

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

**Application No :** 16/03876/RECON

**Ward:**  
**West Wickham**

**Address :** Summit House Glebe Way West  
Wickham BR4 0AP

**OS Grid Ref:** E: 538396 N: 165899

**Applicant :** Crest Nicholson (Eastern) and Lidl UK GmbH      **Objections :** YES

### **Description of Development:**

Variation of condition 13 of ref. 15/01616 (granted permission for Demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom) with associated car parking, landscaping and infrastructure) to amend hours of delivery from between 8am - 6pm to between 7am - 10pm Monday to Saturday and 10am - 5pm Sundays and Bank Holidays.

Key designations:

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

### **Proposal**

Planning permission is sought to vary condition 13 of planning permission ref. 15/01616 relating to the time constraints for deliveries to the site:

Members originally resolved to grant planning permission for the following development, subject to the prior completion of a legal agreement, at Plans Sub-Committee 1 on 22nd January 2015 under reference 14/03324.

Demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom) with associated car parking, landscaping and infrastructure

Condition 13 of this permission states that

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

Under application reference 15/01616, the applicant sought to amend the wording of condition 13 of 14/03324 to read

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

The application was considered at Plans Sub Committee and Members resolved to amend the earlier delivery time on Monday to Fridays but did not agree to amend the later time.

Therefore condition 13 of application ref 15/01616 states:

"There shall be no deliveries to or from the Class A1 retail premises except within the hours of 07.00 to 18.00 Monday to Saturday; or 10.00 to 17.00 on Sundays and Bank Holidays."

The applicant now seeks to amend condition 13 to extend the time for deliveries from 18.00 to 22.00 as set out below:

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

A Delivery and Service Plan and covering letter has been submitted by the applicant to support this application and this shows a dedicated loading area on the east side of the new building within the site boundary and adjacent to No 32 Glebe Way.

The submitted documents are summarised below:

- Servicing will be undertaken from a dedicated servicing area within the site boundary to the east of the store and adjacent to No 32 Glebe Way.
- It is Lidl policy to limit store deliveries to 2-3 per day with an additional once weekly delivery of bakery goods; commercial waste material will be taken away by the same vehicles reducing the number of lorry visits to the site.
- The service arrangements for the previous two retail occupants were unrestricted and uncoordinated with multiple deliveries throughout the day, including the evening period.
- The proposed hours of operation provide control over the movement of vehicles to and from the site which did not previously exist
- The proposed times for delivery are considered to occur in 'daytime hours' (07.00 to 23.00 hours) and it is considered that there will be negligible impact on occupiers of neighbouring buildings and future residents of flats above the store from the small amount of deliveries in a day.
- The amended hours will allow deliveries to be undertaken outside peak periods of traffic movements thereby reducing traffic, air quality and road safety impacts in the vicinity without introducing noise impacts during the sensitive night-time period.

- A member of Lidl staff will be appointed to oversee the management, development and monitoring of the Delivery and Servicing Plan and a record of any incidences, comments or feedback will be kept and used to deal with any issues arising
- The submission for the discharge of Condition 7 relating to boundaries shows an existing 2.9m wall will be partly rebuilt to close off the new building at the end of the area identified for deliveries and ensure the boundary wall is kept in good working order.
- The DSP states that during out of hours servicing bells, alarms (including reversing alarm) and speakers will be switched off
- Turn off service vehicle engines when unloading to prevent idling
- Identify timing for deliveries so drivers and store operatives are prepared for arrival
- The following Lidl stores have operating hours at 22.00 and beyond - Bermondsey, Sydenham, Thornton heath, Norbury, Tooting Broadway, Mitcham Town Centre and Croydon Trams. The applicant advises these are all in areas similar to the application site in that there is a predominantly residential context to the stores.
- Policy BE1 of the UDP seeks development to respect the amenity of occupants of neighbouring buildings and future occupants and ensure their environments are not harmed by noise and disturbance. The applicant considers that taking account of the measures above, the proposal to extend the evening hours for deliveries to 22.00 is acceptable.

All other matters with regard to the development remain as previously granted permission and as such have been considered acceptable.

## **Location**

The application site is located to the southern edge of Glebe Way (A232). Vehicle access to the site is via an access road that extends along the frontage of the property, separating it from Glebe Way itself.

The site forms part of the Primary Retail Frontage which continues to the west, the eastern boundary of the site commences the Secondary Retail Frontage. To the west are Nos 2 and 4 Glebe Way which are three storey buildings with commercial units at ground floor level. Beyond this is Bell Parade, Nos. 1-6, a two storey terrace that forms the corner plot with Wickham Court Road. To the south of Bell Parade and the west of the site is West Wickham Service Station, a single storey car dealership that fronts Wickham Court Road. To the east of the application site are Nos.32-62 Glebe Way which are served by an access road at the eastern boundary of the site and comprise a range of ground floor commercial uses within two/three storey terrace properties

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

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

## **Consultations**

### Comments from Local Residents

Nearby owners/occupiers were notified of the application and 7 representations were received, including one from the West Wickham Residents Association. All were in objection which can be summarised as follows:

- The extended hours proposed are too early and too late for deliveries. They exceed the usual business day and will disrupt the high street.
- Having deliveries as late as 10pm will cause unnecessary noise and disruption in the evenings from visiting lorries, particularly when trying to get children and grandchildren to sleep for residents at the rear of the building and in Glebe Way.
- Whilst we were used to deliveries being made to the previous stores, they weren't as late as 10pm
- We have had to endure the banging of the delivery crates, lorries and delivery men talking loudly which is effectively at the bottom of our garden
- The applicant refers to other Lidl stores with the same opening times but these are in more commercial locations which don't have many nearby residential properties
- Lidl and the owners want their own way rather than the residents wishes
- The alteration of delivery times will have a significant impact upon local residents from noise pollution cause by engines, lights and reversing alarms. Lorries will not switch off their engines due to the need to keep the refrigeration units going.
- The height of the new building is having an adverse impact upon TV and phone reception?
- If the reasons for the condition are sound why vary it

### Comments from Consultees

#### Highways and Transport for London

No objections are raised. TfL comment that the extensions will be a virtue and help to alleviate the impact on the highway by making it easier for the operator to avoid the network peak hours.

#### Environmental Health

The proposed delivery times are within the standard times permitted in the Borough. There is always potential for disturbance from deliveries, however this site does not pose any specific increased risk and the further requirement for

submission of a delivery servicing plan for approval provides some extra control. On balance I do not object.

### **Planning Considerations**

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

- BE1 Design of New Development
- BE2 Mixed Use Developments
- BE4 The Public Realm
- EMP3 Office Development
- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- S1 Primary Frontages
- S6 Retail and Leisure Development
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T11 New Accesses
- T16 Traffic Management and Sensitive Environments
- T17 Servicing of Premises
- T18 Road Safety
- IMP1 Planning Obligations

In addition to:

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

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

The application falls to be determined in accordance with the following policies of the London Plan:

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London Economy
- 2.8 Outer London: Transport
- 2.15 Town Centres
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- 3.8 Housing Choice

- 3.9 Mixed and Balanced Communities
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13 Affordable Housing Thresholds
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

In addition to:

The Mayor's Economic Development Strategy  
 Supplementary Planning Guidance: Housing  
 Providing for Children and Young People's Play and Informal Recreation  
 Supplementary Planning Guidance  
 Housing Strategy  
 Accessible London: achieving an inclusive environment  
 The Mayor's Transport Strategy  
 Mayor's Climate Change Mitigation and Energy Strategy  
 Sustainable Design and Construction Supplementary Planning Guidance

The National Planning Policy Framework is also a material consideration, with which the above policies are considered to be in accordance. Sections 2 'Ensuring the vitality of town centres'; 6 'Delivering a wide choice of high quality homes' and 7 'Requiring good design' are of particular relevance.

Financial Contributions (secured as part of the 14/03324 and 15/01616 approval)

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

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

## **Planning History**

The most relevant history for the site is as follows:

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

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

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

14/03324 Permission granted on 02/04/2015 for the demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom) with associated car parking, landscaping and infrastructure

15/01616 Permission was granted on 02/08/2015 for variation of condition 13 of ref. 14/03324 (granted permission for Demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom) with associated car parking, landscaping and infrastructure) to amend hours of delivery from between 8am - 6pm to between 7am - 6pm Monday to Saturday and 10am - 5pm Sundays and bank holidays

## **Conclusions**

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

The height, siting and design of the building, together with its parking provision, the impact upon the character of the area and the amenities of neighbouring residents, has already been assessed and considered acceptable. It is not considered that any of the material considerations that were assessed under the previous application have altered since the granting of planning permission in April 2015. As such the principle of the development has been established and it falls to be

considered whether the proposed hours of delivery set out within the revised condition are acceptable with regard to amenities and any impact upon the highway network.

### Assessment

In support of the application, the applicant has submitted a detailed covering letter. In addition a Delivery and Service Plan (DSP) has been submitted for consideration as required by Condition 34 of the original permission and the applicant has asked for the content of this document to be taken into account during the consideration of this current application. The document is summarised in the Proposals Section.

Members will note that the previous retail uses on this site did not appear to have any restrictions upon their hours of delivery. However, the extant planning permission granted in April 2015 does introduce hours of control over deliveries to the proposed retail unit in the interests of the amenities primarily of the future occupants of the residential units to the upper floors that are being introduced to the site, together with introducing planning controls in the interest of the existing residents who do not currently benefit from such provision.

The area for deliveries has been approved and is shown on the drawings submitted under the extant permission. This area is located to the eastern flank elevation of the proposed building and this boundary adjoins the existing access road from Glebe Way principally to the side of Nos. 32 Glebe Way. The access also extends to the rear of 32-62 Glebe Way but all of the deliveries for this development will be adjacent to No 32 Glebe Way within the boundary of the site. This access road leads to a delivery area for a range of commercial uses as well as refuse storage and parking; none of these arrangements appear to have any restriction upon the hours of these activities.

The proposed hours of delivery will represent an extra four hours in the evening on Monday to Saturday (08:00-18:00 compared to 07:00-22:00). The opening hours, as stipulated by Condition 12, would remain the same preventing the retail unit from opening before 08:00 and after 21:00 on any day.

It is noted that, prior to the redevelopment of the site, there was unrestricted vehicle movements associated with deliveries, servicing and car parking both on the site and in the access road to the rear of Nos 32-36 Glebe Way. In the future the use of the car parking and the use of the upper deck podium will not be restricted, reflecting the previous position in this instance.

As such there is no restriction upon the hours at which vehicular activity may occur on and around the site and it is not considered reasonable or enforceable to impose such a limitation on the future provision.

However due to the nature of deliveries to a large retail store it was considered reasonable to impose a condition limiting when such activity can take place and that any such limitation would be an improvement upon the existing situation with regard to amenity as well as impacts upon the highway that would occur.



In order to assess this proposal, there are several factors to take into account.

The Delivery and Service Plan submitted for approval under condition 34 has been assessed by the Council's Highways Officer and the measures included to manage the delivery process are considered to be acceptable. By virtue of the approval of this condition the measures set out in the Plan will be required to be implemented and will allow the Council to take enforcement action if not adhered to.

For clarity the specific measures in the DSP include

- Servicing will be undertaken from a dedicated servicing area within the site boundary to the east of the store and adjacent to No 32 Glebe Way.
- It is Lidl policy to limit store deliveries to 2-3 per day with an additional once weekly delivery of bakery goods; commercial waste material will be taken away by the same vehicles reducing the number of lorry visits to the site.
- The proposed hours of operation provide control over the movement of vehicles to and from the site which did not previously exist
- The proposed times for delivery are considered to occur in 'daytime hours' (07.00 to 23.00 hours) and it is considered that there will be negligible impact on occupiers of neighbouring buildings and future residents of flats above the store from the small amount of deliveries in a day.
- The amended hours will allow deliveries to be undertaken outside peak periods of traffic movements thereby reducing traffic, air quality and road safety impacts in the vicinity without introducing noise impacts during the sensitive night-time period.
- A member of Lidl staff will be appointed to oversee the management, development and monitoring of the Delivery and Servicing Plan and a record of any incidences, comments or feedback will be kept and used to deal with any issues arising
- The submission for the discharge of Condition 7 relating to boundary treatment shows an existing 2.9m wall will be partly rebuilt to close off the new building at the end of the area identified for deliveries and the applicant will ensure the boundary wall is kept in good working order.
- During out of hours servicing bells, alarms (including reversing alarm) and speakers will be switched off when the servicing area doors are open
- Turn off service vehicle engines when not manoeuvring to prevent noise from idling
- Identify timing for deliveries so drivers and store operatives are prepared for arrival resulting in vehicles spending as little time as possible attempting to access the site
- Where possible avoid cages banging together or against servicing equipment.

In addition the approved noise assessment submitted with the previous application concludes that noise levels would be acceptable for deliveries of up to 30 minutes at a time, the majority of which would be loading of waste and unloading of goods.

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

It is noted that the Council's Environmental Health Officer has raised no objection to the variation of the delivery hours and has stated that there will be no difference to the original noise predictions. It is also noted that Transport for London consider that the extended hours will allow flexibility for the operator to undertake these activities outside peak hours thereby relieving congestion on the highway.

It is considered that subject to compliance with the Delivery and Service Plan submitted under condition 34 of the previous permission, the proposed alteration to Condition 13 is acceptable and would accord with Policies BE1 and T4 and T17.

#### Viability and S106 Contributions

The viability of the proposed development has already been assessed and contributions secured by way of a legal agreement. Since 6th April 2015 such contributions must be secured against specified infrastructure projects and the pooling of more than five contributions for each of these projects is prohibited. Any permission granted for this variation of condition under s73 of the Town and Country Planning Act (as amended) would result in a new planning permission being issued and as such an obligation to the existing legal agreement will need to be entered into to reflect this planning application and the required projects to the obligations sought.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 14/03324/FULL1, 15/01616/VAR and 16/03876/RECON as set out in the Planning History section above, excluding exempt information.

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

**and the following conditions:**

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

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

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

**13-2262-101 G (Proposed Ground Floor Plan)**

**13-2262-102 E (Proposed First Floor Plan)**

**13-02262-103 E (Proposed Second and Third Floor Plan)**

13-2262-104 E (Proposed Roof Plan)  
13-2262-105 A (Proximal Distances)  
13-2262-106 C (Fire and Refuse Strategy)  
13-2262-107 G (Proposed Elevations Sheet 1)  
13-2262-108 G (Proposed Elevations Sheet 2)  
13-2262-109 B (Proposed Sections)  
13-2262-110 B (1 Bedroom 2 Person Variation 1)  
13-2262-111 B (1 Bedroom 2 Person Variation 2)  
13-2262-112 C (2 Bedroom 4 Person Variation 1)  
13-2262-113 B (2 Bedroom 4 Person Variation 2)  
13-2262-114 B (1 Bedroom 4 Person Variation 3)  
13-2262-115 B (3 Bedroom 5 Person Variation 1)  
13-2262-116 B (2 Bedroom 4 Person Variation 4)  
13-2262-117 (1 Bedroom 2 Person Variation 3)

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

- 3** The development shall be completed strictly in accordance with the slab levels approved pursuant to Condition 3 of planning permission ref. 14/03324/FULL1.

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

- 4** The development shall be carried out in accordance with details approved pursuant to condition 4 14/03324/FULL1 in respect of external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving.

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

- 5** The privacy screens approved pursuant to Condition 5 of planning permission ref. 14/03324/FULL1 shall be installed before the dwellings are first occupied and shall be permanently retained as such thereafter.

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

- 6** The landscaping scheme approved pursuant to Condition 6 of planning permission ref. 14/03324/FULL1 shall be implemented in the first planting season following the first occupation of the buildings, or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced within the next planting season with others of similar size and species to those originally planted.

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

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

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

- 8** The dwellings shall be constructed in accordance with the details of wheelchair dwellings and "Lifetime Homes" compliance as approved pursuant to Condition 8 of planning permission ref. 14/03324/FULL1 and permanently retained as such.

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

- 9** The measures to minimise the risk of crime approved pursuant to Condition 9 of planning permission ref. 14/03324/FULL1 shall be implemented before the development is occupied and thereafter retained.

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

- 10** The foul water drainage system approved pursuant to Condition 10 of planning permission ref. 14/03324/FULL1 shall be completed before any part of the development hereby permitted is first occupied, and permanently maintained thereafter.

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

- 11** The drainage scheme shall be implemented, maintained and managed in accordance with the details approved pursuant to Condition 11 of planning permission ref. 14/03324/FULL1.

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

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

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

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

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

- 14** The lighting scheme approved pursuant to Condition 14 of planning permission ref. 14/03324/FULL1 shall be implemented before the development hereby permitted is first occupied. Thereafter the approved

scheme shall be permanently maintained in an efficient working manner and no further lighting shall be installed on the site without the prior approval in writing by the Local Planning Authority.

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

- 15 Parking spaces and/or garages and sufficient turning space shall be completed before the commencement of the use of the land or building hereby permitted in accordance with the details approved pursuant to Condition 15 of planning permission ref. 14/03324/FULL1 and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 1995 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

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

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

- 17 The arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be completed before any part of the development hereby permitted is first occupied in accordance with the details approved pursuant to Condition 17 of planning permission ref. 14/03324/FULL1, and permanently retained thereafter.

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

- 18 Details of a scheme for the management of the car park shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied and the car park shall be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority

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

**19** The development shall be carried out in accordance with the Construction Management Plan approved pursuant to Condition 19 of planning permission ref. 14/03324/FULL1.

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

**20** The Travel Plan approved under condition 20 of 14/03324 shall be implemented in accordance with the agreed timescale and details and shall be regularly monitored and updated.

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

**21** Before any part of the development hereby permitted is first occupied, the drainage system to prevent the discharge of surface water from private land on to the highway shall be completed in accordance with the details approved pursuant to Condition 21 of planning permission ref. 14/03324/FULL1 and shall be retained permanently thereafter.

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

**22** Bicycle parking/storage facilities for a minimum of 57 cycles shall be provided at the site in accordance with the details approved pursuant to Condition 22 of planning permission ref. 14/03324/FULL1 prior to first occupation, and the bicycle parking/storage facilities shall be permanently retained thereafter.

**Reason:** In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport

**23** The results of the site-wide energy assessment and strategy for reducing carbon emissions approved pursuant to Condition 23 of planning permission ref. 14/03324/FULL1 shall be incorporated into the building prior to first occupation and permanently retained thereafter.

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

**24** Details of the number and location of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local Planning Authority prior to the commencement of the development hereby permitted. The electric vehicle charging points shall be installed in accordance with the approved details prior to first occupation of the development and shall be permanently maintained as such.

**Reason:** To comply with Policy 7.14 of the London Plan.

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

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

- 26 The scheme for protecting the proposed dwellings from traffic noise (including glazing and ventilation specifications in line with the recommendations of Grant Acoustic report GA-2014-0025-R1 of August 2014) shall be fully implemented in accordance with the details approved pursuant to Condition 27 of planning permission ref. 14/03324/FULL1 before any of the dwellings are occupied and shall be permanently maintained as such thereafter.

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

- 27 The scheme for reducing traffic noise on the proposed balconies on the Northern Façade (which shall include imperforate front screen and Class A absorption on the balcony soffits) shall be fully implemented before any of the dwellings are occupied in accordance with the details approved pursuant to Condition 32 of planning permission ref. 14/03324/FULL1 and permanently maintained as such thereafter.

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

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

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

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

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

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

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

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

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

**You are further informed that :**

**1** You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at [www.bromley.gov.uk](http://www.bromley.gov.uk)

**2** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

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



**Watching Brief**

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