

SECTION '3' – Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 16/04027/FULL1

Ward:
Penge And Cator

Address : Columbia International Ltd, Kangley
Bridge Road, Lower Sydenham, London

OS Grid Ref: E: 536684 N: 171175

Applicant : Mr S March

Objections : YES

Description of Development:

Erection of a building comprising 2,323 square metres for use as a trade only builders merchant with associated parking, servicing, boundary treatment and landscaping.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 2
Business Area

Proposal

Planning permission is sought for the erection of a rectangular building measuring 57.5m wide by 36m deep and 11.3m high on this 0.49ha site. The building will be constructed in profiled steel cladding.

The building will provide 2072 sqm gross external area (GEA) plus a mezzanine with a GEA of 331 sqm (total 2403 sqm GEA). The applicant is applying for the use of the building as a trade only builders merchant falling within Class B8 (storage and distribution) of the Use Classes Order 1987 (as amended).

Internally the building will provide a net internal area (NIA) of 1862 sqm of customer space with 430sqm for staff only (total 2292 sqm). There will be a trade counter adjacent to the entrance with a warehouse/sales area beyond with customer access to this space.

The building will be located to the rear of the site adjacent to industrial units forming part of the Laker Industrial Estate. The customer entrance to the building will be via the southern side of the building with a service entrance facing Kangley Bridge Road.

In front of the building (on the eastern side) there will be a service yard and storage yard. The storage yard consists of storage racking that will be 5.5m high storing goods up to 6m high. To the side of the building (south), 21 customer car parking

spaces including 2 disabled spaces will be provided with a turning head to allow vehicles to enter and leave the site forwards. In addition a cycle rack providing 10 spaces will be provided adjacent to the substation that will be retained.

The plans show the site boundary to be a new 2.4m palisade fence.

A total of 7 trees will be removed; 5 on the site and 2 street trees.

The applicant has submitted the following documents to support the application:

- Planning, Design and Access Statement
- Transport Characteristics of a Selco Builders Warehouse
- Desk Study Report (for remedial contamination requirements)
- Sustainable Energy and Drainage Statement
- Covering letter dated 3.1.2017

Planning, Design and Access Statement

This statement sets out the applicant's assessment of the site and surrounding area and the rationale for the proposal having regard to relevant development plan policies. The statement confirms the amount of development proposed, parking, cycling and refuse provision and assessment of the highways impact and visual impact of the proposal

Transport Characteristics of a Selco Builders Warehouse

This report sets out details of a knowledge base of the transport characteristics relating to a typical SELCO store including trip generation and car parking analysis based on transport characteristics from other stores. The principles are then applied to the application site providing information about traffic movements, car parking demand and provision and servicing requirements and provision.

Sustainable Energy and Drainage Statement

At the time of writing the report a revised Energy Statement is expected and the assessment of this will be reported verbally to Members.

Covering letter

This provides further information to support the change of use to B8 in terms of planning policy application and providing details of other similar applications which have been successful in other local authorities.

Location

The site is located within Kangley Bridge Business Area (Lower Sydenham) on the eastern side of Kangley Bridge Road. To the north is the Orchard Business Centre with Stanmore Steel and Fabrication to the south and Laker Industrial Estate to the east. On the opposite side of Kangley Bridge Road is the London Recycling Centre and a second site for Stanmore Steel and Fabrication.

The site is currently vacant with buildings previously occupied by Columbia Ribbons (Class B2), which were demolished in 2013.

The site lies within the Lower Sydenham Business Area as designated in the Unitary Development Plan. In the draft Bromley Local Plan the site is within the proposed Lower Sydenham Locally Significant Industrial Site (LSIS). The site has a PTAL of 2.

Consultations

Comments from Local Residents

Nearby properties were notified and 1 representation has been received objecting to the proposal on the following grounds:

- Existing parking on Kangley Bridge Road means it is difficult to manoeuvre coaches in and out of the objectors site and to negotiate parked traffic on the highway.
- The proposal will increase the amount of traffic along the road leading to more congestion on a busy road.

Comments from Consultees

Highways

The details for customer's car parking and servicing looks satisfactory. Please include the following with any permission:

Conditions:

H03 (Satisfactory Parking)

H08 (Turning area)

H10 Sight lines of 43m x 2.4m x 43m

H12 Pedestrian Visibility....3.3 x 2.4 x 3.3m visibility splays and no obstruction to visibility in access of 1m in height...

H16 (Hardstanding for wash-down facilities)

H19 (Refuse storage)

H21 (Car parking to be for customers/employees)

H22 (Cycle parking)

H23 (Lighting scheme for access/parking)

H24 (Stopping up of access)

H29 (Construction Management Plan)

H32 (Highway Drainage)

Non Standard Condition

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

Informative

DI16 (Crossover)

DI26 (Gates)

Non standard informative

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

Drainage Officer:

Please advise the applicant that discharging surface water run-off to public surface water sewer without attenuation is not acceptable.

Please impose D02 & D06.

Environmental Health Officer:

I have looked at this application, in particular the Desk Study Report prepared by ACS Testing Ltd to determine the likelihood of ground contamination. The Report recommends an intrusive ground investigation, with which I concur.

In principle I would have no objections to permission being granted however I would recommend that Standard Condition K09 be imposed as the most effective way to control this, even though the Desk Study complies in part with that Condition.

Thames Water:

Raise no objections in terms of water and sewerage infrastructure capacity as set out below:

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water recommend the following informative be attached to any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developers cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

Street Trees Officer:

With regard to the street trees, the Council's Arboricultural Officer advises that having inspected the trees on Kangley Bridge Road that the applicant proposes to remove to facilitate the development, we would be willing to allow this on the condition that the applicant compensates LBB for the loss of two valuable assets. We have used a tree valuation system called CAVAT which is a valuation system designed to attach a monetary value to a tree which encompasses the amenity value as well as the cost of planting, maintenance etc. It is a nationally recognised system, widely used by local authorities and is admissible in court. The total comes to £3,412.37.

Planning Considerations

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

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

T2 Assessment of Transport Effects
T3 Parking
T7 Cyclists
T17 Servicing of Premises
T18 Road Safety
BE1 Design of New Developments
NE7 Development and Trees
EMP4 Business Areas

Bromley's Proposed Submission Draft Local Plan:

The final consultation for the emerging Local Plan was completed on December 31st 2016. It is expected that the Examination in Public will commence in 2017. The weight attached to the draft policies increases as the Local Plan process advances. These documents are a material consideration and weight may be given to relevant policies as set out in the NPPF paragraph 216 which states:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

Current draft Policies relevant to this application include:

Policy 30 Parking
Policy 31 Relieving Congestion
Policy 32 Road Safety
Policy 33 Access to services for all
Policy 37 General Design of Development
Policy 73 Development and Trees
Policy 82 Locally Significant Industrial Site (LSIS)
Policy 116 Sustainable Urban Drainage Systems
Policy 118 Contaminated Land
Policy 123 Sustainable design and construction
Policy 124 Carbon reduction, decentralised energy networks and renewable energy

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

2.6 Outer London: vision and strategy
5.1 Climate change mitigation
5.2 Minimising carbon dioxide emissions
5.3 Sustainable design and construction
5.7 Renewable energy
5.10 Urban Greening
5.11 Green roofs and development site environs
5.21 Contaminated Land
6.9 Cycling
6.12 Road network capacity
6.13 Parking
7.2 An inclusive environment
7.4 Local character
7.21 Trees and woodlands

Parking Standards: Minor Alterations to the London Plan 2016

3. The National Planning Policy Framework 2012 (NPPF) is relevant as follows:

Paragraph 14: Achieving sustainable development
Para 17: Core planning principles
Paras 29 - 41: Promoting sustainable transport
Paragraph 32: Highway impacts
Paras 56 - 66: Requiring Good Design
Paras 93-103: Meeting the challenge of climate change & flooding
Paras 188-195: Pre-application engagement
Paras 196-197: Determining applications
Paras 203-206: Planning conditions and obligations
Paras 215: Consistency of local plans with NPPF

National Planning Practice Guidance (NPPG) is also relevant.

Planning History

The site has been the subject of numerous previous relevant applications as follows:

DC/93/03028: Installation of 2 underground solvent storage tanks 1 and interceptor unit and erection of enclosure to pump. Approved 27.04.1994

DC/94/01899: Increase in height of retaining wall chain link fence with gates and vent pipes. Approved 21.09.1994

Conclusions

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

- Principle of Development
- Scale, Siting, Massing and Appearance
- Impact on Neighbour Amenity
- Highways and Traffic Matters (including Cycle Parking and Refuse)
- Trees and Landscaping
- Other technical matters

Principle of Development

It is Council policy to safeguard a supply of business land for the future growth and development of business and industry. Retaining existing employment land around the Borough has significant sustainable development advantages in terms of providing both local employment opportunities and local services.

The relevant UDP policy to assess the principle of the proposed use is Policy EMP4 which advises that only the following uses will be permitted in Business Areas:

- (i) Class B1, provided that the use does not impede effective operation of neighbouring businesses and large office meet provisions of policy EMP1;*
- (ii) Class B2; or*
- (iii) Class B8; large scale warehousing development over 1000sqm will be permitted only in the St Mary Cray Business Area.*

The supporting text at paragraph 10.18 states that The Business Areas consist largely of land with established light industrial and warehousing uses. The Council wishes to safeguard a supply of such land in the Borough to provide for the growth and development of business and industry. Consequently, proposals in the Business Areas for uses not within Use Classes B1 to B8 will not normally be permitted. Paragraph 10.23 states that warehousing and distribution perform an important role in the local economy, but recognises that the traffic generated can

cause local environmental problems. Good connections to the strategic road network are needed to enable heavy goods vehicles to avoid passing through residential and shopping areas. The St Mary Cray Business Area, with its links to the M25 and its position on the edge of the urban area, is the only location in the Borough that meets these criteria.

In addition, the Proposed Submission Draft Local Plan includes Policy 82 which identifies this site as a Locally Significant Industrial Site where the following uses will be permitted in the LSIS:

- a. Class B1(a), provided that the use is consistent with relevant Office and Town Centre Policies and does not impede effective operation of neighbouring business or the broader LSIS,*
- b. Class B1(b) and B1(c),*
- c. Class B2, and*
- d. Class B8, providing that the scale and design of the premises are congruous with adjoining premises and the LSIS as a whole.*

The supporting text states that LSIS's provide a wide range of premises for Class B uses and should be afforded protection where there is a demand for such uses. It is important to avoid the long-term safeguarding of land for a particular purpose where there is no reasonable prospect of sites being used for that purpose (as per paragraph 22 of the National Planning Policy Framework). The Council will support refurbishment, redevelopment and intensification of sites that incorporate a flexible design, in order to readily accommodate a range of Class B uses for the medium and long term. Larger scale development, in particular for Class B8 uses, are better suited to the Cray Business Corridor Significant Industrial Location.

In this case the proposal is for a trade only builders merchant and the applicant has provided supporting information to demonstrate that the proposed use falls within Class B8 (storage and distribution) as follows:

- The submitted plans show the unit will be almost entirely storage with a small trade counter. Customers will have full access to the storage area. There is an additional area for external storage.
- In order to be accepted as a trade only customer every applicant has to provide a business letterhead and proof of business including bank details, copy trade invoices or trade references.
- Each customer is registered and has an admission card and individual registration number which is used for all transactions. The customer accounts have a list of authorised signatories that can collect goods and a credit limit. Customers also have to sign in when entering the premises.
- Most of the goods are presented in bulk and are to trade standards and the pricing of goods is excluding VAT in view of restricted customer base.
- There is external signage stating that general public are not admitted to the premises.
- Numerous other stores operated by Selco under the same format as described above have been accepted as Class B8 use including premises in Barking, Sidcup, Brent, Greenwich, Havering, Wimbledon and Croydon.

- Details of other planning applications which have approved trade only uses that comply with the Class B8 definition are submitted to demonstrate consistency of the proposed development with approved schemes.
- The proposed use will generate 40 to 50 full-time equivalent jobs.
- It is envisaged that there will be 150 customers per day initially rising to 250 customers per day
- The premises have been vacant for some time and are not adding vitality to the employment area. The proposal will bring the site back into use and accord with economic prosperity objectives.
- The definition of Class B8 does not preclude the sale of products, especially where the sales are not to the general public. The trade counter is ancillary to the main use of the premises for storage and warehousing.
- Whilst the amount of proposed floorspace exceeds the limit in EMP4 (iii), the proposed use is Class B8 and complies with Policy EMP4 in this respect.
- The applicant is willing to accept a condition limiting the use of the site to Class B8, trade only with no retail sales.

In assessing the principle of the use, Policy EMP4 of the UDP provides the most up to date guidance in respect of this proposal. The primary consideration is whether the proposed use meets the definition of Class B8 (storage and distribution) of the Use Classes Order and is, therefore, policy compliant. It is noted that Policy EMP4 and draft Policy 82 seek to direct large scale Class B8 uses towards the Cray Valley, however in this case the site is well connected to strategic routes serving South London and there is limited residential development in the immediate vicinity of the site.

The applicant has identified the characteristics of the proposed use that they consider demonstrates that the operation of the site falls within Class B8. These are listed above and include restricting the use to trade only in the description of development, restricting access to trade customers through the use of a condition to this effect, requirements in terms of registration details, provision of pre-packaged materials in bulk format that are of trade standards and the ancillary nature of the trade counter.

In terms of the 'ancillary' nature of the trade counter element, there is no clear guidance in the UDP or the London Plan as to the definition of 'ancillary' and there is no evidence to doubt the applicant's assertion that the trade counter element of the proposal will not be ancillary to the storage/warehousing use. The building will store and distribute goods to approved 'members' and online customers and as many of the goods on display will be offered in bulk, in a form that is unsuitable for general customers for DIY purposes, it is considered that the use would fall within the definition of storage and distribution.

The applicant has submitted numerous examples of schemes for trade only builder's merchants that have been approved. In the majority of these cases, the proposal has been accepted subject to conditions restricting the use of the approved premises to trade only with no retail use of the premises. This ensures that initial and any subsequent occupants will have their operations limited to ensure that 'retail creep' to Class A1 (retail) is avoided.

The site was previously used for Class B2 purposes and the previous premises were demolished in 2013. The site has remained vacant since that time. The NPPF discourages the long term protection of sites allocated for employment use. In this instance the proposal will generate approximately 40-50 jobs which represents a significant number of employment opportunities.

As previously stated it is considered that the site should be protected for uses that fall within the Class B uses as identified in the UDP and the Proposed Submission Draft Local Plan policies. Bringing sites back into use to provide employment opportunities and retain the essential industrial nature of the LSIS is encouraged. It is considered that the operation of the store would offer a use that comprises primarily storage and distribution and, therefore, falls within Class B8. To ensure that the site does not stray into a Class A (retail use), it is recommended that conditions restricting the proposed use to trade only and precluding Class A use are applied.

Design, Layout and Appearance

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

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

UDP Policy BE1 sets out specific policy requirements relating to the standard of development that is expected in the borough. These policies refer to the design of new development, the standard that the development is expected to meet and the impact on the amenities of future occupants of the development and occupants of nearby properties.

The proposed building is located within a Business Area and will have an industrial appearance not dissimilar to other properties in this area. The height of the building is similar to the buildings on the northern boundary that form Orchard Business Centre. To minimise the visual impact of the building it has been set back between 23.5m and 30m from the back edge of pavement. The frontage space will be partly

used for a storage area with 5.5m high racking which will remain visually open with a palisade boundary treatment. On either side of this, there will be an open service yard and car parking with 2 small areas of landscaping. The site will be secured by a 2.4m palisade fencing which is similar to the form of enclosure on the neighbouring site.

The proposed plans do not specify the colour of the steel cladding that forms the elevations; the window and door frames are shown to be royal blue. It is expected that the materials to be used can be muted to further reduce the visual impact of the building and a condition is recommended seeking submission and approval for details and samples of external materials for the building.

In terms of the design, layout and siting, it is considered that the site will have an industrial appearance which is expected in this Business Area. However the appearance of the building in the streetscene is acceptable due to its set back location leaving the frontage area open apart from the storage yard area. It is considered that the proposal will respect the local character of the area and will not have an adverse impact on the visual appearance of the area.

Impact on Neighbour Amenity

The relevant UDP policy relating to the impact of development on the amenity of the residents of adjoining properties is Policy BE1: Design of New Development. It should be noted that there are no residential properties in the vicinity of this site.

The previous use of this site fell within Class B2 (heavy industrial) and the current proposal will fall within Class B8: storage and distribution. The site is surrounded by other Class B1 and B2 uses and it is considered that the operation of the proposed use will not have an adverse impact on the amenities and operation of businesses in the vicinity of the site.

Highways and Traffic Matters (including Cycle Parking and Refuse)

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

The document assesses the operation of existing Selco stores to provide characteristics of operational stores that can be applied to the application site. The survey data was collected during May 2016. In terms of vehicle arrivals and departures the report identifies daily traffic flow for the general car park and for the service yard and looks at the peak times of this traffic flow.

Based on these observations, the peak flows are found to be outside the normal traffic peak experienced on the highway network and daily arrivals and departures are estimated at 24 vehicles per hour.

In terms of car parking the observations of other stores reveals that, apart from 1 store in Essex, all of the car parks operate within the parking capacity of the site. The car parking ratio has been calculated at 1 space per 83.6 sqm which generates a need for 28 car parking spaces. The proposal provides 21 spaces large enough for cars and small vans.

In terms of servicing it is expected that there will be 10-12 deliveries to the site each day usually between 06.30 and 10.00.

The Council's Highways Officer has advised that the details for customer car parking and servicing appears satisfactory. Numerous conditions have been recommended relating to car parking layout, sufficient turning area, sight lines and visibility splays, hardstanding for wash-down facilities during construction, refuse storage, car parking for customers and employees, cycle parking, lighting for parking area, satisfactory servicing facilities, Construction Management Plan, stopping up of the existing access and highway drainage.

Trees and Landscaping

Policies NE7 (Trees and Development) of the Unitary Development Plan provide policy guidance for the consideration of the impact of development on trees.

Policy NE7 requires new development to take particular account of existing trees on the site which, in the interests of visual amenity and wildlife habitat, are considered desirable to retain. Tree Preservation Orders will be used to protect trees of environmental importance and visual amenity. Where trees have to be felled, the Council will seek suitable replanting.

A total of 7 trees are shown on the plans for removal. Five trees lie within the site on the northern and western boundaries and 2 lie within the public highway. The trees within the site provide limited public value to the local streetscene and their loss is considered to be acceptable.

With regard to the street trees these need to be removed to provide facilitate the new development and they are in poor condition due to their location on a busy road used by a high volume of heavy goods vehicles. The removal of the trees is considered to be acceptable subject to the payment of a financial sum to compensate the Council for the loss of the 2 trees amounting to £3,412.37.

The applicant confirms that the payment of the fee is acceptable and this can be recovered by the signing of a planning legal agreement.

In terms of landscaping the submitted plans show 2 areas on the frontage that would provide opportunities for planting and replacement and a condition seeking details of landscaping and replacement tree planting is recommended.

On this basis, the loss of the existing trees on the site is considered acceptable and would not result in the loss of trees with significant amenity value.

Other Technical Matters

- Sustainability and Energy

At the time of writing the report a revised Energy is expected and the assessment of this will be reported verbally to Members.

- Drainage and Sustainable Urban Drainage Systems

The site lies within Flood Zone 1. The Council's Drainage Officer has reviewed that proposed development and recommended the submission of conditions for a surface water drainage system and a sustainable drainage system.

- Contaminated Land

The Council's Environmental Health Officer concurs with the need for an intrusive investigation of the ground conditions and recommends the submission of a standard condition requiring details of further land assessment to control this aspect.

- Mayoral Community Infrastructure Levy

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

Overall conclusion

The proposal for consideration involves the erection of a building on this vacant site that would be used as a trade only builders merchant. Local Plan policies identify this site as being within a Business Area and, as such, uses falling within Class B1, B2 and B8 are encouraged and other uses are discouraged.

The applicant has submitted detailed information about the operation of the use and, in particular, the trade only element of the proposal to demonstrate that the proposed use falls within Class B8 (storage and distribution) and not within Class A1 (retail).

The proposal comprises a substantial building in the business area and will generate significant employment opportunities. The applicant seeks to control the use of the property by providing trade standards goods that are primarily available in bulk and through a membership scheme that precludes visiting general public from purchasing goods from the premises. In order to control this, the applicant is agreeable to a condition requiring the use of the premises for trade only, for Class B8 use only and no retail sales under Class A1.

The proposed building and ancillary customer yard, service yard and car and cycle parking will fit satisfactorily on the site and will not have an adverse impact of the amenity of adjoining businesses and the character of the area and the streetscene.

The loss of the trees to facilitate the development is acceptable as there trees do not significantly contribute to the character of the area and there is the opportunity to provide replacement planting within the landscaped areas within the site. Compensation for the loss of the street trees has been agreed with the applicant and can be secured by a legal agreement.

From a highways perspective the proposed development is considered satisfactory in terms of the impact on the highway network and Kangley Bridge Road from the anticipated traffic flow associated with the use of the site.

On this basis, and subject to the recommended conditions set out below, it is considered that the proposal meets the policy requirements and is acceptable.

Background papers referred to during the production of this report comprise all correspondence on file ref: 16/0402, excluding exempt information.

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

and the following conditions:

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

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

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

Plans

173-PO1 Rev A Location Plan

173-PO21 Rev B Block Plan and Roof Plan as existing

173-PO3 Rev A Ground Floor and Site Plan as existing

173-PO4 Rev A Elevation and Sections as existing

173-PO5 Rev B Block Plan as proposed

173-PO7 Rev A Ground Floor, Site Plan and Mezzanine as proposed

173-PO8 Rev A Elevations and Sections as proposed Sheet 1 of 2

173-PO9 Elevations and Sections as proposed Sheet 2 of 2

173-PO10 Service Yard Vehicle Tracking Sheet 1 of 2 (for service vehicle tracking details only and no other purpose)

173-PO11 Service Yard Vehicle Tracking Sheet 2 of 2 (for service vehicle tracking details only and no other purpose)

Documents

**Planning, Design and Access Statement
Transport Characteristics of a Selco Builders Warehouse by Grafton
Group dated July 2016
Letter from Allen Planning Ltd dated 3.1.2017**

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

- 3 Details and sample boards of all external materials to be used for the development, including roof cladding, wall facing materials and cladding, windows and door frames, window glass, decorative features, rainwater goods and any parts of the site not covered by buildings, where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.**

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

- 4 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, measures to secure provisions of on-site delivery, off-loading, turning and parking of construction and operatives vehicles and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.**

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

- 5 Before commencement of the development hereby permitted details of turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority. The turning area(s) shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.**

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.

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

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

- 7** Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

- 8** No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

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

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

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

- 10 No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.**

a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in writing. The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works

shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

e) Upon completion of the works, a closure report shall be submitted to and approved in writing by the Authority. The closure report shall include details of the remediation works carried out, (including of waste materials removed from the site), the quality assurance certificates and details of post-remediation sampling.

f) The contaminated land assessment, site investigation (including report), remediation works and closure report shall all be carried out by contractor(s) approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the environment.

11 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.

12 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking

inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 13 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces and replacement tree planting, shall be submitted to and approved in writing by the Local Planning Authority before the first occupation 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.

- 14 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is occupied and the approved arrangements 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.

- 15 Before any part of the development hereby permitted is first occupied that part of a sight line of 43m x 2.4m x 43m which can be accommodated within the site shall be provided in both directions at Kangley Bridge Road and with the exception of trees selected by 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.

- 16 Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3m x 2.4m x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these

splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

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

- 17 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.

- 18 The car parking area hereby permitted shall be used only by customers and employees of the premises at the application site and for servicing of the said premises hereby permitted.

Reason Development without adequate parking or garage provision is likely to lead to parking inconvenient to other road users and to be detrimental to amenities and prejudicial to road safety and would not comply with Policy T3 and Appendix II Unitary Development Plan.

- 19 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 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 20 Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is first used. 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.

21 The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.

Reason: In order to comply with Policy T11 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 the interests of the visual appearance and the safety of road users and to accord with policies BE1 and T18 of the Unitary Development Plan

23 The boundary enclosures indicated on the approved drawings shall be completed in accordance with the approved plans before any part of the development hereby permitted is first occupied 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.

24 The applicant should ensure that storm waters are attenuated or regulated into the receiving public network through on and off site storage. When it is proposed to connect to a combined sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Reason: In the interests of the protection of the sewerage system and to comply with Policy 5.14 of the London Plan.

25 The application premises shall only be used as a trade only building merchants warehouse within Class B8 of the Town and Country Planning (Use Classes) Order (as amended) 1987 and no part shall be used for retail sales under Class A1 of the Town and Country Planning (Use Classes) Order (as amended) 1987.

Reason: To safeguard the Kangley Bridge Business Area and prevent an unacceptable retail use in accordance with Policy EMP4of the Unitary Development Plan.

- 26 The storage racking in the customer yard shall not exceed 5.5m and goods shall be stacked no higher than 6m.**

Reason: To safeguard the visual amenities of the Kangley Bridge Business Area and to accord with the requirements of Policy BE1 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 in Part2, para 4(2) of the Community Infrastructure Levy Regulations (2010))**

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

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

- 2 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and Numbering.**
- 3 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.**
- 4 You are advised that it is an offence under Section 153 of the Highways Act 1980 for doors and gates to open over the highway.**
- 5 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.

- 6 There is a Thames Water main crossing the development site which may/will need to be diverted at the Developers cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.**