses and 8 x 4 bed houses) with access from Main Road A233 together with 41 car parking spaces (including garages), cycle parking, refuse storage and landscaping.

#### **Key designations:**

Conservation Area: RAF Biggin Hill  
Biggin Hill Noise Contours  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
Major Development Sites  
Smoke Control SCA 24  
Technical Sites BH

### **Proposal**

Full planning permission is sought for the erection of 16 dwellings (4 x 2 bed flats, 4 x 3 bed houses and 8 x 4 bed houses) with access from Main Road A233 together with 41 car parking spaces (including garages), cycle parking, refuse storage and landscaping. Details of the proposal are set out below:

- 16 residential units comprising four x 2 bed flats, four x 3 bed houses and eight x 4 bed houses;
- Buildings are two storeys in height and include detached and semi-detached houses with the four flats (plots 6-9) being located within a two storey block attached to the house at plot 5;
- the development is laid out in a cul-de-sac arrangement with the main vehicular access proposed from Main Road A233 with a pedestrian and cycle route through to Moxey Close to the north;
- Two units are designed to be wheelchair accessible and are located within the ground floor of the apartment building at plots 6 and 7;
- Buildings are of traditional appearance featuring hipped or gable ended pitched roofs utilising a traditional palette of bricks, render and concrete roof tiles along with uPVC windows;

- a scheme of hard and soft landscaping is proposed including a small open green area towards the centre of the site taking into account two mature trees which are to be retained;
- a number of trees/vegetation are proposed to be removed as part of the proposal, particularly along the southern edge of the site bordering Main Road;
- Parking for a total of 41 vehicles including 3 visitor spaces, 8 communal spaces (including 2 disabled) and spaces within attached or detached garages or on driveways is proposed;
- Each unit is provided with an allocated bin storage area with a specific collection point for plots 11 and 12 located adjacent to the southern boundary of the site for accessible servicing.

The applicant has submitted the following documents and, in some cases, subsequent addendums to support the application:

- Transport statement (June 2016)

The report considers the existing situation, considers the land use and transport planning policy context for the new development and sets out the predicted weekly peak hour trip generation of the proposed residential use. Direct access to the development will be provided from Main Road via a simple priority T junction. The report considers that suitable visibility splays are achievable, with improvements proposed to Main Road to improve highway safety. A stage 1 road safety Audit has also been undertaken. This raises no concerns with these proposals.

The report ascertains that car parking is proposed in line with local standards and national guidance and is considered sufficient to reduce the possibility of residents or visitors to the site parking on the local highway. Furthermore, the anticipated level of vehicular trips has been assessed and finds that there would be a negligible increase in vehicular trips during the AM and PM peak hours, with 1 additional vehicular movement forecast every 3-4 minutes.

Overall it concludes that no significant highways or transport issues would arise as a result of the development.

- Ecology appraisal and Protected Species Survey (Dec 2014)

An extended Phase 1 Habitat Survey was undertaken in June 2013 with a further survey in November 2014. Bat surveys were undertaken in August 2013 and the majority of trees in the site are considered to have negligible bat roosting potential. 4 trees are considered to have some potential for roosting bats including T11 and T12 which are to be removed and T14 and T15 (to be retained). The underground bunker was also surveyed and no evidence of roosting bats was found. Updated Badger surveys were carried out in November 2014 and no badger activity was identified on site nor were any setts identified in the immediate surroundings. Reptile surveys were carried out in July 2013 and found no recent reptile activity at the site.

Overall, the site is considered to have low value for local wildlife with some minor potential for roosting bats and protected nesting birds and the report recommends a series of impact avoidance measures and ecological enhancement measures to limit impact on protected species and ecology. In the event that any evidence of

bat roosts or badger activity are discovered prior to or during construction, a professional ecologist should be consulted to investigate and advise on the next course of action.

A grassland area in the south-west corner of the site which is considered to be of Local ecological value due to the presence of pyramidal orchid will be lost to development and mitigation planting including the re-use of soil which contains the orchid tubers is recommended to increase the chances of retaining an orchid colony on site. No significant impacts on the adjacent SSSI are anticipated as a result of the development.

- Arboricultural report including tree survey and impact assessment (June 2013)

17 trees are to be removed as part of the proposal. The line of cypress which grows along Main Road is considered to be visually prominent and has become overgrown to the point where some stems are failing. The report suggests that following their removal new trees should be introduced to provide long-term tree cover along this boundary. The report concludes that the scheme has been considerate of the better quality trees by seeking their retention and removal of the lesser quality trees, although some are prominent, is justified. Furthermore, the report considers that the loss of trees is compensated for by the planting of new trees.

- Energy statement (May 2016)

The document examines five methods of bringing the developments energy target in line with London Plan requirements including fabric first, low carbon and renewable technologies to achieve a 35% reduction in carbon dioxide emissions over the 2013 Building Regulation target rate. However the conclusions of the report are left open-ended.

- Flood risk assessment (Jan 2015)

The site is located within Flood Zone 1 which is defined as having a low risk of flooding. The report considers that the main perceived source of flood risk to the site is from the increase in hardstanding areas, whereby the surface water generated from the site is also increased. However, the proposed drainage strategy and the associated SuDS systems will provide sufficient surface water attenuation at source, therefore reducing the surface water on the site. The report concludes that the Site will not be at significant risk of flooding, or increase the flood risk to others.

- Surface Water Drainage Statement (June 2016)

The report concludes that the proposal will not increase the risk of flooding on and offsite, as a result the Flood Risk Assessment previously produced for the site still applies for the revised layout.

- Phase I Desk Study, Site Reconnaissance & Phase II Site Investigation Report (December 2014):

In view of the development history of the site it is considered likely that made ground soils at the site will be contaminated and potentially unsuitable for retention as part of the proposed residential use.

- Noise impact assessment

An assessment of the expected exposure to noise of the proposed development was undertaken and the report recommends outline mitigation measures including glazing specification and use of appropriate ventilation to achieve acceptable internal noise levels at the development. Consideration has also been given to LBB's UDP Airborne Aircraft Noise Contours as the site falls within two contour areas: 57-60 dB(A) and 60-63 dB(A). The report finds that the ambient noise levels on the front of the site exceed the UDP contour noise levels by virtue of the prevailing road traffic noise on Main Road. The report concludes that the measured data on the front façade is therefore suitably robust. Furthermore, it considers that the development is likely to improve background noise levels at many existing dwellings that would otherwise be directly exposed to road traffic noise from Main Road.

Further intrusive works and laboratory testing will be required to determine the level of risk and any mitigation measures that may be required to enable safe future residential use on the site. It is also considered that there would be potential for perched groundwater within overlying made ground soils or associated with buried structures.

- Utilities Statement (May 2015)

The report finds that there are no strategic utilities which run through the site that would need to be diverted to accommodate the proposed layout. Furthermore, there is available capacity in the water network to accommodate the proposed development, capacity for foul flows to the network as well as a nearby telecommunications network which could be utilised. Overall, it concludes that the proposals will not have a detrimental impact on the surrounding utility structure and the scheme can be supplied with gas, potable water, telecommunications, sewerage and electricity without requiring any significant off-site reinforcement/improvement works.

The application is also accompanied by a Planning Statement and Design and Access Statement, in which the applicant submits the following summary points in support of the application:

- Principle of development on the site has been established with the approval of outline approval for the heritage centre, car parking and coach parking (application ref.04/02334) in June 2005
- this application was submitted in tandem with application ref.04/02322 which relates to the residential development of the former married quarters site to the north for approx. 140 houses
- the legal agreement which links the two planning permissions sets out the terms for any future development of the designated Heritage Centres site
- the agreement states that in the event the Council grants planning permission for residential uses on the Heritage Centre land, that a financial contribution will be sought
- this area of land is no longer required for the Heritage Centre as it has been re-located on the airport site opposite, leaving this area of land redundant

- although the site is technically situated within Metropolitan Green Belt, where there is a normal presumption against inappropriate development, the site is designated as a Major Developed Site where redevelopment will be permitted
- Proposed density is appropriate for Green Belt location and takes into account the retained trees and root protection zones and the creation of a 'green wedge' buffer to Main Road A233
- The layout allows for landscape features to be respected and allows good space about dwellings for landscaping and development will appear open when viewed from Main Road
- the proposal provides a range of dwelling types and sizes which accords with the aspirations of Bromley Council UDP policy H7
- The application is supported by a Viability Report prepared by Tuner Morum LLP which explains why the provisions of affordable housing on this proposal would render it unviable
- the development is designed to respect the local character of the area, provide safe communities, enhance landscape and biodiversity, aid connectivity, enable a mix of dwellings and provide high quality design to accord with UDP Policy BE1
- It is not considered that the proposal will have any harmful impact on the setting of the Listed properties in Vincent Square
- the existing vehicular access from Main Road A233 which was to serve the proposed Heritage Centre will be stopped up and a new entrance formed
- the configuration of the new road is designed to take account of the two mature trees (Horse Chestnut and Lime) at the heart of the site, which are to be retained
- in the majority of cases the rear gardens extend beyond 10m in depth to the boundary of the neighbouring property, thus maintaining a minimum 20m back to back relationship with neighbouring properties - only plots 15 and 16 contravene this relationship
- the proposed dwelling will be designed to a high quality using materials to complement the adjoining Conservation Area and its surroundings
- to achieve the necessary visibility splays to exit onto Main Road existing trees and vegetation will be removed to the north of the junction
- further trees and shrubs will be planted in addition to retained trees within the site
- the significant departure from the previous refused scheme is that vehicular access to the site will be via Main Road and not Moxey Close in an attempt to address concerns of local residents - given the previous refusal ground the applicant has no alternative but to propose an access onto Main Road
- the additional costs of exiting out onto Main Road are expressed in the Viability Report and are offset against the provision of affordable housing on this site.

On 7th September 2016 the applicant submitted a set of revised drawings accompanied by a supporting letter and an amended Design and Access statement. The main changes are as follows:

- Hipped roof introduced to the house at plot 16 instead of a gable roof to reduce the overall bulk and massing;

- Garage at plot 16 has been relocated away from the rear boundary with a separation of 2m;
- Design and access statement amended to reflect Part M of the Building Regulations standards for Wheelchair accessible/adaptable units;
- Some minor re-configuration of layout to increase widths of parking spaces to accord with the requirements of Part M.

## **Location**

- The site measures 0.71 hectares (gross site area)
- The site is designated as Green Belt and also as a major developed site within the UDP
- the site forms part of the Former RAF Biggin Hill Married Quarters (Area 2 of the major developed site at Biggin Hill)
- all buildings on this site were removed a number of years ago
- the site still contains various areas of hardstanding associated with the earlier development, although it is otherwise devoid of any development and is generally characterised by various trees and shrubbery
- it is in close proximity to the Saltbox Hill Site of Special Scientific Interest (SSSI)
- it is subject to a blanket Tree Preservation Order (No.1204) and contains a number of trees, including two large hybrid poplars
- the site is predominantly flat with a gentle slope from east to west
- the western site boundary adjoins Vincent Square which forms part of the RAF Biggin Hill Conservation Area with most houses along that road having been Statutory Listed
- to the north is located the Leavesden Estate, including Barwell Crescent and Moxey Close from which access is proposed to the development
- to the south lies the A233 Main Road with part of the historic RAF Biggin Hill quarters fronting the opposite side of Main Road, also containing a number of Statutory Listed buildings
- the site is within a low Public Transport Accessibility Level (PTAL) area of 1b/2
- the site is located within Flood Zone 1 and is within a Source Protection Zone (total catchment zone 3) which is defined as the area around a source within which all groundwater recharge is presumed to be discharged at the source.

## **Consultations**

Comments from Local Residents:

- The plots which back onto Vincent Square houses are incredibly close
- Having such a big house so close would block out any light
- Specifically relating to plot 16 - the house is too close, too high and whilst previously it was designed with a lower ridge roof this has now been discarded for a higher/taller house
- looking to cram as many properties into this small space as possible
- Strongly object to amount of housing proposed for this small site and very close proximity to boundary fences

- Vincent Square is made up of small grade 2 listed cottages and is a conservation area
- The rear gardens are small (in Vincent Square)
- Proposed house at plot 16 would be overbearing and detrimental to enjoyment and pleasant surroundings of home and to the conservation area
- Proposed access/egress on a corner in Main Road is unsafe and should be refused
- Ground levels in Vincent Square could change if new gardens are installed and path is removed
- Proposed fence at the end of Moxey Close with pedestrian/cycle access will create a blind spot to driveways in Moxey Close and result in an accident
- New access renders existing security gates useless and will encourage pedestrian traffic on an otherwise quiet cul-de-sac
- Plot 1 overlooks the garden of 1 Moxey Close
- Several houses have lost on-site parking
- Don't understand strange new boundary fence line/position separating Moxey close and new development
- Plot 15 should be moved southward to create more room for plot 16
- Pleased social housing has been deleted
- Object to cycle/pedestrian path onto Moxey Close as dangerous and people will have to walk on road
- A danger to children who play outside
- No reason for path, will not benefit residents of new development
- Will encourage people from current Leavesden to use it to get to the shops
- Security risk
- Will create mud on roads
- Will become noise and filthy
- More overflow traffic and parking problems
- Support new proposal and consent that should any trees require felling replacement ones can be planted on open green land of Leavesden to assist with the environment
- Object to new residents having access to existing Leavesden Estate to use private facilities
- New development will need to create its own dog walking and children's play facilities
- Leave existing boundary fence at end of Moxey Close in its current position without any opening for pedestrians/cyclists as this will prevent any accidents.

#### Comments from Consultees:

The Council's Highways Development Engineer: An additional traffic island is proposed on Main Road to the north of the site to reinforce lane separation in order to meet sightline requirements. There should be no obstruction over 1m within the sightline so all the trees and vegetation would need to be removed and on-going maintenance would be required. There is a height difference across the site and it should be confirmed that this does not interfere with the sightline. Subject to the confirmation of sightlines there are no significant road safety issues with the proposal. However, the new junction will form an additional conflict point on a

London Distributor Road where there is an alternative; as such it would be contrary to policy T11 of the UDP.

On 21st September the applicant submitted a supporting statement in respect of sightlines as follows:

*Suitable visibility splays are provided from the proposed site access onto Main Road, as shown on ACE Drawing No. V485-004, whilst para 4.13 of the TS which accompanied the application sets out that the visibility splays would be kept clear from all significant obstructions, although limited planting (below 600mm) and some small trees are proposed, which is in line with guidance within the Manual for Streets.*

*Visibility from the site access has also been considered with regards to the height difference across the site. It is anticipated the site access may need to be raised only very slightly to ensure visibility splays are achievable from a 1.05m eye height to 0.6m (in line with Manual for Streets guidance). This will be incorporated at the detailed design stage and is easily achievable.*

The Council's Drainage Officer: The applicant is proposing to use permeable paving for the car park area and access route, individual soakaways for the private properties and infiltration trench for the block of flats to store surface water run-off. This strategy is acceptable in principle acceptable subject to detailed design.

The Council's Street Trees Officer: no objections

The Council's Environmental Health Officer (pollution): No objection in principle. The acoustic report specifies 2 different types of glazing - a revised plan is required showing which type of glazing goes where. Following the receipt of additional information on 01/08/16 a condition is recommended for submission of final glazing and ventilation details for approval in order to verify that actual details accord with the specification deemed necessary by the acoustic consultant. Further conditions recommended in respect of further assessment for contamination and exterior lighting.

Metropolitan Police Designing Out Crime Advisor: should this application proceed it should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design New Homes 2014. Recommend a Secure by Design condition is attached to any permission.

Thames Water: Recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. No objection with regard to sewerage infrastructure capacity or water infrastructure capacity. The developer should demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer

Natural England: The proposed amendments are unlikely to have significantly different impacts on the natural environment and the advice previously given applies where no objections were raised.

Transport for London: the level of parking is excessive and contrary to London Plan policy 6.13 and should be reduced. Electric vehicle charging points, cycle parking and a construction management plan should be secured by condition.

Mayor of London: The proposal is not referable to the Mayor under the Mayor of London Order (2008).

Environment Agency: no new contamination information has been received further to the previous application (ref.15/00508). Consequently their previous response is maintained which raised no objections subject to relevant conditions including an investigation into site contamination being carried out.

### **Planning Considerations**

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE8 Statutory Listed Buildings
- BE13 Development Adjacent to a Conservation Area
- BH2 New Development
- BH5 Former RAF Married Quarters (Area 2)
- BH8 Noise-Sensitive Development
- ER7 Contaminated Land
- ER10 Light Pollution
- G1 The Green Belt
- H1 Housing Supply
- H2 and H3 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- NE1 Development and SSSIs
- NE3 Nature Conservation and Development
- NE5 Protected Species
- NE7 Development and Trees
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T7 Cyclists
- T8 Other Road Users
- T9 and T10 Public Transport
- T11 New Accesses
- T12 Residential Roads
- T15 Traffic Management
- T16 Traffic Management and Sensitive Environments
- T18 Road safety

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

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

A consultation on draft Local Plan policies was undertaken early in 2014 and the Council recently finished consulting on the next stage in the preparation of its Local Plan, focusing on draft site allocations, a limited number of revised draft policies and designations. The draft Local Plan was approved by the Development Control Committee and Council's Executive in July 2016. The Council's latest consultation documents are available on the website at [www.bromley.gov.uk/localplan](http://www.bromley.gov.uk/localplan). The weight attached to the draft policies increases as the Local Plan process advances.

The most relevant draft Local Plan policies include:

- 5.1 Housing Supply
- 5.3 Housing Design
- 5.4 Provision of Affordable Housing
- 7.1 Parking
- 8.1 General Design of Development
- 8.2 Development and SSSI
- 8.6 Protected Species
- 8.7 Development and Trees
- 8.14 The Green Belt
- 8.33 Statutory Listed Buildings
- 8.37 Development Adjacent to a Conservation Area
- 11.1 Delivery and implementation of the Local Plan

In strategic terms, the application falls to be determined in accordance with the following policies of the London Plan (March 2015):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green Roofs and Development Site Environs

5.12 Flood risk assessment  
5.13 Sustainable Drainage  
5.14 Water quality and wastewater infrastructure  
5.15 Water use and supplies  
5.21 Contaminated land  
6.3 Assessing effects of development on transport capacity  
6.9 Cycling  
6.10 Walking  
6.13 Parking  
7.1 Lifetime neighbourhoods  
7.2 An inclusive environment  
7.3 Designing out crime  
7.4 Local character  
7.5 Public Realm  
7.6 Architecture  
7.8 Heritage assets and archaeology  
7.13 Safety, security and resilience to emergency  
7.14 Improving Air Quality  
7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes  
7.16 Green Belt  
7.19 Biodiversity and access to nature  
7.21 Trees and woodlands  
8.2 Planning obligations  
8.3 Community infrastructure levy

The 2015-16 Minor Alterations (MALPs) have been prepared to bring the London Plan in line with the national housing standards and car parking policy. Both sets of alterations have been considered by an independent inspector at an examination in public and were published on 14th March 2016. The most relevant changes to policies include:

3.5 Quality and Design of Housing Development  
3.8 Housing Choice  
6.13 Parking

The relevant London Plan SPGs are:

Housing (March 2016)  
Accessible London: Achieving an Inclusive Environment (2014)  
Sustainable Design and Construction (2014)  
Providing for Children and Young People's Play and Informal Recreation (2012)

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) must also be taken into account. The most relevant paragraphs of the NPPF include:

14: achieving sustainable development  
17: principles of planning  
47-50: housing supply

56 to 66: design of development  
79, 80, 87-89: Green Belt  
109 -111, 118, 120 - 121, 121: nature conservation and biodiversity  
128 -137: heritage assets

## **Planning History**

The planning history of the site is complex and is partly related to the development situated to the north of the application site known as the "Leavesden Estate" where outline planning permission was granted (subject to legal agreement) for Demolition of existing dwellings in Turner Road, Henderson Road, Mortimer Road and Nos. 37, 38, 39 & 40 Vincent Square and Nos. 2, 4, 6 & 8 Main Road and demolition of redundant former RAF buildings; erection of not more than 139 dwellings comprising two/two and a half storey houses and flats, together with the provision of access roads, garages and car parking with associated landscaping.

Subsequently under application ref.04/02334 outline permission was granted for the demolition of existing dwellings at 2, 4, 6 & 8 Main Road and 37, 38, 39 & 40 Vincent Square; erection of building for use as Heritage Centre with associated car and coach parking and associated landscaping and upgrading of existing access on the current application site.

The Heritage Centre permission was never implemented and under ref.14/02136/FULL1 a subsequent application was approved for the Heritage Centre at an alternative location at RAF Station on the opposite side of Main Road by the RAF chapel.

The s106 legal agreement in respect of applications 04/02322 and 04/02334 anticipated a residential development of the current application site in the circumstances that the Heritage Centre is provided elsewhere, subject to a financial contribution for the Heritage Centre.

Under ref.15/00508/FULL1 planning permission was refused by the Council for redevelopment of the current application site with 16 dwellings (4 x 2 bed flats, 3 x 3 bed houses and 9 x 4 bed houses) with access from Moxey Close and Barwell Crescent together with 43 car parking spaces, cycle storage and landscaping, to include the stopping up of an existing access onto the A223. The reason for refusal was:

The proposed access to the site via Moxey Close and Barwell Crescent is considered unacceptable by reason of the level of traffic generated by the site resulting in disturbance and a loss of amenity to existing residents contrary to Policy BE1 of the Unitary Development Plan

An appeal was lodged by the applicant and the proposal was subsequently allowed in a decision dated 23rd September 2016. In his report the Inspector considered that although the traffic movements along Moxey Close would increase from the current levels, the extent of increase would be sufficiently low during peak hours as to avoid harm to the living conditions of residents on Moxey Close. Levels of noise and disturbance outside of peak hours were also concluded to likely be low.

Furthermore, the Inspector did not find any technical reasons for why Moxey Close would not be capable of serving an additional 16 dwellings, nor, in the context of the surrounding noise environment, would the limited additional vehicle movements cause harm to the living conditions of residents of Moxey Close or Barwell Crescent in terms of noise disturbance (para's 9-10, appeal decision ref. APP/G5180/W/16/3147877). A copy of this decision is appended to this report.

The main differences in the current proposal compared to the previous scheme are as follows:

- Vehicular access proposed via Main Road as opposed to Moxey Close;
- Pedestrian/cycle access proposed via Moxey Close
- Minor re-configuration of site layout as a result, namely: orientations of some of the houses has been changed and/or a change of positioning within the plot;
- minor alteration to unit mix to provide 4 x 2 bed flats, 4 x 3 bed houses and 8 x 4 bed houses (previously 4 x 2 bed flats, 3 x 3 bed flats and 9 x 4 bed houses)
- 43 car parking spaces reduced to 41;
- Changes to landscaping including removal of additional trees and vegetation.

## **Conclusions**

The main issues to be considered in respect of the current proposal are:

- o Housing Supply
- o Acceptability of the proposal in terms of the Green Belt designation of the site
- o Density
- o Impact on the Planned Heritage Centre
- o Impact on Heritage Assets adjoining the site
- o Acceptability in terms of design
- o Housing Issues
- o Impact on neighbouring amenity in terms of outlook, daylight, sunlight and privacy
- o Highways impacts
- o Impact on trees and ecology
- o Planning Obligations
- o Screening Opinion for an Environmental Impact Assessment

### Housing Supply

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date,

permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

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

At the time of writing the Council does not have an adequate five year Housing Land Supply. The absence of a five year housing land supply means in brief that under the NPPF paragraph 49 the Council should regard relevant development plan policies affecting the supply of housing as 'out of date'. This does not mean that 'out of date' policies should be given no weight or any specific amount of weight. In this case the following sections of the assessment of this application will be given appropriate weight in the consideration of the scheme.

### Impact on the Green Belt and openness and purpose for including the site in the Green Belt

The site is designated as Green Belt, albeit one designated as a major developed site (area 2) within the UDP, where limited infilling or redevelopment is not seen as inappropriate.

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

Guidance on major developed sites has not been duplicated within the 2012 NPPF and instead reference is made to "previously developed sites" within paragraph 89 of the NPPF. In relation to the development proposal, the NPPF states that the following is an exception to inappropriate development in the Green Belt:

limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of

the Green Belt and the purpose of including land within it than the existing development.

The definition of previously developed land is given in annexe 2 of the NPPF. In this instance, given that the land was (prior to demolition) previously occupied by a number of permanent structures and hard surfaces, the site is considered to be "previously developed".

The issue of whether the development proposed would have a greater impact on the openness of the Green Belt and the purposes of including the site in the Green Belt than the previous development must next be addressed. Policy BH5 of the UDP sets out what is acceptable in Area 2 and states that proposals should retain and enhance the shared landscaped areas and have less visual impact on the openness of the Green Belt than existing development.

All previous buildings on the site were demolished some years ago, however, from plans submitted showing the previous site layout and historic maps it can be seen that 3 very large buildings associated with the former RAF use existed along the southern portion of the site, along with 3 dwellings and 2 smaller ancillary buildings in the northern portion. An area of tarmac car park occupied the central region of the site with tarmac roads interspersed between buildings. There was also extensive greenery, including a large grassed area containing trees to the west of the site adjoining properties in Vincent Square, and a green buffer along the Main Road frontage.

In contrast to the large single buildings formerly covering a large part of the site, the massing of the proposed buildings is broken up into numerous two storey buildings spread across the site. A central estate road is proposed with a communal grassed area containing two mature trees which are to be retained at the heart of the site.

While the layout has changed somewhat since the previous scheme as a result of the re-positioned vehicular access including the reduction in the extent of the green buffer along the western edge of the site and a substantial reduction in tree and mature vegetation adjacent to the Main Road frontage, the proposal retains good separation to Main Road with a 9m wide (approx.) grass verge and a 0.6m high hedge proposed adjacent to Main Road, along with soft landscaping and new tree planting within the site and adjacent to its boundaries.

The density of the development would equate to approximately 22.5 units per hectare and 112.7 habitable rooms per hectare which is below both the density guidelines set out in the UDP and the London Plan (see below). This is considered appropriate in this sensitive location given that development should not result in a greater impact on the openness of the Green Belt.

Overall, it may therefore be considered that the proposed development will not significantly detract from the openness of this part of the Green Belt by comparison with the previous RAF use of the site. In addition, the development does not conflict with the purposes of including the site in the Green Belt in terms of

unrestricted urban sprawl, given that it would be situated within the confines of existing residential development to the north and west.

### Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). This site is considered to be in a 'suburban' setting and has a PTAL rating of 1b/2 giving an indicative density range of 35-55 dwellings per hectare / 150 - 200 habitable rooms per hectare (dependent on the unit size mix). The London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces. UDP Policy H7 also includes a density/location matrix which supports a density of 150 - 200 habitable rooms / 30 - 50 dwellings per hectare for locations such as this provided the site is well designed, providing a high quality living environment for future occupier's whilst respecting the spatial characteristics of the surrounding area.

Development should comply with the density ranges set out in table 4.2 of the UDP and table 3.2 of the London Plan and in the interests of creating mixed and balanced communities development should provide a mix of housing types and sizes. The Council's Supplementary Planning Guidance No1 - General Design and No.2 - Residential Design Guidance have similar design objectives to these policies and the NPPF. Policies 3.3 and 3.4 of the London Plan seek to increase the supply of housing and optimise the potential of sites, whilst policy 3.5 seeks to protect and enhance the quality of London's residential environment.

As set out above, the housing density of the development would equate to 22.5 units per hectare and 112.7 habitable rooms per hectare which is below both the density guidelines set out in the UDP and the London Plan.

### Impact on the Planned Heritage Centre

As discussed above, this proposal is connected to a first phase of development, known as the "Leavesden Estate" located to the north of the application site which was granted outline planning permission (subject to legal agreement) under permission ref.04/02322. A subsequent planning permission was obtained under ref.04/02334 for a Heritage Centre on the site of the current application. However, the Heritage Centre permission was never implemented and an alternative location has now been secured on the airport site on the opposite side of Main Road under permission ref.14/02136, leaving this area of land redundant. Consequently the Council are of the opinion that this site is no longer required for the Heritage Centre.

The s106 agreement attached to permission ref's.04/02322 and 04/02334 seeks to secure the provision of a Heritage Centre on this site by securing the land as a location (transferring the land to the Council) and a financial contribution towards

the provision of a Heritage Centre. The financial contribution would be put towards other funds (to be secured by the Council) to cover the costs of building the Heritage Centre. Furthermore, the 04/02322 and 04/02334 s106 agreement includes a clause whereby if the Council secure an alternative location for the Heritage Centre and therefore do not require this particular site for that purpose the Developer is entitled to make a planning application for redevelopment of the site for residential purposes.

In the instance of an alternative planning permission being granted for redevelopment of this site for residential purposes the Developer is required to pay a further financial contribution to the Council for the purposes of facilitating the erection of a Heritage Centre in the alternative location. The Council has secured an alternative location and in the event that planning permission is granted for this development it is entirely appropriate that the Developer pay an additional Heritage Centre Contribution to the Council towards provision of the facility elsewhere in the Borough. The Developer has agreed, in principle, to pay a Heritage Centre Contribution of £913,676.

#### Impact on Heritage Assets adjoining the site

The site is bounded to the west by Vincent Square which forms part of the RAF Biggin Hill Conservation Area with most houses along that road having been Grade 2 statutory listed.

When considering the impact of a proposed development on the significance of a designated heritage asset, the NPPF states, at paragraph 132, that "*great weight should be given to the asset's conservation.... Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting...Substantial harm to or loss of a grade II listed building, park or garden should be exceptional*". Furthermore, "*Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably*" (Para.137).

The proposed site layout shows a green buffer retained along the western edge of the site where it borders cottages in Vincent Square with a minimum separation distance of 2m retained between the site boundary and the proposed garage at plot 16. The proposed detached garage would measure approximately 4m in height with a pitched roof. In addition, the bulk and massing for the house proposed at plot 16 has been reduced through the introduction of a hipped roof. Given the scale of the proposed dwellings, along with the separation distances proposed, no significant harm on the setting of these listed buildings or on the adjacent Conservation Area is anticipated.

Where a substantial RAF building previously stood immediately adjacent to the entrance to Vincent Square, this would be occupied by two detached dwellings with their rear gardens and landscaping adjoining the site boundary, providing some enhancement to the setting of the listed buildings. However, no details have been provided with regards to boundary treatments and these will need to be carefully considered with regards to their impact on the adjacent conservation area and

setting of the listed buildings. Conditions to secure details of boundary enclosures would be required should the development be considered acceptable overall.

In light of the above it is considered that the current scheme is acceptable from a heritage point of view.

### Design

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. 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 (Para's 56-57, NPPF).

Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area; 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; respond to local character, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments; and ensure that development are visually attractive as a result of good architecture and appropriate landscaping (Para.58, NPPF).

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. UDP Policy BE1 sets out a list of criteria which proposals will be expected to meet, the criteria is clearly aligned with the principles of the NPPF as set out above.

The London Plan at policy 7.1 requires developments to be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to social and community infrastructure (including green spaces). Development should enable people to live healthy, active lives, maximise the opportunities for community diversion, inclusion and cohesion and the design of new buildings and spaces should help reinforce the character, legibility, permeability and accessibility of the neighbourhood. Furthermore, buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass and contributes to a positive relationship between the urban structure and natural landscape features (policy 7.4, London Plan).

Consistent with this policy BE1 of the London Borough of Bromley Unitary Development Plan (UDP) requires new developments to be imaginative and attractive to look at; complement the scale, form, layout and materials of adjacent buildings and areas; development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features; the space about buildings should provide opportunities to create attractive settings and security and crime prevention measures should be

included in the design and layout of buildings and public areas. The emerging Draft Local Plan takes a similar stance.

#### Layout:

The proposed layout, overall, provides adequate separation between proposed dwellings and existing neighbouring development, providing good opportunities for soft and hard landscaping and retaining existing mature landscaping on and around the site. At the southern edge of the site, adjacent to Main Road, a green buffer is retained as in the previous application, however, with far less trees and vegetation than was previously proposed. This is a result of the proposed access onto Main Road and in order to meet sightline requirements.

The proposal to provide pedestrian and cycle access from the new development to the existing Leavesden Estate would enable the development to integrate well with its surroundings and would also allow residents of the new development access to the substantial green space located within the first phase of the development.

While some of the dwellings do not appear to retain the minimum 1m side space to the side boundaries of their respective plots, required under policy H9 of the UDP, given that this is a new development and that adequate separation is generally retained between the new buildings, the resulting visual impact would not appear unduly cramped. The revised layout incorporating the amended access has resulted in some minor repositioning of some of the buildings and in some cases, rear garden depths reduced to less than 10m. While 10m is the minimum depth usually required, in this instance the layout proposed would still provide adequate private garden spaces for occupiers of the proposed dwellings and sufficient separation to existing buildings. However, should the application be considered acceptable in all other respects a condition is recommended to remove any future permitted development rights for the new dwellings in order to prevent overdevelopment and the erosion of outside amenity space for future occupiers.

Refuse/recycling storage and bicycle storage has been considered in the proposed layout, the location of which, subject to details being received relating to the size and design of the storage facilities, is, in principle, acceptable.

#### Appearance and Scale:

The proposed dwellings will all be two storeys with the flats being located within a two storey block. The adjacent Leavesden estate and properties in Vincent Square are predominantly two storey and the applicant has taken references for the massing, scale and materials directly from the first phase of development, incorporating traditional features such as gable ended roofs and entrance canopies and utilising traditional materials of brick and render on the walls and concrete roof tiles. The architectural approach is appropriate for this location and design quality will be secured by way of a condition to control the materials, should the application be considered acceptable overall.

In respect of design overall, it is considered that the development would complement the scale, layout and form of adjacent development.

## Housing Issues

### Unit Size Mix:

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms. The site's size and location in a suburban setting with good access to open space make it suitable for the provision of family housing and the proposed mix of 2 bedroom flats and 2, 3 and 4 bedroom houses are considered acceptable in this respect.

### Affordable Housing:

Affordable housing will be sought on sites capable of providing 11 dwellings or more, a site area of 0.4ha or on sites providing over 1000 square metres of residential floorspace. The London Plan, at policy 3.8, states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought on schemes having regard to current and future requirements at local and regional levels and the London Plan's target of an average of at least 17,000 more affordable homes per year in London. Development proposals are required to create mixed and balanced communities with the size and type of affordable housing being determined by the specific circumstances of individual sites.

The development is considered liable for the provision of affordable housing on site as set out in the Policy H2 and contributions by way of planning obligations under Policy IMP1. Policy H2 requires 35% affordable housing (on a habitable room basis) to be provided. A lower provision of affordable housing can only be accepted where it is demonstrated that the viability of the scheme cannot support policy compliant provision.

The applicant has submitted a Financial Viability Appraisal and affordable housing report which concludes that the scheme could not viably support the provision of affordable housing on site. In summary, the applicant considers that due to the Heritage Centre contribution which is required in respect of this development along with a number of costs associated to the development which they consider to be 'abnormal' the development would not viably be able to support the provision of on-site affordable housing. Instead, the applicant has offered a payment in-lieu of affordable housing on site of £100,000.

Policy H3 of the adopted UDP states that payment in-lieu of affordable housing on site will only be acceptable in exceptional circumstances and where it can be demonstrated that it would be impractical to transfer the affordable housing to a registered social landlord, where on-site provision of affordable housing would

reduce the viability of the scheme to such a degree that it would not proceed, or on site provision of affordable units would not create mixed and balanced communities.

In this instance, the Council would normally seek the provision of on-site affordable housing to help meet the housing needs of the Borough and in the interest of creating mixed and balance communities. However, given the need for the scheme to provide planning obligations in respect of education, health, highways works and the heritage centre Members may consider that the applicant's proposal for a payment in-lieu of affordable housing on this site is, on balance, acceptable.

Standard of Residential Accommodation:

Policy 3.5 of the London Plan, which was amended by the Minor Alterations in 2016, sets out the Mayor's aspirations for the quality and design of housing developments. Part 2 of the Mayor's Housing SPG sets out guidance in respect of the standards required for all new residential accommodation to supplement London Plan policies setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements.

The 2016 Minor Alterations to the London Plan adopted the DCLG Technical Housing Standards - nationally described space standard (March 2015) which standard 24 of the SPG says that all new dwellings should meet. Furthermore, The Minor Alterations at paragraph 3.48 state that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. As set out in approved document part M of the Building Regulations - Volume 1: Dwellings, to comply with requirement M4 (2), step free access must be provided. Generally this will require a lift where a dwelling is accessed above or below the entrance storey. In accordance with the Technical Housing Standards, the minimum gross internal areas specified for new dwellings will not be adequate for wheelchair housing (Category 3 homes in Part M), where additional area is required to accommodate increased circulation and functionality to meet the needs of wheelchair users.

The proposed units all comply with the space standards set out in the Technical Housing Standards and the proposed wheelchair accessible units (6 and 7) will each have an internal area of just over 75 square metres which is the minimum required by the South East London Housing Partnership's (SELHP) Wheelchair homes design guidelines, over and above the Building Regulations, and the detailed layouts for the wheelchair apartments confirm that these two units will be able to meet the requirements of Part M4(3) of the Building Regulations.

With regards to Part M4(2) (accessible and adaptable dwellings) additional supporting information has been submitted which indicates that the majority of units would be able to comply with these requirements. Should the application be considered acceptable overall, conditions would be required to secure the relevant

category of building regulations for the units which are wheelchair accessible and adaptable and those designated as wheelchair user dwellings.

All units must benefit from private amenity space which must comply with the requirements set out in the Mayor's Housing SPG. Only *"in exceptional circumstances where site constraints make it impossible to provide private open space for all dwellings, then a proportion of dwellings may instead be provided with additional floorspace equivalent to the area of the private open space requirement"* (Para.2.3.32 Housing SPG). This must be added to the minimum GIA.

Generous private gardens are proposed for the houses and a communal garden measuring 171sqm is proposed for the four flats (units 6 - 9), however, there is no provision for private external amenity space for these units. In their supporting letter dated 7th September 2016 the applicant states that sub-dividing the rear garden into four smaller parcels would, they believe, *"be counterproductive"* and introducing first floor terraces *"would lead to concerns of overlooking and loss of privacy to neighbouring properties both in the Leavesden Estate and dwellings proposed as part of the new development"*. Furthermore, they consider that the large central green in the existing Leavesden Estate would provide a significant area of amenity for local residents.

In this instance, given the potential amenity issues which would arise from introducing balconies or terraces to the first floor apartments, it is considered that the provision of communal only amenity space for the flats is acceptable.

Based on the expected child occupancy of the development, the London Plan requires a minimum 110 square metres of play space for the development. Each unit would be provided with either a private or communal garden. Furthermore, the proposed layout of the development provides pedestrian and cycle access through Moxey Close allowing new residents access to the existing public open space in the Leavesden Estate. It is therefore considered that the proposal would provide adequate play space for occupiers of the development.

Overall the proposal would provide a good mix of dwellings designed to afford a high standard of amenity for future occupiers.

#### Impact on neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

Concerns have been raised from occupiers of adjacent dwellings in Vincent Square regarding the proximity of the new development to the western boundary of the site. A minimum of 13m separation would be provided between the new dwellings on the western edge of the site and the rear of existing dwellings in Vincent Square. The revised plans submitted show a reduction in the bulk and massing of the house at plot 16 by introducing a hipped roof and an increase in separation

between its garage and the site boundary. Furthermore, there are no first floor windows in the rear elevation of this dwelling. As such the development is unlikely to prejudice the amenities of adjacent residents through overlooking or visual impact. Additional planting at the rear of plot 16 would help to soften the overall look of the development from adjacent properties and this could be secured with an appropriate condition.

Concerns have also been raised regarding the relationship of the proposed house at plot 1 to the adjacent dwelling at No.1 Moxey Close. While the house at plot 1 is situated in close proximity to No.1 Moxey Close, there are no first floor side windows proposed facing the existing dwelling and no first floor flank windows are in situ at the existing property which would be affected. In addition, the relationship of the two properties with their rear gardens in close proximity to one another and first floor rear windows facing out onto the gardens is considered typical for a housing development such as this.

In this instance, the design and layout proposed is considered acceptable in that it would provide reasonable separation to adjacent residential dwellings, commensurate with separation distances in the adjacent Leavesden Estate and the outlook, privacy and amenities of adjacent occupiers would not be significantly harmed.

A number of objections have also been received concerning the proposed cycle/pedestrian access from the development through to Moxey Close and the security and highways safety implications this would have for existing residents in the Leavesden estate. There are also concerns about parking from the new development over-spilling into surrounding roads. Since the Council's refusal of the previous scheme under application reference 15/00508, the applicant has re-configured the site layout and access arrangements and is now proposing vehicular access from Main Road as opposed to via Moxey Close. By re-locating the proposed vehicular access the applicant has addressed the concerns of Leavesden Estate residents over noise and disturbance as a result of the additional traffic generated by the development. In any case, it is noted that the Inspector in his judgement of the subsequent appeal found the impact upon local residents to be acceptable in this respect.

In terms of the proposed pedestrian and cycle access, this would enable the development to connect well and integrate with the surrounding neighbourhood as required under policy 7.1 of the London Plan and is unlikely to result in undue noise and disturbance to existing residents. It is also noted that the Metropolitan Police' Designing out Crime Officer has raised no concerns in relation to the proposed cycle/pedestrian path. It is further recommended that conditions relating to landscaping and boundary treatments are imposed on any planning permission granted in order to ensure adequate visibility is maintained between the cycle path and adjacent driveways in Moxey Close. Conditions would also be recommended in respect of security and crime prevention measures if the application was deemed to be acceptable overall.

The proposed level of parking is over the standards prescribed in the London plan however, on balance; this is considered acceptable in terms of the highways and

parking impact, given the low public transport accessibility of the site and the proposal is unlikely to lead to significant number of cars parking on surrounding streets.

Overall it is considered that the proposal is acceptable in terms of overlooking/loss of privacy, visual impact, effect on daylight and sunlight and noise and disturbance for neighbouring residents of the development.

The proposal to introduce a new access onto Main Road which is a London Distributor road must also be considered in light of the relevant transport policies of the development plan. Additional 'Highways' implications of the proposal are considered below.

### Parking and cycling provision and Highways impacts

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, safe and suitable access to the site can be achieved for all people. It should be demonstrated that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Para.32).

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the UDP should be used as a basis for assessment.

Each of the 4 bedroom houses are provided with two parking spaces and a garage, three of the 3 bedroom houses are provided with one parking space and a garage while plot 5 and the adjacent apartments are provided with 8 open parking spaces and there are an additional 3 visitor parking spaces dispersed around the site. The proposed level of parking is considered acceptable.

Stand-alone cycle storage is located adjacent to plot 5 and would serve this house and the apartment block. A communal bin store is also proposed. All other dwellings benefit from cycle parking spaces within their private garages and an individual bin store within the curtilage of each dwelling.

Main road is a classified road, a London Distributor route and part of the A233. Policy T11 of the UDP is intended to ensure that the creation of new accesses will not create a road safety hazard or interfere with the free flow of traffic on roads where the needs of through traffic take precedence and says that on such roads "limited access will be permitted only where there is no alternative".

The proposed access is within a 30mph zone just south of a change from 40mph and is near a bend. A speed survey was carried out by the applicant to determine the sightlines required for the new access. The speeds recorded in this part of the road, particularly at the 30/40mph change point are over 40mph for some periods of the day and the road in this location does not have an urban feel with minimal frontage or pedestrian activity and no on-street parking.

An additional traffic island, signs and markings are proposed to the north of the site to reinforce lane separation in order to meet sightline requirements and all trees and vegetation would need to be removed to achieve the required sightlines. The Road Safety Audit undertaken by the applicant identified a number of issues relating to drainage, the design of the proposed pedestrian refuge and the maintenance of the visibility splay, with the latter, significantly, requiring on-going maintenance by the Developer since it would be within the site boundary. The applicant has submitted additional supporting information with regard to sightlines and it is considered that subject to on-going maintenance of vegetation the proposed sightlines would be acceptable. A contribution of £10,000 towards the cost of the highways works would also be required. This would need to be secured through a legal agreement if the application were to be considered acceptable overall.

While the Road Safety Audit carried out does not raise any significant road safety issues, at the time of writing this report the appeal in relation to the previous application (ref.15/00508) which proposed access to the new development from Moxey Close has been allowed. Therefore, an alternative access to the development exists and the proposal is considered contrary to policy T11 of the UDP in that it would form an additional conflict point on a London Distributor Route where there is an alternative. The cumulative impacts of allowing subsequent accesses onto Main Road would be severe and, in accordance with the NPPF, the application should be recommended for refusal on these grounds.

### Landscaping, Trees and Ecology

Landscaping is an integral part of development and is fundamental to ensuring that the development responds appropriately to the character of the site and surrounding area and provide a high standard of amenity for future occupiers. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; minimising impacts on biodiversity and providing net gains in biodiversity where possible.

Policy NE7 of the UDP requires proposals for new development to take particular account of existing trees on the site and on adjoining land, which, in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. Policy NE9 seeks the retention of existing hedgerows and replacement planting; where appropriate, recognising the important role they can play in softening and screening new development.

Policies NE1 and NE3 seek to protect Sites of Special Scientific Interest (SSSI's) and features which are of ecological interest and value while policy NE5 prohibits

development which would have an adverse effect on protected species. Planning Authorities are required to assess the impact of a development proposal upon ecology, biodiversity and protected species. The presence of protected species is a material planning consideration. Natural England has issued Standing Advice to local planning authorities to assist with the determination of planning applications in this respect as they have scaled back their ability to comment on individual applications. Natural England also act as the Licensing Authority in the event that following the issue of planning permission a license is required to undertake works which will affect protected species.

This application was accompanied by a landscaping plan, arboricultural report, ecological appraisal and protected species surveys which make a number of recommendations in respect of tree protection measures and protected species. 17 trees are proposed to be removed as part of the development. These trees as well as all of the remaining mature trees on site are the subject of an area tree preservation order (TPO). The arboricultural report submitted reveals that the majority of significant trees proposed for removal are of limited value and/or have defects. The works proposed to trees would generally support the management of trees here, regardless of the scheme put forward as part of this application. Post development pruning pressures are expected, however, can be managed as part of the application process in respect of protected trees. Furthermore, the precautions set out on the Tree Protection Plan (TPP) would reduce the impact upon retained trees.

The landscaping scheme put forward as part of the proposals appears to include a good mix of new tree planting and it is considered that the tree losses can be mitigated through the proposed tree planting. While tree screening adjacent to Main Road, particularly to the right of the proposed access, would be sparse (due to the sightline requirements for the proposed access), the trees here have limited retention span and, on balance, they do not contribute significantly to the visual amenities of the area. The proposal is therefore considered acceptable from a tree perspective in that it would not be at odds with policy NE7 of the UDP.

The ecological appraisal and protected species surveys submitted for the proposal conclude that the site has a low value for local wildlife with some minor potential for roosting bats and protected nesting birds and recommends a series of impact avoidance measures and ecological enhancements measures to limit impact on protected species and ecology. Furthermore, the proposal is unlikely to damage or destroy the interest features of the nearby SSSI, provided the application is carried out in strict accordance with the details as submitted.

Should the application be considered acceptable overall, tree and ecology conditions, to include the requirement for additional planting along the western site boundary, would be recommended.

#### Site wide energy requirements

London Plan Policies 5.1 - 5.7 refer to energy requirements to achieve climate change mitigation including reduction in carbon emissions and renewable energy. The applicant has submitted a Sustainable Energy report setting out options to

meet these requirements. The report recommends the use of photovoltaic cells located on the roof of the apartment block to provide renewable energy which it states are able to meet London Plan energy requirements of a 35% reduction in carbon emissions above that of the 2013 Building Regulations. If the application were to be considered acceptable overall, a condition would be recommended to ensure this reduction is achieved and to seek further details regarding the appearance and layout of the proposed photovoltaics.

### Planning Obligations

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, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

Policy IMP1 (Planning Obligations) and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

The site is subject to an existing s106 agreement that was completed when the 14/02322 and 04/02334 permissions were granted. Where relevant this has been referred to earlier in this report. It is proposed that there be a further legal agreement to secure the following contributions if this application were to be considered acceptable in all other respects:

Health: £29,054;  
Education: £131,884.58;  
Proposed Highways Works: £10,000;  
Heritage Centre: £913,676.

The applicant has agreed, in principle, to pay the above contributions.

The scheme would also be subject to Mayoral CIL.

## Screening Opinion for an Environmental Impact Assessment

The Council issued a Screening Opinion on 21st April 2015 pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 in respect of an application for the erection of 18 two storey dwellings with access from Moxey Close, together with 42 car parking spaces, cycle storage and landscaping. This confirmed that the development would not be likely to have significant effects on the environment by virtue of its nature, size or location, thereby not generating a need for an Environmental Impact Assessment. It was considered that the application could be fully and properly assessed by way of technical reports without the need for a full EIA. Given the similarities of the previous and current schemes, a further EIA screening opinion is not considered necessary.

### **Summary**

The assessment above considers the impact of the development on the Green Belt and considers the qualitative as well as the quantitative merits of the design of the proposal in the context of surrounding development and in relation to adjacent heritage assets. The benefits of the development in relation to housing supply have also been carefully weighed up along with the impacts on the amenities of neighbouring residents and the impact on the local highway network.

In summary, it is important to recognise that this is a previously developed site on which planning permission has already been granted for the erection of a heritage centre and subsequently for the erection of 16 dwellings in a proposal not dissimilar to this one. Therefore the principle of built development on this Green Belt site has been established. It is concluded that the development would not be inappropriate development in the Green Belt and, further, that it would not significantly harm the openness or visual amenities of this part of the Green Belt despite the significant removal of trees and mature vegetation adjacent to Main Road which would be required.

The impact on adjacent residential amenities and highways impacts have also been considered and due consideration has been given to the comments made by residents during the consultation process. While it is clear that the proposed development would have some impact on adjacent residents, the revised scheme has addressed residents' concerns relating to vehicular access being proposed via the Leavesden Estate. Overall the development, as proposed, would not result in undue harm to neighbouring amenities.

Trees, ecology and protected species have also been considered and, subject to suitable conditions, the proposal is unlikely to have any significantly adverse impacts in this respect.

However, as set out above, while no significant road safety issues have been highlighted through the assessment of the application, this is a London Distributor road and the utmost consideration should be afforded to whether the cumulative impacts of proposing an access onto Main Road where it has been established by

an Inspector that there is a suitable alternative, would be harmful enough to refuse the application on transport grounds. In this instance it is considered that the negative impacts of the development on the local highways network are of sufficient weight to refuse the application even having regard to the presumption in favour of sustainable development to increase housing supply.

Background papers referred to during production of this report comprise all correspondence on the file refs 04/02322, 04/02334, 14/02136, 15/00508 and 16/02685 set out in the Planning History section above, excluding exempt information.

**as amended by documents received on 17.06.2016 07.09.2016 21.09.2016  
04.10.2016**

**RECOMMENDATION: APPLICATION BE REFUSED**

The reasons for refusal are:

- 01: The formation of the proposed new vehicular access would be prejudicial to the free flow of traffic and conditions of general safety along Main Road A233 contrary to Policy T11 of the Unitary Development Plan**

You are further informed that:

**You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)**



## Appeal Decision

Site visit made on 4 July 2016

**by Graeme Robbie BA(Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 23 September 2016**

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**Appeal Ref: APP/G5180/W/16/3147877**

**land between Main Road A233, Vincent Square, Barwell Crescent and Moxey Close, Biggin Hill TN16 3GD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Taylor Wimpey South West Thames against the decision of the Council of the London Borough of Bromley.
  - The application Ref DC/15/00508/FULL1, dated 4 February 2015, was refused by notice dated 27 October 2015.
  - The development proposed is the erection of 16 dwellings (4 x 2 bed flats, 3 x 3 bed houses and 9 x 4 bed houses) with access from Moxey Close and Barwell Crescent together with 43 car parking spaces, cycle storage and landscaping, to include the stopping up of an existing access onto the A223.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of 16 dwellings (4 x 2 bed flats, 3 x 3 bed houses and 9 x 4 bed houses) with access from Moxey Close and Barwell Crescent together with 43 car parking spaces, cycle storage and landscaping, to include the stopping up of an existing access onto the A223 at land between Main Road A233, Vincent Square, Barwell Crescent and Moxey Close, Biggin Hill TN16 3GD in accordance with the terms of the application, Ref DC/15/00508/FULL1, dated 4 February 2015, subject to the conditions set out in the attached Schedule.

### Procedural Matters

2. As originally submitted, the proposal was for the erection of 17 dwellings. However, during the course of the application, the appellant submitted amended plans which reduced the quantum of development to 16 dwellings. The development description set out in the banner heading and decision, above, has been taken from the Council's decision notice and I am satisfied that this is the basis upon which the Council considered the proposal, and therefore so too shall I.
3. A copy of a signed and executed section 106 planning obligation in respect of affordable housing and financial contributions towards a heritage centre, health and education accompany the proposal. I return to this matter below.

### Main Issue

4. The main issue is the effect of the proposal on the living conditions of residents of Moxey Close and Barwell Crescent, with particular regard to disturbance arising from traffic accessing the site.
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## Reasons

5. The appeal site, which previously formed part of the RAF Biggin Hill Married Quarters, is a roughly triangular shaped site with a substantial, if heavily wooded and screened, road frontage to the A223 Main Road. To the rear, the site shares boundaries with Vincent Square to the west and Moxey Close and Barwell Crescent, to the north, which form part of the Leavesden Estate.
6. Although at present the now cleared, vacant and overgrown site has a road access onto the A223 Main Road, it is proposed that vehicular access to the proposed development would be taken via Barwell Crescent and Moxey Close. The junction of the former with the A223 Main Road is some distance to the north of the appeal site. Via a gated access from the A223 Main Road, Barwell Crescent loops around three sides of an extensive area of open green space within the Leavesden Estate, terminating just short of an existing tree belt that separates the estate from the A223 Main Road corridor.
7. Moxey Close itself is a short, residential cul-de-sac leading off Barwell Crescent serving a total of four detached dwellings. It is a shared surface design, the short road culminating with a raised kerb and a narrow grassed strip of land before a timber fence marking the boundary with the appeal site. A further dwelling, fronting Barwell Crescent, stands at the entrance to Moxey Close but presents a largely blank (the exception being a small first floor window) gable elevation towards Moxey Close.
8. Whilst Moxey Close is a small residential cul-de-sac, Barwell Crescent provides access along its length to various other residential streets. Although the level of traffic passing along Barwell Crescent towards Moxey Close may well tail off towards the latter, it is not quite the quiet and tranquil setting that the Council contend. From my observations during my site visit, the A223 Main Road is a busy road. Notwithstanding the tree belt between the A223 Main Road and the end of Barwell Crescent, traffic noise from it was clearly perceptible. Further, the presence of London Biggin Hill airport on the opposite side of the road is also likely to have a significant influence of the local noise environment.
9. Although the level of traffic movements along Moxey Close would increase from the current baseline<sup>1</sup>, I am satisfied that the appellant has demonstrated that the extent of the increase has been shown to be sufficiently low during the peak AM and PM hours to avoid harm to the living conditions of residents on Moxey Close. Outside these peak hours, concern has also been raised regarding the effect of visitor, service and delivery vehicles on the residential environment of Moxey Close. However, such levels are also likely to be correspondingly low.
10. The findings of the appellant's Transport Statement (TA) have not, however, been challenged. Nor have I been presented with any other evidence to substantiate the alleged harm that it is claimed would arise from access to the proposed development being taken via Barwell Crescent and Moxley Close. It is common ground between the main parties that both Moxey Close and Barwell Crescent are technically capable of serving an additional 16 dwellings, and as such I do not consider it unreasonable that access should be taken to the appeal site in the manner proposed. Nor, in the context of the surrounding noise environment, would the limited additional vehicle

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<sup>1</sup> Transport Statement – Ardent Consulting Engineers, Project V480, Report Ref. No. V480-02D May 2015

movements associated with the proposal cause harm to the living conditions of residents of Moxey Close or Barwell Crescent in terms of noise disturbance.

11. Thus, I conclude on the main issue that the proposal would not cause harm, by virtue of noise or disturbance, to the living conditions of existing occupiers of Moxey Close or Barwell Crescent and I find no conflict with Policy BE1, and specifically BE1(v), of the Bromley Unitary Development Plan. This policy expects all development proposals to be of a high standard of design and layout and, with particular reference to BE1(v), to respect the amenity of occupiers of neighbouring buildings and ensure that their environments are not harmed by, amongst other things, noise and disturbance

### **Section 106 Planning Obligation**

12. Paragraph 204 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations (the CIL Regulations) require that planning obligations should only be sought, and weight attached to their provisions, where they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.
13. There is a signed and completed planning obligation which seeks to ensure that the affordable housing units provided will be in the form of shared ownership housing. The planning obligation also requires the appellant to make financial contributions towards health and education, and drawing on the requirements and clauses of section 106 planning obligations attached to previous permissions<sup>2</sup>, towards facilitating the erection of a Heritage Centre marking the role of RAF Biggin Hill. I note that the Council have confirmed their agreement to the planning obligation and that it has been signed and executed by both parties.
14. I have considered the planning obligation that has been submitted. I find that the measures set out in the obligation in respect of securing the provision of affordable housing would meet the tests set out in paragraph 204 of the Framework and Regulation 122 of the CIL Regulations in terms of it being necessary, directly related to the development and fairly related in scale and kind. I am also satisfied that the provisions in respect of the further contribution towards the heritage centre would meet these tests, drawing on the requirements of previous planning obligations. I can therefore reasonably take these matters into account.
15. With regard to health and education contributions, I have not been presented with any evidence setting out the justification for these matters, and thus it has not been demonstrated that these are necessary to make the development acceptable. I therefore attach no weight to these specific matters in reaching my decision.

### **Other Matters**

16. The appeal site does not feature any listed buildings or structures within its boundary, nor does it lie within a Conservation Area. There are however listed buildings in Vincent Square to the west and within the RAF Biggin Hill quarters on the opposite side of the A223 Main Road to the south. The site adjoins the RAF Biggin Hill Conservation Area along the site's western boundary.

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<sup>2</sup> 04/02322/OUT & 04/02334/OUT

17. I have a statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving the building or its setting. Furthermore, paragraph 137 of the National Planning Policy Framework states that proposals that preserve those elements of the setting [of a conservation area] that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
18. The Council have concluded that the proposal would not harm the setting of the listed buildings within Vincent Square, or the setting of the conservation area. I have not been presented with any reason to disagree with those conclusions and, from my observations, the proposal would have a neutral effect on the setting of the listed buildings and the conservation area, thereby preserving the settings of both.
19. I note the Council's submissions in respect of a current application for the appeal site<sup>3</sup> that access from the A223 Main Road would be achievable. However, that application has not been determined and I have to consider the current appeal on its merits. I have not been presented with any technical reasons to suggest that access cannot satisfactorily be achieved via Barwell Crescent and Moxey Close, nor to substantiate concerns that such an arrangement would be prejudicial to highway or pedestrian safety. Matters relating to rights of access are private matters to which I accord limited weight. I have concluded in respect of the main issue that to do access the proposed development in the manner set out would not cause harm, by virtue of noise or disturbance, to the living conditions of existing occupier, and these other matters do not lead me to conclude otherwise.
20. Local residents object to the proposal on a wider basis, including in respect of property devaluation, the wider use of the private green on Barwell Crescent, the separation of the development from the Leavesden Estate, the loss of the heritage centre site, loss of privacy, the effect of the proposal on the character and appearance of the Leavesden Estate, security concerns and health concerns over the proximity of the site to a busy main road and airport.
21. However, devaluation is not a material planning consideration to which I can attach any significant weight. With regard to the other concerns, these did not form part of the Council's reasons for refusal and I am satisfied that these matters would not result in a level of harm which would justify the dismissal of the appeal. The information before me does not lead me to conclude that these other matters, either individually or cumulatively, would be an overriding issue warranting the dismissal of the appeal.

### **Conditions**

22. I have considered the suggested conditions in the light of the Framework and Planning Practice Guidance, and have made minor amendments to them where necessary and in the interests of clarity. In addition to the time limit condition, a condition specifying the approved plans is necessary in order to provide certainty.
23. A condition is necessary in order to ensure an appropriate Construction Management Plan in the interests of highway safety and the living conditions of

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<sup>3</sup> 16/02685/FULL1 - Ardent Consulting Engineers : Transport Statement Report Ref. No. V485-02, June 2016

neighbouring residents. I have not added a separate condition regarding details of a wheel wash facility, as suggested by the Council, but have instead added elements of the suggested wording of that condition to the condition regarding the Construction Management Plan. Further conditions regarding arrangements for the stopping up of, and reinstatement of land at, the existing access from the A223 Main Road, and details of the links from the site to the local path and cycleway network are necessary in the interests of highway and pedestrian safety and encouraging the use of alternative modes of transport. I have also imposed conditions requiring details of bicycle parking and storage, electric car charging points and the retention of car parking provision for similar reasons.

24. Given the previous use of the appeal site, it is reasonable to attach conditions regarding contaminated land and piling construction methods in the interests of the living conditions of future occupiers of the approved dwellings. For the same reasons, and in the interests of reducing the impact of flooding both to, and from, the proposed development, I attached a condition in respect of surface water drainage details and methods.
25. Further details of soft landscaping works, particularly in respect of that part of the western boundary adjacent to the rear of plot 16, as well as general requirements regarding the implementation and maintenance of landscaped areas are necessary in order to maintain and enhance the character and appearance of the local area. So too are conditions relating to the detail of external materials, general boundary treatments and existing and proposed finished slab levels, for similar reasons.
26. A condition requiring work to be carried out in accordance with identified mitigation measures, relating to biodiversity and ecology, is necessary to ensure the favourable conservation status of wildlife and to avoid adverse ecological impact on the natural environment.
27. I have not imposed the requested condition regarding the removal of permitted development rights. Whilst such a condition would be consistent with the aims and purposes of Green Belt designation, the nature of the area surrounding the appeal site is such that I do not find such a condition to be necessary in this instance.

### **Conclusion**

28. For the reasons set out above, and having considered all other matters raised, I conclude that the appeal should be allowed.

*Graeme Robbie*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 13.064.1000 Rev A; 13.064.1001 Rev U; 13.064.1002 Rev J; 13.064.3001 Rev J; 13.064.7001 Rev H; 13.064.7002 Rev G; 13.064.7003 Rev F; 13.064.7004 Rev B; 13.064.7005 Rev F; CSa/2214/102 Rev D; CSa/2214/101 Rev E; 8161/02 Rev B; and V480-D01 Rev B.
- 3) Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation; details of a suitable hardstanding for wash-down facilities for cleaning the wheels of vehicles and measures to respond to any accidental accumulation of mud of the highway caused by such vehicles, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details and shall be retained as such while the development hereby permitted is being carried out.
- 4) Prior to the occupation of the dwellings 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 2015 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.
- 5) Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development, and the development shall be carried out strictly in accordance with the approved levels.
- 6) No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 7) Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.
- 8) The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological

and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan. The development shall thereafter be carried out, and subsequently maintained, in complete accordance with the agreed details.

- 9) Prior to the commencement of ground works required as part of the development hereby permitted, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the local planning authority:
  - a) a site investigation scheme, based in the Phase 1 report, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
  - b) the results of the site investigation and detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and
  - c) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.
- 10) If, during development, contamination not previously identified is found to be present at the site then 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.
- 11) Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.
- 12) The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in

- accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be permanently retained as such.
- 13) Details of the new footpath link to Main Road and the re-instatement of the verge and footway shall be submitted to, and be approved in writing by, the local planning authority and these arrangements shall be substantially completed before the development hereby permitted is first occupied.
  - 14) Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.
  - 15) Before any part of the development hereby permitted is first occupied electric car charging points 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.
  - 16) Prior to occupation of the development, details of a scheme of 'screening' tree planting and soft landscaping adjacent to the western site boundary at the rear of plot 16 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in conjunction with the approved landscaping scheme and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.
  - 17) The landscaping scheme as shown on the approved drawings shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.
  - 18) Unless otherwise agreed in writing by the Local Planning Authority, the trees hereby approved as part of the landscaping scheme shall be of standard nursery stock size in accordance with British Standard 3936:1980 (Nursery Stock art 1:Specification for Trees and Shrubs), and of native broad-leaved species where appropriate.
  - 19) The development hereby permitted shall be carried out in complete accordance with the arboricultural impact assessment, tree protection plan and method statement accompanying the application (updated 1st June 2015) and the tree protection methods agreed shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development.
  - 20) Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted without the prior approval in writing by the local

planning authority. Approval may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

- 21) Piling or any other foundation designs using penetrative methods shall not be permitted without the prior approval in writing by the local planning authority. Approval may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. Where soil contamination is present, a risk assessment should be carried out in accordance with Environment Agency guidance 'Piling into Contaminated Sites'. Piling activities will not be permitted on parts of a site where an unacceptable risk is posed to controlled waters.
- 22) The development hereby permitted shall be carried out in complete accordance with the survey, mitigation and biodiversity enhancement recommendations outlined in the Ecological Appraisal document accompanying the application. Any deviation from these recommendations shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing.