

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

**Application No :** 15/04610/FULL1

**Ward:**  
**Cray Valley East**

**Address :** North Orpington Pumping Station, East Drive, Orpington

**OS Grid Ref:** E: 546496 N: 167282

**Applicant :** Fernham Homes Ltd

**Objections :** YES

### **Description of Development:**

Erection of 35 dwellings incorporating 14x3 bed houses, 10x4 bed houses of 2-2.5 storey in height, an apartment block of 2.5 storeys in height comprising 8x2 bed and 3x1 bed flats with associated car parking, landscaping and vehicular access off Lockesley Drive.

Key designations:

Areas of Archaeological Significance  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 9  
Smoke Control SCA 23  
Tree Preservation Order 2610

### Update

The application was deferred without prejudice from planning sub-committee 1 on the 15th December to seek a review of the following:

- Side Space and ensure compliance with Policy H9;
- Remove 3-storey elements;
- Siting and layout of the development.

Concern was also raised over condition 20 and the details regarding the surface water disposal.

Following the deferral, amended plans have been submitted which have removed the roof space accommodation from the dwellings located along the southern boundary of the site, more specifically plots 8-10 and 23 and 24. The dwellings now appear as two storeys in height, with those at plot 8-10 having been altered to a full hipped roof profile in contrast to the previously proposed barn hip roof. The proposed garage which was sited to the flank elevation of plot 8 has also been removed and replaced with surface parking.

The resulting loss of the roof space accommodation has not altered the number of bedrooms proposed within each unit however the reduction in the size of the

bedrooms has resulted in the occupancy of the dwelling being reduced from a five person dwelling to a four person dwelling. The alterations to the bedroom sizes remain compliant with the London Plan Standard in excess of 7.5sqm for a single room and 11.5sqm for a double bedroom. Both units at plots 23 and 24 are mirror images of each other with no alternate layout now proposed for the affordable unit at plot 24.

The alterations to the dwellings along the southern boundary of the site are provided in a direct response to the committee's previous deferral reasons with the dwellings closest to the existing residential area having been reduced in scale to a more reflective form to the surrounding residential properties along Glendower Crescent. The dwellings and apartment block that run centrally through the site have not been amended in height.

In terms of the compliance with Policy H9, it is noted that the only aspect of the overall development that does not comply with the required 1m space standards for development of two storeys or more is between the single storey garage at plot 11 and the flank elevation of plot 12 where just over a 1m space is to be retained. Whilst it is noted that this part of the development does not adhere to the policy requirement, given that this is a new development, adequate separation is generally retained between the new buildings and the resulting visual impact would not appear unduly cramped. The impact upon the spaciousness of the site as a result of the non-compliance with policy H9 in this location is also mitigated by the overall siting of the dwelling at plot E which has a positive impact in terms of openness given its green and spacious corner setting. It is noted that the Applicant has removed a garage from the flank elevation of plot 8 replacing the built form with surface car parking; this is considered to result in a more spacious appearance and less intrusive impact upon the owner occupiers of number 1 Lockesley Drive enhancing the spatial standards of the overall development. Matters concerning the terrace housing have been previously discussed within the preceding report.

Concern was previously raised by members as to the wording of condition 20 which precludes surface water runoff from discharging onto the highway and the impact of this runoff upon the water supply. It is noted within the submitted FRA that the Applicant states that the surface water is to drain into the sewer and storage tanks which is considered appropriate in this case. Members are directed to the wording of condition 28 which states that whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

One additional neighbour comment has been received since the application was deferred which states that the neighbouring owner/occupier would like to reverse his criticism in regard to the proposals for units 8,9, 10, 23 and 24 as these units are now to be two storey and better aligned to that of adjacent houses. The neighbour would like to re-affirm that the previously agreed 2m hedge to the south of the development should still be provided.

The original report is repeated below, updated where necessary.

### Proposal

Full planning permission is sought for the erection of 35 residential units comprising three 1 x bedroom apartments, eight 2x bedroom apartments, fourteen 3x bedroom dwellings and ten 4x bedroom dwellings. 73 car parking spaces (including garages and car ports), cycle parking, refuse storage and landscaping. Details of the proposal are set out below.

- Buildings are a mixture of two-three storeys in height and include detached, semi-detached and terraced houses with the eleven flats being located within a three storey block adjacent to plot 19.
- 3 x 1 bedroom apartments and 4 x 2 bedroom apartments (including the wheelchair accessible unit) are allocated as affordable rent, 1 x 3 bedroom house and 4 x 2 bedroom apartments are allocated as shared ownership. The rest of the dwelling houses are to be available at market price.
- The development is laid along two roads with the main vehicular access proposed from Lockesley Drive accessed to the south of Oakdene Road.
- One unit is designed to be wheelchair accessible and is located within the ground floor of the apartment block. House types A and D are wheelchair adaptable.
- Buildings are of traditional appearance featuring hipped or gable ended pitched roofs utilising a traditional palette of yellow bricks, render and concrete roof tiles in a mixture of grey and brown along with uPVC windows;
- a scheme of hard and soft landscaping is proposed including a small open green area towards to the south of the development which hosts two mature retained trees. Replacement planting is proposed throughout the site.
- The western boundary planting and some of the southern boundary is to be removed to facilitate the development. Some of the southern boundary is proposed to be replaced.
- Parking for a total of 73 vehicles is proposed with most houses hosting two parking spaces

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

#### Transport statement (April 2016)

The report considers the existing situation, the transport planning policy context for the new development, the accessibility of the site by non-car modes and undertakes a road safety study. Direct access to the development will be provided from Lockesley Drive via a new priority junction at the western extent of the site boundary. A no-right hand turn lane into the site is also proposed.

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. Cycle parking standards are provided broadly in line with the requirements of local and regional policy within the curtilage of each dwelling and with regard to the apartments at 1 space for 1 bedroom properties and 2 spaces for 2 bedroom properties. Furthermore, the anticipated level of vehicular trips has been assessed and finds that the increase in traffic flows identified can be accommodated onto the Lockesley Drive and surrounding network without a material impact on the operational capacity of the road.

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

An addendum to the transport statement was submitted (October 2016). The document covers a justification of the proposed location of parking spaces, the junction arrangement and notes on the acceptance of the width of the access road. A stage 1 road safety audit was subsequently submitted on the layout of the junction combined with the access to plots 8 - 10.

#### Ecological Assessment (August 2015)

The assessment found that there are no designated sites within or immediately adjacent to the site. The closest SSSI is over 2km from the development site and no adverse impact to this area is identified. There will be no impact to non-statutory designations of which the closest site (River Clay) is 0.4km from the site.

No harm is considered to be caused to any existing habitats within the site and it is considered that through the development of the site there will be opportunities to enhance the floristic diversity through the landscape scheme. It is recommended that where feasible, native species are utilised.

No badgers were found within the site, nor was it considered that there are any structure which would support features which bats may use for roosting or foraging. Ecological enhancements are proposed throughout the site including the erection of bat and nesting boxes to encourage the use of the area.

In terms of reptiles, an area of scrub is located on the site's western boundary and is considered to offer a sub-optimal habitat. Although it is considered unlikely that any common reptiles are present, it is recommended that the habitat is removed in a sensitive and systematic manner.

The report concludes that the site is not considered to be of high intrinsic value from an ecology and nature conservation perspective.

#### Tree Survey(Including constraints plan, arboricultural impact assessment, method statement and tree protection plan) (August 2015)

A line of sycamore trees are proposed to be removed along the western boundary of the site fronting Lockesley Drive to facilitate the entrance to the development and some of the most western proposed dwellings with a partial removal of the hawthorn and elder hedge to the south to provide adequate parking bays. A

scheme of re-planting is proposed including a condition to retain the hedgerow to the south. Tree protection measures are proposed for the retention of significant trees within the site, inclusive of the two beech trees to the south.

#### Sustainability and Energy statement (July 2016)

The document examines the planning policy context of sustainability and energy target requirements including bringing the development in line with London Plan requirements to achieve a 35% reduction in carbon dioxide emissions over the 2013 Building Regulation target rate. Further information was submitted which gave an indication of the working of the solar panels to ensure they are not obscured by trees within the site. The report concludes that with the introduction of lean, clean and green energy efficient measures, the total emissions are reduced by a total of 18,268kg CO<sub>2</sub> per year, or 35.05% of the TER emissions.

#### 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 flood risk to the site from tidal, groundwater, artificial sources and sewers is assessed as either low or zero. The site is sensitive in that it is located within a soil protection zone (SPZ1) and adjacent to the Thames Water facility with abstraction boreholes preventing the use of surface water infiltration drainage. The development will result in an increase of impermeable areas and a SuDs based surface water drainage strategy has been prepared. The report concludes that the Site will not be at significant risk of flooding, or increase the flood risk to others.

An addendum to the flood risk assessment was received on the 7th October 2016 which provided a response to some of the consultation comments received as part of the application and to provide additional data to the statement provided within Chapter 4.7 of the FRA. The addendum states that to mitigate surface water run-off along the southern boundary of the site, a gravity SW drainage network will be installed as part of the site development.

#### Geo-Environmental Site Assessment (November 2011)

The scope of the report is to further assess the potential for contamination at the subject site. No significant contamination was identified on the site.

#### Archaeological Desk-Based Assesment (February 2016)

The site is located within the Upper Cray Archaeological Priority Area indicating the potential for archaeology for all periods.

The scheduled monument of a Roman bathhouse and Saxon cemetery is located 375m north east of the site. Given the nature of the intervening built development , no significant impacts from the redevelopment of the study site are anticipated on the significance of these designated assets. The site has a low archaeological potential for all past periods. All works can be satisfactorily carried out with conditions.

## Statement of Community Involvement (October 2016)

The statement provides details of the public consultation event that took place prior to finalising the plans. The statement describes a community consultation event that took place prior to the submission of the application. The statement lists comments received from the public consultation events and details amendments to the application which have resulted from this.

The application is also accompanied by a Planning Statement and Design and Access Statement (April 2016), in which the applicant submits the following summary points in support of the application:

- The design incorporates two formal streets of houses
- The houses have been designed based on the 'Arts and Crafts' derived elevations of the upper part of the site which has influenced much of the existing surrounding houses
- The proposals respond to the existing site levels
- Level or gently sloping access for the less able has been successfully achieved throughout the scheme.

A detailed planning statement has also been submitted which covers all relevant national , regional and local plan policy.

Several amendments to the scheme have been submitted throughout the application process which have altered the layout, design and type of units proposed with the main set of amendments received in May 2016. The most recent submission of additional information was received on the 18th November 2016. The main changes and additional information are as follows:

- Submission of sections and illustrative showing the relationship with neighbouring properties to the south and the retention of the hedgerow along the southern boundary
- Addendum to the FRA to cover works to the culvert
- Plans to demonstrate compliance with Building Regulations Part M4(3) in terms of wheelchair unit provision.
- Provision of balconies to the apartment block
- Amended affordable housing statement to reflect the provision of a wheelchair accessible unit

## Location

- The site measures 0.8 hectares (gross site area)
- The site formed part of the adjacent water treatment plant known as North Orpington Pumping Station. The land is now surplus to requirements.
- The land comprises an area of grassland with some trees and planting with hedgerows.

- The site has no specific designation and is located within a predominantly residential area.
- The application site shares boundaries with the rear of properties fronting Oakdene Road to the north, the rear of the properties within Glendower Crescent to the south and the road frontage of properties in Lockesley Drive (where vehicular access is proposed from) to the west. Orpington Pumping Station is to the east of the site.
- A recent development to the north of the Pumping Station with access off East Drive was granted at appeal (ref: APP/G5180/A/12/2189777) for 8 dwellings and associated parking.
- The site is within a low Public Transport Accessibility Level (PTAL) area of 1b
- The site is located within Flood Zone 1 and is within a Source Protection Zone (total catchment zone 1) which is defined as having a 50 day travel time from any point below the water table to the source. This zone has a minimum radius of 50 metres.

## **Consultations**

### Comments from Local Residents:

As notified on the 14th December 2015:

- Notification letters not received
- The houses should be built in the building line of Lockesley Drive.
- The houses are dominant and would affect privacy and outlook
- Protection for the hedge along the southern boundary is required as it is part of the green corridor
- Potential increase of traffic along Austin Road
- Traffic calming measures would be beneficial
- The development is too densely packed
- Planned gardens are too small
- The development will remove another green space from the Borough.
- As the land slopes down the buildings will be prominent
- The development would cause too much environmental destruction
- No measures to increase school places, GP's and hospital beds etc.
- The infrastructure in the area is not robust enough
- Loss of quality of life for existing residents
- Flooding may occur along Glendower Crescent
- The block of flats used for social housing would not satisfactorily integrate families
- Three storey properties are highly inappropriate especially when considering the relationship with the single storey homes along 1-7 Lockesley Drive
- The drawings are misleading
- Inappropriate design of plots 8,9 and 10 and house types F and G are in contradiction to SPG advice on design
- Grouped parking courts and the use of clustered car ports and remote parking spaces is of concern

- Trees within the site have already been cut down and the development should provide replacement semi-mature planting
- Bromley SPG states that three storey houses are not in keeping with the inter war estate style
- The front elevations of the buildings are not set back sufficiently which gives little opportunity for landscaping and may lead to a loss of privacy.
- Significant overlooking from the apartment block to the rear of 17 Oakdene Crescent.

As notified on the 3rd August 2016:

- Overlooking and loss of privacy
- Impacts on wildlife
- Excavation will cause damage to tree roots
- Overdevelopment
- The plot would be better suited to half the amount of properties with a higher specification of houses with larger gardens
- House plots 8,9 and 10 need to be in the building line of Lockesley Drive
- Protection on the hedge is required
- Three storey houses are not appropriate
- Gardens are too small
- Health risks if drains were to overflow
- The amendments have not addressed any of the objections
- Local infrastructure will not cope
- Plot 7 will cause overlooking to the properties to the rear
- Surrounding properties have shallow roof pitches compared to that proposed within this application
- Lack of cohesive design with surrounding properties

As notified on the 17th October 2016

- The amended plans do not deal with the height of the 4 bedroom houses or apartment block
- The development is out of character
- Overdevelopment of the site
- Wildlife harm
- Small garden provision
- Storm water flooding from the development is a concern
- Noise pollution during build
- The height of plots 8,9 and 10 will be exaggerated as the land level slopes downwards to neighbouring existing properties
- Concern about the drainage ditch at the nearby allotments and possible damage and effectiveness of this.

As notified on the 18th November 2016

- The development will cause disruption, noise, pollution and make a quiet road a busy and dangerous road



- It will ruin the area
- The plots at 8,9 and 10 need to be built in line with the building line along Lockesley Drive
- Plots 8.9 and 10 would cause overlooking into the rear of 65 and 67 Glendower Crescent.

#### Comments from Consultees:

##### The Council's Highways Development Engineer:

There are a total of 73 spaces proposed with a mixture of open spaces, garages and car ports. Most of the houses have 2 spaces. The parking provision is generally in line with parking standards. Parking allocation of the scheme in terms of visitor and owner splits has been agreed and is considered acceptable.

A Stage 1 Road Safety Audit was provided on the layout of the junction combined with the access to plots 8 - 10, which is satisfactory. If the road is going to be adopted a safety audit for the whole layout will need to be provided however this can be provided by way of a condition.

The access road is proposed as a 4.8m carriageway which is satisfactory.

A contribution of £2000 is sought in respect of consultation, advertisement and implementation of waiting restrictions along Lockesley Drive.

##### The Council's Drainage Officer:

The submitted information including "drainage Layout" dated 16/03/2016 which provides cellular storage to restrict surface water run-off to greenfield run-off rate is acceptable in principle. No further information is required and no objections are raised subject to conditions.

##### The Council's Street Trees Officer:

The tree constraints have been addressed through the adoption of a Tree Protection Plan (TPP).

The proposal as illustrated on the Tree Protection Plan (TPP) indicates that the existing trees will be sufficiently protected for the duration of the scheme. Beech trees T1 and T8 are already the subjects of Tree Preservation Order (TPO) 2610. The remaining trees shown for retention would not qualify for the creation of another TPO. Short term protection may be applied by way of condition.

##### The Council's Environmental Health Officer (Pollution):

The site is relying on a previous contaminated land assessment report authored in 2011. There has been confirmation from the Applicant that there has been no other incidents since this time which would alter the conclusions from the report. Therefore subject to conditions requesting a watching brief and external lighting scheme, no objections are made.

### 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. It is recommend a Secure by Design condition is attached to any permission.

### Thames Water:

No objections raised to the application subject to the inclusion of a condition preventing piling occurring at the site until a piling method statement is submitted to and approved in conjunction with Thames Water due to the proximity of the development to underground water utility infrastructure. Thames Water also draws to the attention of the Applicant that the site is subject to covenants ensuring that the groundwater source beneath the site is protected.

### Transport for London:

A224 St Mary Cray Avenue is the nearest part of the Strategic Road Network, approximately 300m to the east.

The proposed access junction would include provision of a pedestrian footway measuring 1.8 metres in width that will link from the existing footway beside Lockesley Drive into the site on both sides of the new access. All footways should be at least 2m wide in accordance with TfL Streetscape Guidance.

TfL has no comments on the vehicular access off Lockesley Drive as it is a local road and LB Bromley is the highway authority.

Car and Cycle Parking in accordance with London Plan standards should be secured by condition and discharged in consultation with TfL.

TfL accepts the trip generation associated with the proposed development would be unlikely to have a significant strategic impact on the local public transport and highway networks.

### Environment Agency:

The key issue for the Environment Agency is that the site is within a groundwater protection zone. The site is located over a secondary aquifer and within an inner source protection zone for the public drinking water supply.

Further comments were received from the EA taking into account the works to clear out the culvert. No objections are made, subject to conditions monitoring the work.

## Historic England:

The planning application lies in an area of archaeological interest. Preliminary comments were received from Historic England which required the submission of a staged process of investigation and an archaeological report to be submitted.

Subsequently an archaeological desk based assessment was submitted by the Applicant in February 2016 and further comments were received by Historic England in August 2016.

Historic England raised no objections to the submitted information stating that the desk based assessment concluded that overall it would appear that the proposed development of the site could potentially impact as yet to be discovered archaeological remains of local significance. Historic England are in agreement with the findings and recommend approval subject to conditions.

## **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  
ER7 Contaminated Land  
ER10 Light Pollution  
H1 Housing Supply  
H2 and H3 Affordable Housing  
H7 Housing Density and Design  
H9 Side Space  
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  
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

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closes on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that an updated Local Development Scheme will be submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, indicating the submission of the draft Local Plan to the Secretary of State in the early part of 2017. The weight attached to the draft policies increases as the Local Plan process advances.

The most relevant draft Local Plan policies include:

- Draft Policy 1 - Housing Supply
- Draft Policy 2 - Provision of Affordable Housing
- Draft Policy 4 - Housing Design
- Draft Policy 8 - Side Space
- Draft Policy 30 - Parking
- Draft Policy 31 - Relieving Congestion
- Draft Policy 32 - Road Safety
- Draft Policy 33 - Access for All
- Draft Policy 34 - Highway Infrastructure Provision
- Draft Policy 37 - General Design of Development
- Draft Policy 113 - Waste Management in new Development
- Draft Policy 115 - Reducing Flood Risk
- Draft Policy 116 - Sustainable Urban Drainage Systems
- Draft Policy 119 - Noise Pollution Draft Policy 120 - Air Quality
- Draft Policy 122 - Light Pollution
- Draft Policy 123 - Sustainable Design and Construction
- Draft Policy 124 - Carbon Dioxide Reduction, Decentralised Energy Networks and renewable energy

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

- 2.18 Green Infrastructure
- 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
- 7.18 Protecting Open Space and Addressing Deficiency
- 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  
109 -111, 118, 120 - 121, 121: nature conservation and biodiversity

### Planning History

There is a varied planning history with regard to the Thames Water use of the site. The most pertinent planning applications include:

99/02371/FULL1 - Detached building for water treatment plant and equipment - Permitted

00/00653/TELCOM - m high telecommunications tower on roof with 3 directional antennas and 2 microwave dishes equipment cabin at ground level. (28 DAYS) Consultation by Vodafone Ltd regarding need for approval of siting and appearance - Prior Approval required and refused.

00/03335/TELCOM - 6 telecommunications antennae on roof; equipment cabin  
CONSULTATION BY VODAFONE REGARDING NEED FOR APPROVAL OF SITING AND APPEARANCE - Prior approval required and granted.

Application ref: 11/03762/OUT was submitted for 8 terraced houses and an access road from East Drive and was allowed on appeal (ref: APP/G5180/A/12/2189777). The application is sited to the north of the Pumping Station, on a separate section of the site to that as proposed to be developed under this application. A reserved matters application following the grant of outline permission was approved under application ref: 14/01181/DET and a non-material amendment to change the colour of the windows was approved under application ref: 11/03762/AMD.

### **Conclusions**

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

- Housing Supply
- Density
- Acceptability in terms of design
- Housing Issues
- Impact on neighbouring amenity in terms of outlook, daylight, sunlight and privacy
- Highways impacts
- Impact on trees and ecology
- Planning Obligations

### 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 NPPF Paragraph 14 identifies the presumption in favour of sustainable development and that planning permission should be granted if in accordance with the development plan. Paragraph 15 of the NPPF states that development which is sustainable should be approved without delay. There is also a clear need for additional housing to meet local demand and needs.

The London Plan seeks mixed and balanced communities in accordance with Policy 3.9, which states that communities should be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment. Policy 3.3 establishes a housing target, whereas Policies 3.11 and 3.12 confirm that Boroughs should maximise affordable housing provision, where 60% of provision should be for social housing (comprising social and affordable rent) and 40% should be for intermediate provision where priority should be accorded to the provision of affordable family housing.

UDP Policy H1 requires the Borough to make provision for at least 11,450 additional dwellings over the plan period however this is superseded by the London Plan housing targets where the minimum 10 year target for Bromley is 6413 net additional dwellings between 2015-2025. It is noted that the proposal could potentially represent a significant contribution of the Council's required Housing Land Supply.

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

The site is not allocated for residential development therefore should be assessed in accordance with Policy H1 to determine the suitability of windfall sites. Such land will be reviewed to assess whether it comprises previously developed land and the sites location will also be assessed having regard to its proximity to local services and public transport. Physical and environmental constraints on a site will also need to be assessed in order to determine if residential development is acceptable.

The site is a sub-divided area of the wider Pumping Station site and falls within the curtilage of the existing building. In terms of the extent of the development, the land bears no formal designation and is not located nearby sensitive areas such as conservation areas or sites of specific nature importance; no statutory listed buildings are located in close proximity to the site. Furthermore, the site is situated

within a predominantly residential area, bounded on three sides by a mixture of single and two storey properties.

It is noted that the site has a low PTAL of 1B however the application has been accompanied by a comprehensive transport statement and subsequent addendum which does not identify any detrimental impact upon the surrounding highways network or parking capabilities within the site. The statement also highlights local bus routes and St Mary Cray train station which is 1.1km from the site.

The use of the site for use of the Pumping Station is surplus to requirement evidenced in the submission of this planning application. The site is not a designated park or classed as urban open space and whilst it is acknowledged that it provides some visual relief within an otherwise densely developed residential setting, the absence of such designation evidences the acceptability of the proposed use. The site is also connected to an area of urban open space to the south western corner of the site which retains an open space within the locality.

The site is considered acceptable in principle for residential development subject to an assessment of all other matters.

### 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 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 occupiers 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 43.75 units per hectare which is compliant with the density guidelines set out in the UDP and the London Plan and approximately 203.75 habitable rooms per hectare which



is slightly over the density guidelines as stipulated however would not materially impact upon the overall provision.

Whilst the proposed development would sit slightly above these ranges, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity. Subject to more detailed consideration of the design and layout of the scheme and the quality of residential accommodation proposed, the proposed residential density is acceptable in principle only.

## 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 the existing hedgerow is to be retained as well as two protected beech trees. This can be secured by condition should permission be forthcoming.

In terms of the compliance with Policy H9, it is noted that the only aspect of the overall development that does not comply with the required 1m space standards for development of two storeys or more is between the single storey garage at plot 11 and the flank elevation of plot 12 where just over a 1m space is to be retained. Whilst it is noted that this part of the development does not adhere to the policy requirement, given that this is a new development, adequate separation is generally retained between the new buildings and the resulting visual impact would not appear unduly cramped. The impact upon the spaciousness of the site as a result of the non-compliance with policy H9 in this location is also mitigated by the overall siting of the dwelling at plot E which has a positive impact in terms of openness given its green and spacious corner setting. It is noted that the Applicant has removed a garage from the flank elevation of plot 8 replacing the built form with surface car parking; this is considered to result in a more spacious appearance and less intrusive impact upon the owner occupiers of number 1 Lockesley Drive enhancing the spatial standards of the overall development. Furthermore, the separation distances around the perimeter of the site retain in excess of 1m separation distance to existing boundaries. The revised layout amended the roadways within the development and re-positioned the dwellings along two main roads, retaining an open green area to the south.

It is noted that plots 8,9 and 10 are sited to the rear of 1 and 3 Lockesley Drive by approximately 3m. The set-back of the proposed dwelling at plots 8-10 allows for an area of planting to the front of the development which would clearly demarcate the entrance to the new residential development. The landscaping to the front would soften this corner and create a visually attractive entrance. The development clearly forms a stand-alone sub-area within the wider locality, and whilst existing building lines should be respected, in this case the character of the development is such that the set-back along Lockesley Drive is considered acceptable.

Plots 1,2,3 and 4 are located within 2m of the pavement along Lockesley Drive. Whilst it is acknowledged that this is relatively close with regard to existing properties along Lockesley Drive, when taking into consideration the dwellings located to the north of the development around the junction with Austin Road and Oakdene Road, this distance may be considered broadly reflective of the

surrounding locality. A scheme of landscaping will be conditioned to be submitted which is considered to soften the impact of the proximity of the dwellings to Lockesley Drive.

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.

The rear gardens provided measure between 8-14m in length which in this instance would provide adequate private garden spaces for occupiers of the proposed dwellings and sufficient separation to existing buildings. Outdoor amenity space for the apartment block is located to the rear and by way of private balconies (in which over 5sqm per unit is provided) and is of an acceptable size, shape and layout. 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 a mix of 2 and 2.5 storey dwellings of varying designs with the flats being located within a three storey block. The adjacent dwellings located within Lockesley Drive, East Drive and Oakdene Road are predominantly two storey and the applicant has taken references for the massing, scale and materials from an Arts and Crafts style which is loosely based on the design of these nearby houses. It is appreciated that within the site 2.5 storey properties are proposed in plots 8-10, 23-24 and 5-6. Several neighbour comments make reference to the Inspectors comments in the previous appeal decision for 8 dwellings within the northern section of the site (ref: APP/G5180/A/12/2189777) where the Inspector stated that three storey properties would not be acceptable.

Whilst the previous Inspectors comments are material in that the site forms part of the wider area, this development is sited at a greater distance from nearby residential properties and maintains a sense of openness and detachment from the surrounding residential form which is considered materially different from that as approved in the northern part of the site. Furthermore, the Inspector found that the three storey properties were only inappropriate in that they would cause overlooking and no reference was made to any inappropriateness in terms of design. It is noted that three storey properties are not readily found within the wider area, however, given the siting of the apartment block to the far eastern side of the development, away from any public views from Lockesley Drive, the scale and massing of this building is not considered inappropriate within its context.

The materials proposed allow for a homogenous appearance through the site with an acceptable palette of materials being proposed inclusive of render, yellow stock brick and upvc windows. It is considered that the dwellings sited on prominent corners retain an acceptable fenestration layout with landscaping softening the impact of the development on approach. Should permission be forthcoming, details of a comprehensive landscaping scheme can be secured by condition.

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 size of the site 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 1 and 2 bedroom flats and 3 and 4 bedroom houses are considered acceptable in this respect. The majority of the affordable units are one and two bedroom dwellings which is considered to reflect local need and is considered acceptable by the Council's housing team.

#### *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. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. Priority should be accorded to provision of affordable family housing.

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 to be provided.

The Applicant is proposing 12 affordable dwellings which equates to a 34.3% provision (by unit), these are predominantly located within the apartment block with one three bedroom house at plot 24. 8 apartments are proposed to be marketed as affordable rent and 3 as intermediate rent with one house also as intermediate rent. Whilst it is acknowledged that the development does not meet the required 35% threshold, the level of provision of affordable units is only just under the minimum requirement. When weighing up the delivery of 35 dwellings, the majority of which are suitable for family accommodation, on balance, this provision is considered acceptable. The affordable dwellings are provided at varying sizes which is encouraged including two bedroom apartments and a three bedroom dwelling. This equates to a 66%-33% split in tenure in favour of affordable rent which is considered broadly compliant with the London Plan standards as outlined and acceptable for the size of the development being provided and reflecting upon local need. One affordable rented wheelchair accessible property is located within the ground floor flat which equates to just under 10% provision and deemed acceptable. Members may consider this provision acceptable and should planning permission be forthcoming the delivery of Affordable House can be secured by way of legal agreement.

#### 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 unit (plot 27 (flat 3 within the apartment building) will have an internal area of just over 61.29 square

metres, larger than the other one bedroom apartments within the block, and the detailed layouts for the wheelchair apartments confirm that this unit will be able to meet the requirements of Part M4(3) of the Building Regulations which will be secured by way of legal agreement.

With regards to Part M4(3) (wheelchair user dwellings) additional supporting information has been provided which show that house types A and D are wheelchair adaptable which accounts for just under 10% of the market housing. 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.

Based on the expected child occupancy of the development, the London Plan requires a minimum 232 square metres of play space for the development. Each unit would be provided with either a private or communal garden and in the case of the apartments, private outdoor space. Furthermore, the proposed layout of the development provides open green space to the south of the development adjacent to plot 10. 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.

The application site is surrounded to the north, west and south by residential dwellings along Lockesley Drive, Glendower Crescent and Oakdene Road. In the main, the development is sited so that primary outlooks are focused away from the neighbouring properties or are at a level where it is not considered to impact upon privacy.

With regard to any potential daylight and sunlight impacts, there may be some minimal impact upon the properties facing Oakdene Road to the north however given the separation distances between the development and the neighbouring properties (approx..27m) this is not considered to materially impact upon residential amenity to a detrimental degree. The dwellings along Glendower Crescent to the south east of the development may experience a minimal loss of light within the late afternoon, however given the separation distances this again is not considered so detrimental to neighbouring amenity.

Comments have been received from the dwellings along Glendower Crescent whose rear amenity space backs onto the development to the north. The comments pertain mainly to the impact of the loss of the hedge which bounds the

south of the development site, and the impact of overlooking from the rear of plots 23 and 24. Whilst it is noted that there are habitable room windows which face onto the rear of the gardens of 83-87 Glendower Crescent these are located between 8.5-7.5m from the common boundary and 22m from the neighbouring rear elevations. The separation distances provided are considered satisfactory to prevent any loss of privacy or overlooking which is further mitigated by the length of the rear gardens along Glendower Crescent. In terms of the hedge which presently runs along the southern boundary of the site, amendments to the application have been forthcoming which retain this planting, therefore addressing any concern in this regard. Should permission be forthcoming, a condition requiring the submission of boundary details and a detailed landscaping plan shall be added to ensure further mitigation at this point as well as a condition requiring that the hedgerow is retained.

Comments have also been received with regard to the impact upon number 1 Lockesley Drive and the siting of the development in relation to the dwellings along this part of the highway, specifically requesting that the properties are sited in line with the existing building line. The dwellings are not considered to detrimentally impact upon the dwelling at number 1 Lockesley Drive, with no flank windows proposed facing the neighbouring property. The two storey house is located 4.5m from the common side boundary boundary. The acceptability of the siting of the dwelling is further evidenced by the compliance with the 45 degree angled light test when taken from the rear habitable room windows of 1 Lockesley Drive. Whilst there will be some visual incursion as a result of the development, given the separation distances provided it is not considered that the scheme would unduly compromise residential amenity in this regard.

Four dwellings are located along the frontage of the development that overlook the rear amenity space of 2 Lockesley Drive. The dwellings are located 14m from the side boundary, across the highway, which is considered a sufficient distance to prevent any actual or perceived overlooking of the neighbouring property. The dwellings at plots 1-4 are not considered to appear unduly dominant or oppressive when viewed from 2 Lockesley Drive given the separation distances.

It is acknowledged that to the south-eastern point of the site, the dwellings at 85-95 Glendower Crescent will meet the boundary with the development at the point of the communal parking area for the apartments. It is acknowledged that at this point there will be some additional vehicular movements and noise where presently there is an absence, however the retention of the hedgerow along the southern boundary of the site is considered to mitigate this to a certain extent. Furthermore, the dwellings are located approximately 15m from the parking area therefore the noise associated with this space is not considered to be so detrimental to be considered harmful to neighbouring amenity. Should permission be forthcoming, a condition will be required for a scheme of lighting and car park management plan to be submitted which will include methods to alleviate disturbance.

Concerns have also been raised regarding the relationship of the proposed house at plot 7 to the dwellings at 29 and 31 Oakdene Road. While the house at plot 7 and 6 is situated in close proximity to 29 and 31 Oakdene Road, there is a separation distance of 8-8.5m to the rear amenity space of the adjacent properties,

with a further 20m to the rear elevations which is considered sufficient to prevent any actual or perceived overlooking or detrimental overshadowing. The first floor second bedroom extends the length of the property therefore it is considered reasonable to obscurely glaze the rear habitable window to further protect neighbouring amenity. Furthermore, the dwellings are sited at an angle that any potential for overlooking would be mitigated by the planting along the boundary which can be conditioned to be increased should permission be forthcoming. The topography of the land is such that it slopes downwards towards the development site from Oakdene Road. Plot 7 is located at a slightly lower land level than the dwellings along Oakdene Road, which mitigates any undue impacts in terms of prominence and overlooking. 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 and is on balance, acceptable.

The apartment block to the east of the site provides balconies to the first and second floor apartments. Plot 19 is located to the west of the site, 5.5m from the nearest balcony and is the nearest residential dwelling. Properties along Oakdene Road are sited over 32m from the apartment block and are not considered to be detrimentally impacted as a result of the raised outdoor amenity area. The balconies are also located 11m from plot 24 to the south which is also considered sufficient. To prevent any actual and perceived overlooking into the rear of plot 19, details of screening can be conditioned for details to be forthcoming prior to occupation which will alleviate concerns regarding residential amenity.

Issues regarding noise from the building have been considered and given the location of the development within a built up residential area it is deemed necessary to condition the working hours on the site to reasonable operational hours, restricting Sunday and bank holiday working.

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.

#### 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.

There are a total of 73 car parking spaces proposed with a mixture of open spaces, garages and car ports. Most of the houses have 2 spaces which the Highways Officer deems broadly compliant with parking standards and raises no concerns in this regard. Some cycle storage provision is provided within the rear gardens of the dwellings however this is not the case for every property provided. Should Members be minded to grant permission, a condition requiring further details of this will be required in line with the London Plan standards.

The proposed level of parking meets 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.

The proposed junction with the access road and Lockesley Drive is on the outside of a bend which gives satisfactory sightlines. A Stage 1 Road Safety Audit was provided on the layout of the junction combined with the access to plots 8 - 10, which is satisfactory. A further detailed plan is needed for the layout of the access junction, including the access to no.1 Lockesley Drive, relocation of lamp column, tactile paving, repositioning of the gully etc which can be conditioned for submission should Members be minded to grant permission. The access road is proposed as a 4.8m carriageway which is satisfactory. A revised swept path analysis was submitted for the refuse lorry access and the findings of this were satisfactory.

The road safety audit resulted in the requirements for waiting restrictions by the entrance to the development. A contribution has been agreed with the Applicant to allow for these works as well as effective consultation and advertisement. The can be secured through the section 106 agreement.

In conclusion, no concerns are raised as to highways safety or the provision of a satisfactory level of car parking within this scheme. Further details concerning cycle storage can be conditioned.

### 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 nets 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.

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 an arboricultural report and ecological appraisal which make a number of recommendations in respect of tree protection measures and protected species.

A line of sycamore trees are proposed to be removed along the western boundary of the site fronting Lockesley Drive to facilitate the entrance to the development and a partial removal of the hawthorn and elder hedge will be required to the south of the site to provide adequate parking bays. A scheme of re-planting is proposed including a condition to retain the remaining hedgerow to the south. Tree protection measures are proposed for the retention of significant trees within the site, inclusive of the two beech trees to the south. No objections are made by the Council's Tree Officer in this regard stating that existing trees within the site will be sufficiently protected for the duration of the scheme, with particular protection of the two protected beech trees to the south. Comments from neighbours have been forthcoming as to the extent of the removal of the trees on the site at present, whilst this is regrettable these do not have any formal protection and as such can be removed without prior notification to the Council. A scheme of replacement planting including mature trees has been forthcoming which is considered to mitigate some of the loss of the trees.

An Ecological Assessment was submitted which considered any likely impact of the scheme upon protected species inclusive of bats and badgers. The report found that the closest SSSI is over 2km from the development site and no adverse impact to this area is identified. There will be no impact to non-statutory designations of which the closest site (River Clay) is 0.4km from the site.

No harm is considered to be caused to any existing habitats within the site and it is considered that through the development of the site there will be opportunities to enhance the floristic diversity through the landscape scheme. It is recommended that where feasible, native species are utilised.

No badgers were found within the site, nor was it considered that there are any structure which would support features which bats may use for roosting or foraging. Ecological enhancements are proposed throughout the site including the erection of bat and nesting boxes to encourage the use of the area. These can be conditioned should permission be forthcoming.

In terms of reptiles, an area of scrub is located on the site's western boundary and is considered to offer a sub-optimal habitat. Although it is considered unlikely that any common reptiles are present, it is recommended that the habitat is removed in a sensitive and systematic manner.

The report concludes that the site is not considered to be of high intrinsic value from an ecology and nature conservation perspective.

Should the application be considered acceptable overall, tree and ecology conditions, to include the requirement for additional planting along the northern site boundary and the provision of ecological enhancements such as bat and bird boxes, 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 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. Further information was submitted with regard to the anti-glare capabilities of the panels and the effectiveness of the PV panels located under the trees. The report concludes that with the introduction of lean, clean and green energy efficient measures, the total emissions are reduced by a total of 18,268kg CO<sub>2</sub> per year, or 35.05% of the TER emissions. Both of these points were found to be acceptable. A condition would be recommended should permission be forthcoming 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 applicant has agreed, in principle, to pay contributions for health and education. Highways contributions of £2000 have been agreed to provided waiting restrictions along the entrance to the development.

The scheme would also be subject to Mayoral CIL.

### Summary

The assessment above 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 residential properties.

It is considered that the site is an appropriate, sustainable windfall site, suitable for the density of residential development proposed within this application. Through the submission of a transport statement and road safety audit, the amount of development proposed is not considered to unduly impact highway safety, nor the amenity of the surrounding dwellings given the provision of sufficient off-street parking.

Matters concerning the impact on neighbouring amenity have been taken into account with the provision of revised plans ensuring that enhanced planting and screening is provided to ensure no adverse impacts upon neighbouring properties. The siting of the dwellings are considered appropriate in that they are set at a distance which mitigates any potential overlooking or loss of privacy. The scheme is considered of a logical layout, providing an open green space to the south of the development as well as landscaping throughout the site, softening the impact of the built form. The design of the dwellings is well reasoned, and appropriate within the wider residential context of the area.

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.

Background papers referred to during production of this report comprise all correspondence on the file refs 11/03762/OUT set out in the Planning History section above, excluding exempt information.

**as amended by documents received on 09.02.2017**

**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 the expiration of 3 years, beginning with the date of this decision notice.**

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

- 2 The development hereby permitted shall be carried out otherwise than in complete accordance with the following plans unless previously agreed in writing by the Local Planning Authority:**

**Site wide plans/elevations/floor plans: 041505-FER-03 Rev F, 041505-FER-01 Rev H, 041505-FER-H-E3, 041505-FER-H-E2, 041505-FER-H-E1 Rev A, 041505-FER-H-P1 Rev A, 041505-FER-B1-P3 Rev B, 041505-FER-B1-P2 Rev B, 041505-FER-C-E1 Rev B, 041505-FER-C-P1 Rev B, 041505-FER-B-E1 Rev B, 041505-FER-B-P1 Rev A, 041505-FER-F-E1 Rev B, 041505-FER-F-P1 Rev B, 041505-FER-E-E1 Rev B, 041505-FER-E-P1 Rev B, 041505-FER-SS05 Rev C, 041505-FER-SES02 Rev B, 041505-FER-GAR01 Rev B, 041505-FER-05 Rev F, 041505-FER-04 Rev F, 041505-FER-02 Rev J, 041505-FER-A-E1 Rev B, 041505-FER-A-P1 Rev A, 041505-FER-B1-P1 Rev C, 041505-FER-D-E1 Rev B, 041505-FER-D-P1 Rev B, 041505-FER-D-P1 Rev B, 041505-FER-G-E1 Rev B, 041505-FER-G-P1 Rev B, 041505-FER-CP03 Rev A, 041505-FER-CP01 Rev A, 041505-FER-CP02 Rev A, 041505-FER-06, 041505-FER-SS04 Rev D, 041505-FER-B1-E3 Rev B, 041505-FER-B1-E1 Rev C, 041505-FER-B1-E2 Rev C, 041505-FER-B1-E4 Rev B, 041505-FER-B1-P4 Rev A, 041505-FER-SES01 Rev B, 041505-FER-PER02 REV D, 041505-FER-PER01 REV D, 041505-FER-PER03 REV A, 041505-FER-CP04**

**REASON: In order to comply with Policies BE1, BE13, BH2, BH5, G1, H7 and H9 of the Unitary Development Plan and in the interest of the openness of the Green Belt, the impact on the adjacent conservation area and heritage assets and the visual and residential amenities of the area.**

- 3 Details and samples of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any above ground works are commenced. A schedule for applying the approved render shall be submitted including the type of render and manufacturer and the procedure for application. The development shall be carried out in accordance with the approved details.**

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

- 4 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and**

approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted above ground level, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall seek to achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.

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

- 5 Before any works on site are commenced above ground level, a site-wide energy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The results of this strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve a reduction in carbon emissions of 35% above that required by the 2013 building regulations. The development should also achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final designs, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

**REASON:** In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policies 5.2 and 5.7 of The London Plan.

- 6 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.

- 7 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.

**In order** to comply with Policy NE5 of the Unitary Development Plan and in the interest of any protected species present at the site.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

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

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

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

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

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

- 11 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

- 12 No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries shall exceed 1m in height, and these means of enclosure shall be permanently retained as such.

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

- 13 Before any part of the development hereby permitted is first occupied that part of a sight line of which can be accommodated within the site shall be provided in both directions at \*\*\*\* and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed \*\*\*\* in height in advance of this sight line, which shall be permanently retained as such.

**Reason:** In order to comply with Policy T18 of the Unitary Development Plan and to ensure that the proposal does not prejudice the free flow of traffic and conditions of general safety along the adjoining highway.

**14** 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.

**15** The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

**16** 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 submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

**Reason:** In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

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

**Reason:** In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

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

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



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

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

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

**Reason:** In the interested of Highways Safety in compliance with Policy H18 of the Unitary Development Plan.

**21** Before any work is commenced on the access/highway works a Stage 1 and where appropriate a Stage 2 Road Safety Audit (these may be combined with the prior agreement of the local Planning Authority) shall be submitted to and approved in writing by the local Planning Authority for the entire road layout. The works shall be implemented strictly in accordance with the approved details to the satisfaction of the local Planning Authority before any part of the development hereby permitted is first occupied. A Stage 3 Audit shall be submitted to and approved in writing by the local Planning Authority following satisfactory completion of the works and before they are opened to road users.

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

**22** No loose materials shall be used for surfacing of the parking and turning area hereby permitted

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

**23** Prior to the commencement of any works in or within 8m of the River Cray from the proposed development, details of the proposed method of clearance of the culvert are to be submitted to the Environment Agency, and (if required) an application for a Flood Risk Activity Permit is to be submitted.

**REASON:** For the protection of the integrity and function of the existing culvert. Clearance of debris within and around the culvert has the potential for unexpected damage to be inflicted on the culvert structure. In addition, any

change to the flow or water level of a river may result in potential adverse effects further downstream of the river.

- 24 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority [LPA]), 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:
- 1) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - 3) The results of the site investigation and detailed risk assessment referred to in (2) 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.
  - 4) 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 (3) 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.

For the protection of controlled waters. The site is located in a sensitive area with respect to controlled waters and no information has been provided on the site's contamination status.

- 25 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 LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, 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 LPA.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to controlled waters.

Condition

- 26 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 LPA. 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.

Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

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

Reason

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

28 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to controlled waters.

29 A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological observation and recording in respect of any anticipated geotechnical site investigation, in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.

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

C) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in

writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.

D) Under Part C, the applicant (or their heirs and successors in title) shall implement a programme of archaeological mitigation in accordance with a Written Scheme of Investigation.

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

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

30 Details of the means of privacy screening for the balcony(ies) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details and permanently retained as such.

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

31 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

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

32 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' for the units identified in the application as non-wheelchair units and shall be permanently retained thereafter.

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

33 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(3) 'wheelchair user dwellings' for the units identified in the application as wheelchair units and shall be permanently retained thereafter.

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

**34 Before the development hereby permitted is first occupied the proposed window in the rear elevation of bedroom 2 of the dwelling at plot 7 shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.**

**Reason: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan**

**35 Prior to the first occupation of the development hereby approved drainage works shall be carried out in accordance with the FRA Report by Robert West with Ref No. 5194/004/R01 Dated March 2016. The approved works shall be carried out in strict accordance with the approved plan and document and shall be permanently retained in operational order thereafter.**

**Reason: To reduce the impact of flooding both to and from the proposed development and third parties.**

**36 No trees or hedgerows on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees or hedgerows removed or which die through lopping, topping or pruning within 10 years of the date of this consent shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.**

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

**37 An electric car charging point shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces.**

**Reason: To minimise the effect of the development on local air quality in accordance with Policies 6.13 and 7.14 of the London Plan.**

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

The statement shall include details of:

1. Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;
2. Type and siting of scaffolding (if required);
3. Details of the method and timing of demolition, site clearance and building works
4. Depth, extent and means of excavation of foundations and details of method of construction of new foundations
5. Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;
6. Location of bonfire site (if required);
7. Details of the location of underground services avoiding locating them within the protected zone
8. Details of the method to be used for the removal of existing hard surfacing within the protected zone
9. Details of the nature and installation of any new surfacing within the protected zone
10. Methods proposed for the watering of the trees during the course of the project

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

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

You are further informed that :

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined 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)
- 2 Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant."

- 3** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site. If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 4** You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 5** Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.
- 6** There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
- 7** A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team.
- 8** Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development."