

**Application No :** 16/05119/MATAMD

**Ward:**  
**Bromley Town**

**Address :** Multistorey Car Park Simpsons Road  
Shortlands Bromley

**OS Grid Ref:** E: 540286 N: 168663

**Applicant :** Cathedral (Bromley) Limited

**Objections : YES**

**Description of Development:**

Section 73 application for the demolition of existing buildings and redevelopment with mixed use scheme comprising multi-screen cinema, 200 flats, 130 bedroom hotel, Class A3 units (restaurant and cafe) including 1 unit for flexible Class A1 (retail shop), Class A3 (restaurant and cafe) or Class A4 (drinking establishment), basement car parking, associated access arrangements (including bus parking), public realm works and ancillary development. Minor Material Amendment to application 13/01094/MATAMD to include elevational changes, reduction in residents car parking, internal layout changes, amendments to facade and roof detailing, re-alignment of (Core A) rear building line, commercial elevation changes, balcony adjustments and treatment of link bridge.

**Key designations:**

Biggin Hill Safeguarding Area  
Bromley Town Centre Area  
Bromley Town Centre Area Buffer 200m  
London City Airport Safeguarding  
Proposal Sites  
River Centre Line  
Smoke Control SCA 51

**Proposal**

This application is for a Minor Material Amendment to the approved scheme 13/01094/MATAMD that included reductions in the approved heights of the hotel and residential 'shoulder' buildings, alterations in internal layouts, elevational alterations and incorporation of a roof access system.

13/01094/MATAMD was an amendment to the original planning permission on this site 11/03865/FULL1, described as: 'Demolition of existing buildings and redevelopment with mixed use scheme comprising multi-screen cinema, 200 flats, 130 bedroom hotel, Class A3 units (restaurant and cafe) (Including 1 unit for flexible class A1 (retail shop) Class A3 (restaurant and cafe) or Class A4 (drinking establishment) use), basement car parking, associated access arrangements (including bus parking), public realm works and ancillary development'. This scheme was approved at planning committee on the 26th March 2012.

The proposed changes now submitted include:

- o Amended balcony sizes
- o Reduction in residential car parking by 14 spaces
- o Residential tenure mix revision
- o Amendments to the flue and louvres to the Energy Centre
- o Amendments to the façade access and maintenance jibs
- o Details of the standing seam metal roof finish

- o Positioning of satellite dishes and TV aerial confirmation
- o Adjustment to the alignment of flat footprint and balcony shape
- o Adjustment to the aligning of the rear elevation to retain 4m separation from the culvert
- o Amendments to the positioning of the shop front glazing
- o Insertion of new door to provide public access from plaza to concierge office
- o Movement of Unit 8 entrance door and insertion of bi-folding doors to Units 5,6 and 7
- o Correction of balcony conflict at the top of Core E

Various other minor amendments are also proposed which the Applicant considers to be De-minimus and non-material to the overall application. These will be detailed later in the report.

The applicant has submitted a package of documents to support the application including a comprehensive Design and Access Statement detailing all the changes proposed within this application.

In addition the following have been submitted:

- o Schedule of Accommodation Inc. Wheelchair units
- o Public Art Strategy
- o Landscaping Plan
- o Highways Addendum
- o Wheelchair Unit Plans
- o Floor Plans
- o Elevations
- o Street Scene Plans
- o Link Bridge Diagrams and supporting information

The proposed amendments do not result in a change to the description of the development or increase the height of the buildings or structures. Neither do the proposals result in any greater amenity impact upon surrounding neighbours.

A Draft Deed of Variation was submitted to enable the requirements of the S106 Legal Agreement to be carried forward under this amended proposal; this will be updated to a new s106 Legal agreement accordingly should Members be minded to grant approval.

It was requested that a number of points were clarified in respect of the proposed changes. The applicants have responded as follows:

- o Revised Public Art Strategy
- o Revised schedule of accommodation
- o Additional Landscaping Plan
- o Amended Car Parking Plan
- o Highways Addendum

Location:

- o 0.96 ha application site lies within the southern part of Bromley's designated Town Centre and accommodated a 1960s five storey public car park (split over 6 mezzanine levels) providing 581 spaces serving town centre activities and commuters, five small single storey retail/restaurant units (including a contractor's office/showroom, a dry cleaners, beautician and a restaurant occupying two units) along the Westmoreland Road

site frontage and No.2 Westmoreland Road. Development has since commenced on site and the existing buildings have been removed.

- o Simpson's Road provides vehicular access and egress via Westmoreland Road (B228) to the multi-storey car park and the Royal bank of Scotland (RBS) complex and sweeps around the western and northern perimeter of the site providing service access to the rear of a parade of shops fronting Bromley High Street

- o An elevated walkway feeding into the southern end of Bromley High Street is to be retained and regenerated as a result of amendments proposed within this application.

- o The culverted section of the River Ravensbourne cut across the southeastern end of the application site feeding from Westmoreland Road and then running along the rear gardens of properties within Newbury Road. This has since been re-diverted to retain a 4m distance from the proposed buildings.

- o The main commuter railway line lies to the north with the residential properties of Ravensbourne Road on the embankment of the cutting beyond - Ravensbourne Road comprises a mix of dwellings in terms of type, size and age, including town houses

- o Two storey Victorian houses on Newbury Road lie immediately to the west with two storey Victorian houses on Aylesbury Road beyond - rear garden boundaries of Newbury Road properties adjoin the site boundary with vehicular and/or pedestrian accesses onto Simpson's Road

- o Simpson's Yard to the rear of No.38a, 44 and 46 Newbury Road is a commercial premises used for the fitting of tow bars and trailer hire and is accessed via Simpson's Road

- o Westmoreland Road lies immediately south of the site with the locally listed St Mark's Church on the opposite side of Westmoreland Road facing the site

- o The main Police Station is located opposite the RBS building (on Masons Hill/High Street) and the Waitrose supermarket is located to the south of Bromley South Station

- o Bromley South Station and main office and business district on Elmfield Road ensure a strong level of activity and footfall is maintained within southern part of Town Centre

#### Wider area

- o The primary retail focus of town centre is around Glades Shopping Centre and pedestrianised High Street

- o A 4 screen Bromley Empire cinema is located at 242 High Street within the Bromley North area

- o The main concentration of restaurants is around Widmore Road and East Street

- o The nearest large existing hotel is the 114 bedroom Best Western Bromley Court Hotel (beyond the northern town centre boundary)

#### **Consultations**

#### Comments from Local Residents:

Nearby residents were notified of the application and the following comments were received:

- There are to be additional 'openings' near my property that significantly increase my already reduced privacy and enjoyment of my garden due to being increasingly overlooked
- The building is too tall for the surrounding area
- The new development should be stopped
- The consultation drawings did not show the height of the building in relation to the whole borough and it has been misrepresented.
- The building should be reduced in height in line with the immediate area

#### Comments from Consultees:

Highways: Preliminary highways comments were received prior to the amendment of the application, therefore the primary comments were based on a net loss of 23 spaces:

'The public car park will continue to provide 300 spaces with all car parking spaces to be lost from the residential units resulting in a ratio of 0.4 parking spaces.

The breakdown in residential parking will be as follows: five disable compliant spaces, 10 additional spaces allocated under the affordable housing and remaining 62 parking allocated amongst the 154 market apartments equating to a ratio of 0.46 spaces per unit.

Therefore, although the loss of parking is regrettable, as the development is located within a high PTAL area with local amenities within walking distance of the site coupled with an existing condition to prevent the future occupiers applying for a parking resident permit, on balance no objections are raised subject to conditions'.

Amended plans were received which proposed a change in the loss of parking spaces from 23 to 14. A Highways addendum was submitted which covered the proposed changes in March 2017. The following highways comments were subsequently received:

The proposal will result in reduction of 14 car parking spaces; which is very regrettable. The public car park will continue to provide 300 spaces with all the 14 lost spaces coming from the residential parking allocation resulting in a revised ratio of 0.43 parking spaces per residential unit.

The breakdown in residential parking will be as follows:

Moats are taking 62 units, 46No. S106 and 16 additional units within Core D. Five wheelchair units and 10 additional car parking spaces will serve these 62 units in Core D, with the remaining 64 parking spaces allocated amongst the 138 general market apartments equating to a ratio of 0.51 spaces for each private residential apartment.

Therefore although the loss of parking is regrettable, as the development is located in a high PTAL area with local amenities within walking distance of the site coupled with existing condition preventing the future occupants from applying for a parking resident permit, on balance no objections to the proposal are raised.

Drainage: The proposed amendments do not affect previous comments.

Environment Agency: A 4m clearance is to be maintained to the culvert, therefore no further comments are made.

Metropolitan Police: All amendments should still be subject to a Secured by Design condition.

TfL: TfL has no concerns with the amendments. The previous comments from TFL are still applicable, in addition TFL welcomes the reduction in residential car parking allocation and recommends that this is reduced further.

GLA: Given the scale and nature of the proposals, it is concluded that the amendments do not give rise to any new strategic planning issues. The GLA do not need to be consulted further on the application.

Conservation Officer: The site is outside the CA therefore no comments are made

Town Centre Development Team: - No objections.

Policy: No policy objections given that there is to be an increase in affordable units by 12 over that as previously approved. Should permission be granted the legal agreement should be amended to include an updated schedule of accommodation.

### **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.

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

#### Unitary Development Plan

- o H1 Housing supply
- o H2 Affordable housing
- o H7 Housing density and design
- o T1 Transport demand
- o T2 Assessment of transport effects
- o T3 Parking
- o T5 Access for people with restricted mobility
- o T6 Pedestrians
- o T7 Cyclists
- o T9 Public transport
- o T18 Road safety
- o BE1 Design of new development
- o BE2 Mixed use developments
- o BE4 The public realm
- o BE5 Public art
- o BE7 Railings, boundary walls and other means of enclosure
- o BE16 Ancient monuments and archaeology
- o BE17 High buildings and the skyline
- o BE19 Shopfronts and security shutters
- o L9 Indoor recreation and leisure
- o S2 Secondary frontages

- o S6 Retail and leisure development
- o S9 Food and drink premises
- o S10 Non-retail uses in shopping areas
- o ER7 Contaminated land
- o ER9 Ventilation
- o IMP1 Planning Obligations

#### Bromley Town Centre Area Action Plan

- o BTC1 Mixed use development
- o BTC2 Residential development
- o BTC3 Promoting housing choice
- o BTC4 New retail facilities
- o BTC8 Sustainable design and construction
- o BTC9 Flood risk
- o BTC10 River Ravensbourne
- o BTC11 Drainage
- o BTC12 Water and sewage infrastructure capacity
- o BTC13 Combined heat and power
- o BTC14 Recycling
- o BTC15 Biodiversity
- o BTC16 Noise
- o BTC17 Design quality
- o BTC18 Public realm
- o BTC19 Building height
- o BTC20 Play and informal recreation
- o BTC21 Transport schemes
- o BTC22 Public transport
- o BTC25 Walking and cycling
- o BTC25 Parking
- o BTC26 Phasing of Transport Improvements
- o BTC27 Traffic Management
- o BTC28 Car clubs
- o BTC30 Phasing
- o BTC31 Developer contributions
- o BTC32 Public realm improvements
- o BTC33 Planning applications
- o OSK Westmoreland Road car park

#### Supplementary Planning Guidance:

General Design Principles  
 Planning Obligations  
 Affordable Housing

#### Bromley's Draft Local Plan:

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 closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). An updated Local Development Scheme was 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.

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 47 - Tall and Large Buildings  
Draft policy 92 - Metropolitan and Major Town Centres  
Draft Policy 98 - Restaurants, Pubs and Hot Food Takeaways  
Draft Policy 101 - Shop Fronts and Security Shutters  
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

Relevant London Plan Policies include:

2.6 Outer London: Vision and Strategy  
2.7 Outer London: Economy  
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 Peoples Play and Informal Recreation Facilities  
3.8 Housing Choice  
3.9 Mixed and Balanced Communities  
3.10 Definition of affordable housing  
3.11 Affordable Housing Targets  
3.13 Affordable Housing Thresholds  
4.1 Developing London's Economy  
4.4 Managing Industrial Land and Premises  
5.2 Minimising Carbon Dioxide Emissions  
5.3 Sustainable Design and Construction  
5.6 Decentralised Energy in Development Proposals  
5.7 Renewable Energy  
5.12 Flood Risk Management  
5.13 Sustainable Drainage  
6.1 Strategic Approach  
6.3 Assessing the Effects of Development on Transport Capacity  
6.9 Cycling  
6.10 Walking  
6.13 Parking  
7.1 Building London's Neighbourhoods and Communities  
7.2 An Inclusive Environment  
7.3 Designing out Crime  
7.4 Local Character

7.5 Public Realm  
7.6 Architecture  
7.14 Improving Air Quality  
7.15 Reducing Noise and Enhancing Soundscapes  
8.2 Planning Obligations  
8.3 Community Infrastructure Levy.

The relevant London Plan SPG's are:

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

The National Planning Policy Framework 2012 (NPPF):

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:

Para 17: Core planning principles  
Paras 29 - 41: Promoting sustainable transport  
Paras 47 - 50: Delivering a wide choice of high quality homes  
Paras 56 - 66: Requiring Good Design  
Paras 69-78: Promoting healthy communities  
Paras 93-103: Meeting the challenge of climate change & flooding  
Paras 109-125: Conserving and enhancing the natural environment  
Paras 188-195: Pre-application engagement  
Paras 196-197: Determining applications  
Paras 203-206: Planning conditions and obligations

#### Planning History:

This application is submitted to amend 13/01094/MATAMD which sought to formally amend 11/03865/FULL which were permitted at planning committee and under delegated authority respectively. The 2013 application has been commenced on site, is extant and is being implemented. Some of the amendments sought within this application are retrospective.

The original 2011 application - 11/03865/FULL was permitted for the demolition of existing buildings and redevelopment with mixed use scheme comprising multi-screen cinema, 200 flats, 130 bedroom hotel, Class A3 units (restaurant and cafe) (Including 1 unit for flexible class A1 (retail shop) Class A3 (restaurant and cafe) or Class A4 (drinking establishment) use), basement car parking, associated access arrangements (including bus parking), public realm works and ancillary development.

A non-material amendment to this scheme was submitted - 11/03865/AMD - to reduce in footprint the area of basement car park and provision of additional basement parking level (level -6) and relocation of proposed on-site water attenuation tank to basement area underneath commercial unit no. 8. This was approved in July 2012.

The 2013 planning application - 13/01094/MATAMD, sought a material change of the approved application in proposing reductions in approved heights of the permitted hotel



and residential 'shoulder' buildings, alterations in internal layouts, elevational alterations and incorporation of a roof access system. This was approved in August 2016.

## **Conclusions**

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

- o Principle of Development
- o Design, Layout, Siting, Appearance
- o Standard of Accommodation
- o Amenity Space
- o Highways, Parking and Refuse
- o Planning Contributions

## Principle

At a national level, paragraph 15 of the NPPF identifies the presumption in favour of sustainable development and that development which is sustainable should be approved without delay.

Paragraph 70 of the NPPF states that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments

The NPPF states that Local planning authorities should plan positively, to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work.

Regionally, Policy 2.7 of the London Plan states that:

The Mayor will, and boroughs and other stakeholders should, seek to address constraints and opportunities in the economic growth of outer London so that it can rise above its long term economic trends by:

- h) identifying and bringing forward capacity in and around town centres with good public transport accessibility to accommodate leisure, retail and civic needs and higher density housing, including use of the compulsory purchase process to assemble sites, and providing recognition and support for specialist as well as wider town centre functions
- k) supporting leisure, arts, cultural and tourism and the contribution that theatres and similar facilities and the historic environment can make to the outer London economy, including through proactive identification of cultural quarters and promotion and management of the night time economy (see Policy 4.6)
- p) ensuring the availability of an adequate number and appropriate range of homes to help attract and retain employees and enable them to live closer to their place of work in outer London.

Policy 4.5 of the London Plan (London's visitor infrastructure) promotes increased provision of hotel bedrooms in town centre locations.

London Plan policy 4.6 (Support for and enhancement of arts, culture, sport and entertainment provision) seeks to 'd) promote and develop existing and new cultural and visitor attractions especially in outer London and where they can contribute to regeneration and town centre renewal' and 'g) provide arts and cultural facilities in major mixed use redevelopment'.

Policy 4.7 of the London Plan (Retail and town centre development) promotes retail, commercial, culture and leisure development in town centres provided its scale is related to the size, role and function of a town centre and its catchment.

Policy 7.7 of the London Plan (Location and design of tall and large buildings) states that tall and large buildings should:

- o generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport
- o only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building
- o relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level
- o individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London
- o incorporate the highest standards of architecture and materials, including sustainable design and construction practices
- o have ground floor activities that provide a positive relationship to the surrounding streets
- o contribute to improving the permeability of the site and wider area, where possible
- o incorporate publicly accessible areas on the upper floors, where appropriate
- o make a significant contribution to local regeneration.

Tall buildings should not:

- o affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference
- o impact on local or strategic views adversely.

Locally, The Bromley Town Centre Area Action Plan (AAP) was adopted in October 2010 and paragraph 1.1.1. states that:

'The AAP sets out the Council's vision for the town centre together with objectives, policies and proposals to guide future development and change. It seeks to enhance Bromley's character and environment and to promote sustainable development which will improve the quality and range of facilities and services available to residents and businesses.

The Bromley Town Centre Area Action Plan (AAP) promotes the redevelopment and enhancement of the centre of Bromley and promotes mixed use development including up to 1,820 additional residential units and 3,500 sqm of additional community space. Site K, now known as St.Mark's Square, was identified as an opportunity area for a holistic mixed use development.

With regard to residential provision, the London Plan seeks mixed and balanced communities (Policy 3.9). Communities should be mixed and balanced by tenure and household income, supported by effective and attractive design, adequate infrastructure

and an enhanced environment. Policy 3.3 establishes a housing target for the Borough and this site could contribute towards the housing supply. Policies 3.11 and 3.12 of the plan 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 and priority should be accorded to the provision of affordable family housing.

UDP Policy H1 requires the Borough to make provision for additional dwellings over the plan period acknowledging a requirement to make the most efficient use of sites in accordance with the density/location matrix.

The site is currently under construction to provide the redevelopment of the site now known as St Mark's Square. As the principle of development in the manner proposed has already been accepted under ref. 13/01094/MATAMD, the main issue for consideration will be the acceptability of the proposed amendments both individually and cumulatively, having particular regard to the impact on the overall quality and appearance of this significant development, the impact in terms of parking and highway safety and the impact on the quality of amenities of future occupiers of the development.

Whilst the principle of the scheme has been established and is currently being built out on site, it is recognised that there has been a material change in policy since the original consideration of the application, most notably through the progression of the Draft Local Plan which is currently within its final stages of consultation and therefore afforded some weight and amendments to the London Plan. All amendments proposed within this application should be considered in line with current policy.

The proposed changes in this Minor Material Amendment application do not result in changes to the number of residential units, facilities to be provided or the benefits secured through this development and therefore the principle of this form of development remains unchanged subject to an assessment on the proposed amendments to the mix of unit sizes and all other matters. The overall impact on the locality from the proposed development on the site will not be significantly different from the approved scheme.

The principle of the redevelopment proposed is therefore established and this application only seeks to make a number of Minor Material Amendments to the approved scheme that are listed above. Due to the type of application submitted (Section 73) a new planning permission needs to be issued, with all conditions re-imposed or amended as necessary but without a time period for commencement. Consequently the s106 legal agreement also needs to be formally amended as appropriate.

### Housing Issues

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.

As a result of further architectural analysis of the residential apartment layouts and configuration has resulted in a minor amendment with the loss of 4 affordable habitable rooms in Block C - the Moat Housing Block. The development previously considered provided 46 affordable units which equated to 23% affordable units of which 50% would be social rent and 50% intermediate. Since the 2013 permission, 16 units have been agreed to be provided at intermediate rent through the Council's payment in lieu fund, therefore providing an overall increased provision within the site in excess of that as previously agreed (31%) which is split as 59.6% Intermediate Rent and 38.7% Social Rent. Officers note that the percentage of affordable unit provision has reduced from that as previously considered acceptable; however since this point 16 intermediate units have been forthcoming which were not previously secured. On balance, given that there is the increased provision of affordable units, Officers consider that this outweighs the loss of four habitable rooms from the social provision. Weight is also given to the fact that the number of units to be provided as social rent have not reduced. It is acknowledged that the level of provision is not commensurate with the London Plan breakdown requirement however given that the level of provision is greater than that which could be readily built out on site, Officers raise no concern with regard to this. The changes to the affordable housing will be secured via a deed of variation should Members be minded to grant approval.

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.

Three wheelchair units are now proposed compared to the previously proposed five which falls short of the 10% provision as required under building regulation M4(3). The failure to meet the required SELHP standards of the wheelchair units was pre-empted within the original application 11/03865/FULL1 whereby in the section 106 it provided the possibility for a payment in lieu in order to undertake adaptive works to the units of £15000 per dwelling. No provision was made in the section 106 should the wheelchair units not be provided. A statement has been forthcoming from the Applicant which details the reasoning behind the non-provision of the wheelchair units, this is summarised within the covering letter as:

'The principle area of non-compliance for the two affected SELHP wheelchair units relates to the gross internal area of those units and the unconventional unit configuration as a result of the shape of the building, which has a significant impact on the ability to meet the required standards. Furthermore, in altering other parts of the affordable floor plan to accommodate these two SELHP units would have a disproportionately damaging effect on the overall complement of affordable housing within this scheme, thereby negatively impacting on the core objective of providing affordable housing'.

Whilst the non-provision of the two units is regrettable, Officers have agreed that in the absence of the units a payment of £30000 per unit in lieu of the provision is to be sought to enable the retrofit of further dwellings to meet SELHP standards. As a result of this, Officers do not object to the loss of two wheelchair units from the scheme.

The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. This deals with the quality of residential accommodation 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. All of the units comfortably meet the minimum unit sizes and relevant space standards.

### Design and Layout

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 for the lifetime of the development. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

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.

### Balcony Amendments

A key amendment to the design are the amended size of the core E balconies which are proposed in response to the consented balconies over sailing neighbouring land which is outside of the applicants control. This has resulted in the proposal to remove an area of the balcony reducing the overall size of outdoor amenity space below the minimum standard required in the Mayor of London's Housing SPG by 0.4sqm. This would also result in a failure to comply with the minimum requirements for a depth of 1.5m in some areas. Whilst it is regrettable that the minimum amenity space standards cannot be complied with as a result of the boundary issues, it is considered that the Applicant has put some effort into considering the most useable and appropriate form of the balconies without compromising upon the original design intent. Whilst a larger balcony area could be provided, this is not considered as useable as that proposed within this application. The balconies would have a slightly more apparent appearance given the shape however on balance Officers consider the overall impact upon the design to be acceptable in this regard. Officers note that the approved 2013 MMA application included a balcony for the flat at level +18 on the elevation drawings which was included in error. This balcony was

not shown on the floor plans and is surplus to requirements. Officers consider that the removal of this is acceptable.

Further to this, as a result of internal alterations 3 of the flats accessed by Core A have a slightly reduced internal floor area. To compensate, the front elevation facing the plaza is proposed to be moved outwards resulting in compliant flat layouts in terms of internal space through incorporating some of the space previously occupied by balconies. The resultant elevational changes are considered to be minor in nature and will not significantly alter the overall character and appearance of the development. It is submitted that the balconies would remain compliant with the Mayor's Housing SPG requirements.

### Bridge Amendments

Illustrations submitted with the original planning application for this development indicated the proposed removal of the structural roof and columns to open up the main link into the development site from the lower part of the High Street. Following further investigation it was discovered that this proposal is not feasible due to construction constraints including the relationship with the adjacent Direct Line building. This therefore has resulted in the re-design of this entrance point by enhancing the existing structure and removing the existing cladding back to the concrete frame which is to be re-furbished. The main amendments to the link bridge are proposed internally however Officers acknowledge that the existing metal railings will be removed and replaced with a 1800mm high obscure fluted glazed screen with timber handrails to provide an intentionally screened connection.

The bridge forms the principal pedestrian route into the site from the High Street and is an essential element in the success of the scheme.

Whilst the introduction of the roof lights is welcomed by Officers, concerns were raised as to the management of the bridge, in that the openings were of a size that should cleaning not occur, would inhibit the overall design intent of the access way, resulting in an oppressive space which Officers are seeking to prevent. Details of the cleaning scheme of the bridge were received during the lifespan of the application which Officers now consider overcomes the issues as raised.

A palette of materials was also submitted in support of the refurbished link bridge which are considered to be of high quality with the lighting matching that of the main plaza area allowing for a holistic entrance point to the overall development.

It is acknowledged that the changes to the link bridge are a significant change from that as originally proposed, however the proposed amendments are seen as a benefit to the scheme overall compared to the retention of the link bridge as existing and are considered to result in an improvement to the overall appearance and visual impact of the development. The revised scheme can therefore be considered acceptable in terms of its impact on character of the locality and there will be no unduly harmful impacts on the amenities of the occupants of nearby properties given the commercial location of this element.

### Amendments to the appearance and siting of the southern block

The overall design intent of the scheme is not amended as a result of the minor material amendment, however alterations are proposed which slightly alter the siting and appearance of the blocks. In terms of the siting, it is proposed to move the building footprint to the south of the site approximately 150-200mm to account for a 4m retention to the culvert, with the front line of the building moved forward by a comparative amount. Whilst sited slightly closer at a single point, the overall change has resulted in the built

form now sited marginally further away from the existing properties in Newbury Road for the majority of the facade which Officers find to be acceptable and an overall betterment to the scheme.

Also along the southern boundary with Newbury Road amendments are proposed to the standing seam metal roof finish which due to the permitted Falzinc installation being found to be unworkable, alterations are now proposed to the materials which would ultimately result in an increase in height to the standing seam than that as previously considered. A revised height for the standing metal roof over the low rise building of 20-30mm does not result in a significantly greater impact in terms of appearance or amenity than previously expected. It is noted that the change in material would result in two minor amendments in the overall flow of the rise and fall of the roof shape which would ultimately have a more squared appearance, however Officers consider that the design intent of the roof is retained. The roof is now to be constructed of Kalzip which appears similar to that as approved and is considered to achieve a more successful geometric roof form than other aesthetically similar materials thereby not materially altering the overall appearance of this element of the scheme.

Following further review of the detailed delivery of the proposed energy strategy and associated exhaust solution, it is now proposed to install louvres within the flank elevation of the southern block. It is noted within the submission that the new strategy would maintain the operational performance requirements under the developments energy strategy as discharged under Condition 35 of the approved scheme. Also, the acoustic performance of the extraction system will comply with the operational noise levels stipulated by condition 44 of the approved scheme. The flue dilution system has been designed to accord with the Clean Air Act with the diluted flue gases exhausted through a series of attenuators within the energy centre before passing through the louvre outlets on the western elevation. Whilst Officers acknowledge that the noise levels will be no more than previously considered, details over the appearance of the louvres have not been supplied in sufficient detail. As such, whilst the principle of the louvres is agreed, a condition is required for further plans of the appearance of the louvres to be submitted and agreed in writing prior to installation.

#### Amendments to the tower block and hotel

Further amendments to the visual appearance of the residential element of the scheme have been identified by the Applicant as de-minimus however when considered holistically do result in changes to the overall roof form of the residential tower, these include the introduction of two façade access points and maintenance jibs and positioning of the satellite dishes and TV aerials. Additional equipment is proposed in the form of maintenance jibs to allow access to the façade of the tower for window cleaning etc. The introduction of such openings and satellite dishes are to be expected given the appearance and use of the tower, and Officers consider that these have been positioned so as to minimise any potential visual impact as far as possible.

Amendments are proposed to the hotel which is sited to the east of the development. The amendments are concentrated to the rear of the building within the service yard; these include the re-configuration of the bin store and infilling of the store room window with matching brick work. These amendments will not be highly visible and it is not considered that a significant detrimental impact on the character and appearance of the development will result from this.

Changes to the fenestration of the hotel are also proposed inclusive of adjustments made to the AOV in the firefighting lobby which requires the splitting of a series of window openings in the east facing elevation of the hotel block with an additional transom added,

reduction in the height of the doors along the plaza elevation of the hotel entrance lobby and a dropped soffit to hotel entry doors. These are considered minor changes and do not result in a materially different appearance to that as previously approved. The splitting of the window is not anticipated to result in a detrimental impact on the character of the development given that the location of the elevation faces the neighbouring Direct Line building therefore sited away from public views. It is noted that an external flue is proposed to run externally to the rear of the hotel building which will protrude above the ridge height of the building. The location of the flue is to the rear of the premises away from public views and considered acceptable. The flue is not considered to protrude to such a degree from the ridge of the hotel building to detract from the overall appearance of the development and therefore Officers consider that the minor amendments to the hotel building to be acceptable.

### Alterations to the Commercial Frontage

Minor alterations are proposed along the restaurant frontage inclusive of the re-positioning of the shopfront glazing, introducing a new door to provide public access from the plaza to concierge office and the moving of unit 8's entrance door and introduction of bi-folding doors to units 5, 6 and 7.

The plaza elevation restaurant glazing line is proposed to be moved forward by approximately 740mm to bring this in line with the front elevation of the residential units above. Further to this, bi-folding doors are proposed to Units 5, 6 and 7 to allow for an enhanced interface between the public realm and the uses within. Outdoor seating has been previously permitted for the use of the restaurants and therefore it is envisaged that no further impact upon residential amenity will occur as a result of the introduction of the fenestration. Unit 8 proposes a change in the location of the entrance door to unit 8 to create a staff entrance with a new door proposed to provide public access from the plaza to the concierge office. Overall these changes are located within an internal position in the plaza and no significant material impact arises as a result of these changes.

Taking account of the amount of development, siting and design of the buildings, the proposal is considered to be acceptable in terms of the limited changes to the design of the development and on balance would have a limited impact visually or impact on the amenities of neighbouring properties as a result of the proposed amendments, in accordance with policy BE1 of the UDP.

### 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 proposed redevelopment will be a substantial change in the intensification and use of the site which will have an appreciable impact upon neighbouring residents however the principle of redeveloping the site for a mixed use scheme has been accepted under the original application, which satisfactorily addressed concerns relating to the impact on neighbours. It was considered that the proposals provided adequate separation distances between the proposed buildings and surrounding residential development. These distances are unaffected by the proposed amendments and in some cases increase the distance between the built form and the neighbouring properties.

It is recognised that additional windows are sited within the southern elevation of the commercial/residential low rise block which face onto the rear amenity space of the



properties along Newbury Road. It is noted that these windows serve the internal communal corridor which serve the residential units and are not habitable room windows. Whilst the openings are larger than previously approved, the resultant impact upon privacy is not considered materially different given that any overlooking would be transient and would not be focused on the residential properties. On balance, Officers consider these amendments to be acceptable.

Matters concerning the increased level of openings to the plaza space from the insertion of bi-folding doors have been discussed and it is not considered that these amendments would result in any materially worse harm to the residential properties sited on the upper floor levels over and above that as previously approved.

Given the siting and scale of proposed buildings in relation to the existing surrounding development it is not considered that the proposal would give rise to an unacceptable level of overshadowing or loss of light. Furthermore the proposal would not be overbearing or give rise to harm by way of loss of outlook. The concerns raised by third parties have been duly considered in the balanced assessment of this application. In conclusion for the reasons set out above the proposal is not considered to have a significant adverse impact upon neighbouring amenity and complies with policy BE1 of the UDP.

### Highways

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.

The original form of the application proposed a reduction in car parking spaces of 23 taken solely from the residential allocation. During the lifespan of the application the loss of parking spaces was decreased therefore the total loss is now proposed at 14 spaces, still taken all from the residential units.

The public car park will continue to provide 300 spaces with all the 14 lost spaces coming from the residential parking allocation resulting in a revised ratio of 0.43 parking spaces per residential unit.

The breakdown in residential parking will be as follows:

Moat Housing are providing 62 affordable units, 46 No. agreed via the S106 and 16 additional units within Core D which were agreed via the Council's payment in lieu fund. Three wheelchair units and 10 additional car parking spaces will serve these 62 units in Core D, with the remaining 64 parking spaces allocated amongst the 138 general market apartments equating to a ratio of 0.51 spaces for each private residential apartment.

Therefore although the loss of parking is regrettable, as the development is located in a high PTAL area with local amenities within walking distance of the site coupled with a condition preventing the future occupants from applying for a parking resident permit, on balance no objections to the proposal are raised.

Comments have been received from TFL who raise no objection to the overall reduction in parking spaces and welcome any further proposed reduction given the high accessibility of the site.

On balance, Members may consider that the loss of parking spaces is considered acceptable and will not have a detrimental impact upon the overall parking provision nor wider implications upon the highway network.

### Landscaping and Trees

Landscaping is an integral part of the 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.

Landscaping details have been submitted as part of this application and are found to be acceptable. It is noted that whilst two locations for a public art installation have been identified as well as the submission of an indicative public art strategy, further details of this are required to be submitted and will be conditioned accordingly.

### Other Considerations

Flooding, ecology, construction management plan, construction hours, refuse, children's play space, SUDS, air quality and land contamination has all been addressed in the original application by way of submission of technical reports and appropriate conditions recommended accordingly.

### Planning Obligations

The NFFP 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 into statutory legislation, from 5th April 2015, we need to link Education and Health proposals to specific projects in the Borough. In this instance in order to make the development acceptable in planning terms the following obligations are considered to be necessary:-

- o Provision of affordable housing as previously set out
- o Provision of 3 wheelchair units, not 5 as previously agreed
- o Reimbursement of the Councils legal costs associated with the drafting, finalising and monitoring the agreement.
- o Payment in lieu of the provision of wheelchair units
- o £504,045.51 Education contribution - project to be identified.
- o £197,000 health contribution - project to be identified
- o £2500 Car Club contribution
- o £ 20000 Town Centre contribution

- o £700000 max amount for affordable housing contribution (overage clause)

The applicant has agreed to an updated legal agreement to secure the above obligations where necessary.

### Summary

The proposed development of the site raises issues associated with the nature and scale of the proposed development and its impact on neighbouring residential properties. This report has considered those matters in the light of adopted and emerging development plan policies and other material considerations including third party representations. As discussed in this report the amended redevelopment of this site in the nature proposed is considered to make an acceptable contribution to the overall provision of the development. On balance the current proposal is considered to result in acceptable amendments that accord with the relevant planning policies.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Background papers referred to during the production of this report comprise all correspondence on file ref: 13/01094/MATAMD, 11/03865/AMD and 11/03865/FULL1 excluding exempt information.

Recommendation - Permission subject to a legal agreement

### **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 three years from 28 March 2012, this being the date on which the permission was first granted.**

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

- 2 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.**

- 3. The landscaping scheme as shown on the submitted drawings shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting**

season with others of a similar size and species to those originally planted.

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

- 4** The external surface materials shall be applied as approved under condition 4 of planning permission reference 13/01094/MATAMD (excluding the change in materials and amendments to the roof of the southern low rise block hereby approved) detailed on plans reference:

Drawing no. 11.13.2803 Rev. D ' Facade cladding control detail GRC and aluminium cladding vertical details' dated 23rd July 2015

Drawing no. 11.13.2804 Rev.D ' Facade cladding control detail GRC and aluminium cladding vertical details' dated 23rd July 2015

Bay Study and Material Information: Main Residential Block: South Facade Sheet number: 11.13.700

Bay Study and Material Information: Main Residential Block: North Facade Sheet number: 11.13.701

Bay Study and Material Information: North Elevation Low Level Areas and western residential Block Plaza and Western Elevation of High Rise Residential Sheet number 11.13.702

Roof Study and Material Information: Low Rise Residential: Roof and West Elevation sheet number 11.13.703

Bay Study and Material Information: Low Rise Residential Block: Westmoreland Road Facade sheet number 11.13.704

Bromley South Hotel: Elevation Bay Study 1 and 2 prepared by SEW

The development shall be implemented in accordance with the approved details unless otherwise agreed in writing in writing with the Local Planning Authority.

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

- 5** The window details shall be as approved under condition 5 of planning permission reference 13/01094/MATAMD (excluding the changes hereby approved within this application) detailed on plans reference:

Bay study and materials information: main residential block: south facade. Sheet no. 11.13.700 received 18th September 2015

Bay study and materials information: main residential block: north facade. Sheet no. 11.13.701 received 18th September 2015

Bay study and materials information: north elevation low level areas and western residential block plaza and western elevation of high rise residential. Sheet no. 11.13.702 received 18th September 2016

Roof study and material information: low rise residential: rood and west elevation. Sheet no. 11.13.703 received 18th September 2015

Bay study and material information: low rise residential : Westmoreland Road facade. Sheet no. 11.13.704 received 18th September 2015

Drawing no. 11.13.2332 Rev.E 'recessed balcony typical plan detail' dated April 2015 received 18th September 2015

Drawing no. 11.13.501 Rev G. ' glass balustrade over balcony, GRC fascia' dated 28th July 2014 received 18th September 2015

Drawing no. 11.13.503 Rev.F 'GRC balustrade over balcony' dated 28th July 2014 received 18th September 2015

Drawing no. 11.13.505 Rev. E 'Recessed balcony insulated soffit' dated 28th July 2014 received 18th September 2015

Drawing no. 11.13.507 Rev. F 'GRC balustrade over concrete recessed balcony' dated 28th July 2014 received 18th September 2015

Drawing no. 1200 Rev. C01 'Fortitcrete wall details' dated 6th December 2013 received 18th September 2015

Bromley South Hotel: Elevation Bay Study 1 and 2 prepared by SEW received 18th September 2015

The UNI\_ONE Collection-COPLANAR brochure extract received 18th September 2015

Velux Integra Centre - pivot Roof Windows brochure extract received 18th September 2015

The development shall be implemented in accordance with the approved details unless otherwise agreed in writing in writing with the Local Planning Authority.

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

**6** The drainage works shall be carried out in accordance with the details approved under condition 6 of permission 13/01094/MATAMD that being:

Drawing no. 126 rev. J 'Drainage Layout' dated January 2012

Drawing no. 158 Rev. H 'Section 104 Drainage Layout' dated January 2013

Drawing no. 162 'Section 104 Drainage Details' dated January 2013

The scheme shall be implemented, maintained and managed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

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

**7** The layout of the access road and turning area including its junction with Westmoreland Road, the proposed levels of the road and turning area and their suitability for the movement of buses and the dimensions of visibility splays shall be carried out as per the details approved under condition 7 of application 13/01094/MATAMD (within conditions application DC/13/01094/CONDIT) that being:

Drawing no. SK273 'Alternative 12m Bus Swept Path Analysis' dated October 2011

Drawing no. 100000219-C-SK01-01 Rev.B ' Proposed Traffic Signals Layout' dated 19th December 2014

Drawing no. SK265 Rev.G 'Swept Path Analysis' dated October 2011

Email from Project Centre dated 29th May 2014

Letter from TFL dated 13th May 2014

**These access arrangements shall be completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 1m in height within the approved splays except for trees selected by the Authority, and the permitted visibility splays shall be permanently retained as such. The works shall be implemented, maintained and managed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.**

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

**8 The permitted parking spaces and manoeuvring areas 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 indicated or in such a position as to preclude vehicular access to the said land unless otherwise agreed in writing with the Local Planning 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.**

**9 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.**

**10 Arrangements for storage of refuse and recyclable materials shall be completed in accordance with the details approved under condition 10 of planning permission reference 11/03865/FULL1 before any part of the development hereby permitted is first occupied and shall be permanently retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.**

**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.**

**11 Details of cycle parking (including covered storage facilities where appropriate) and a programme of rollout shall be submitted to and approved in writing by the Local Planning Authority within six months of the date of this decision notice. The approved cycle parking/storage facilities shall be provided at the site in accordance with the approved details and shall be permanently retained thereafter unless otherwise agreed in writing with the Local Planning Authority.**

**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.

**12** Details of a scheme to light the access road and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London prior to commencement of any part of these works (the Section 278 works). The approved scheme shall be self-certified to accord with BS 5489 - 1:2003. The works shall be implemented before the development is first occupied and maintained and managed in accordance with the approved details thereafter unless otherwise agreed in writing with the Local Planning Authority.

**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.

**13** Whilst the development hereby permitted is being carried out, provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with the details approved under condition 13 of planning permission reference 11/03865/FULL1 unless otherwise agreed in writing by the Local Planning Authority and such provision shall remain available for such uses to the satisfaction of the Authority throughout the course of construction.

**Reason:** In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

**14** 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.

**15** The Construction Management Plan approved under condition 15 of planning permission reference 11/03865/FULL1 (as permitted on the 29th January 2013) and shall be implemented in accordance with the agreed timescale and details unless otherwise agreed in writing with the Local Planning Authority.

**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.

**16** Prior to the commencement of the use hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include measures to promote and encourage the use of alternative modes of transport to the car. It shall also include a

timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating. The Travel Plan shall be implemented in accordance with the agreed timescale and details unless otherwise agreed in writing with the Local Planning Authority.

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

**17** No part of the development hereby permitted shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority of arrangements for establishment of a car club in conjunction with a provider to serve the development. The approved arrangements for the car club shall be in operation before first occupation of any part of the residential development and shall be permanently retained thereafter.

**Reason:** In order to provide for the transport needs of the development and comply with Policies T3 and T18 of the Unitary Development Plan.

**18** A scheme for protecting the proposed dwellings from road and rail traffic noise, which shall include appropriate glazing in windows, shall be submitted to and approved in writing by the Local Planning Authority prior to installation of the approved noise mitigation measures and the scheme shall be implemented before occupation of the dwellings directly affected by road and rail noise and permanently retained as such thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan, 4A.20 of the London Plan, the Mayors Ambient Noise Strategy and to ensure a satisfactory standard of residential amenity.

**19** Dwellings capable of occupation by wheelchair users shall be implemented in accordance with the details approved under condition 19 of permission 13/01094/MATAMD (as permitted on the 12th June 2014).

**Reason:** In order to comply with Policy 3.8 of the London Plan.

**20** The development hereby permitted shall be implemented in accordance with the details of measures to minimise the risk of crime (approved under condition 20 of planning permission reference 11/03865/FULL1), according to the principles and physical security requirements of Secured by Design. The approved measures shall be implemented before the development is occupied and thereafter retained, unless otherwise agreed in writing with the Authority.

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

**21** The ceilings and walls between the restaurants and drinking establishments and the upper floors of the premises and the adjacent properties shall be so adapted as to achieve a reasonable resistance to airborne sound and heat transference as far as is practical having regard to existing construction, technology and good practice. These works shall



be implemented before the residential apartments hereby permitted are first occupied in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and shall be permanently retained thereafter.

**Reason:** In order to comply with Policy S9 of the Unitary Development Plan and to ensure a satisfactory standard of amenity for adjacent properties.

**22** The scheme of lighting (including the appearance, siting and technical details of the orientation and screening of the lights and the means of construction and laying out of the cabling) shall be implemented in accordance with the details approved under condition 22 of permission 13/01094/MATAMD that being:

Road and Street Lighting Assesment prepared by MTT dated 7th July 2014

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

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

**23** No structure, plant, equipment or machinery shall be placed erected or installed on or above the roof or on external walls without the prior approval in writing by the Local Planning Authority.

**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.

**24** The development hereby permitted shall be implemented in accordance with the slab levels details approved under condition 24 of permission 13/01094/MATAMD (as permitted on the 12th June 2014).

**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.

**25** The scheme to provide means of access to the development for persons with disabilities shall be implemented in accordance with details approved under condition 25 of permission 13/01094/MATAMD (as permitted on the 12th June 2014) and shall be permanently retained thereafter unless otherwise agreed in writing with the Authority.

**Reason:** In order to comply with Chapter 3 Objectives 2 & 4 and Policy 3A.17 of the London Plan and in order to provide adequate means of access for disabled persons.

**26** Details of a programme for the rollout of car parking provision shall be submitted to and approved in writing by the Local Planning Authority within six months of the date of this decision notice and the car parking shall be made available in accordance with the approved details unless otherwise agreed in writing with 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.

**27** The development hereby permitted shall be carried out in accordance with the contaminated land assessment and associated remedial strategy approved under condition 27 of planning permission ref. 11/03865/FULL1(permitted on the 29th January 2013) unless otherwise agreed in writing by the Local Planning Authority.

a) 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.

b) 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.

c) 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.

**28** Details of a closed circuit television monitoring system (including a phasing plan for implementation) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby permitted and shall be installed in accordance with the approved phasing plan. The installed CCTV system shall be retained as such thereafter and maintained and managed in accordance with manufacturer's details.

**Reason:** In the interests of safety and security and to accord with Policy BE1(viii) of the Unitary Development Plan.

**29** A sculpture, work of art, decorative device, historic artefact, or strategic or collective project shall be erected or otherwise provided as part of the development in line with the locations identified within plan no. 0153-CDT-192-Rev01 and the Public Art Strategy hereby permitted prior to occupation of any flat within Residential Core E (representing the final phase of development) in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall be permanently retained as such to the Authority's satisfaction unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In the interest of the history, culture and visual amenities of the area and to comply with Policy BE5 of the Unitary Development Plan.

**30** Junction improvements of the reconfigured Simpson's Road and Westmoreland Road shall be implemented in accordance with the details approved under condition 30 of planning permission ref. 13/01094/MATAMD (permitted on 16th June 2015) those being:

Drawing no. SK273 'Alternative 12m Bus Swept Path Analysis' dated October 2011

Drawing no. 1000000219-C-SK01-01 Rev.B 'Proposed Traffic Signals Layout' dated 19th December 2014

Drawing no. SK265 Rev. G 'Swept Path Analysis' dated October 2011

Drawing no. SK274 'Swept Path Analysis' dated October 2014

Email from Project Centre dated 29th May 2014

Letter from TFL dated 13th May 2014

The details submitted for the junction improvements shall be completed in accordance with the approved details before any part of the development is first occupied

**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.

**31** Prior to first occupation of the cinema (Class D2) and/or restaurant facilities (Class A3) hereby permitted, the public toilet facilities indicated on plan No. 11.13.25J shall be provided and these facilities shall be permanently retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In order to ensure that adequate public toilet facilities are provided within the development.

**32** The uses within Classes A3 and A4 (restaurants and drinking establishments) hereby permitted shall not operate before 8am and no customers shall be admitted to the premises after 11pm and all customers shall have left the premises by 12am on Monday to Sunday (inclusive) unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In the interests of the amenities of the occupants of nearby residential properties.

**33** Details of electric car charging points shall be submitted to and approved in writing by the Local Planning Authority and the charging points shall be installed in accordance with the approved details before any of the car parking spaces hereby permitted are first used unless otherwise agreed in writing by the Authority and shall be permanently retained in working order thereafter.

**Reason:** In the interests of promoting more sustainable means of car travel.

**34** Detailed plans of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate fumes and odours (and incorporating activated carbon filters where necessary) for each individual Class A3 and Class A4 unit shall be submitted to the Local Planning Authority for approval; after each system has been approved in writing by the Authority, it shall be implemented in accordance with approved details before the use of that individual unit first commences unless otherwise agreed in writing by the Authority and shall thereafter be permanently retained in an efficient working manner.

**Reason:** In order to comply with Policies S9 and ER9 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

**35** The results of the site wide energy strategy approved under condition 35 of application 13/01094/MATAMD (permitted on the 11th February 2014) shall be incorporated into the final design of the buildings prior to first occupation. The final designs, including the energy generation, detailed layout and elevations shall be submitted to and approved in writing by the Authority prior to installation and 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 2011.

**36** The works to realign, divert and improve the culverted river (including the diversion of services) shall be implemented in accordance with the plans and details hereby approved before any part of the development is first commenced unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to maintain access to the culverted River Ravensbourne and to comply with PPS25.

**37** The bus stand and turning area hereby permitted shall be completed in accordance with the approved details before any part of the development hereby permitted is first occupied unless otherwise agreed in writing by the Local Planning Authority in consultation with Transport for London and shall be permanently maintained thereafter.

**Reason:** In order to maintain waiting and turning facilities for buses within the site.

**38** Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

**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.

**39** Details shall be submitted to and approved in writing by the Local Planning Authority of proposals for the construction of all the dwellings hereby permitted as "Lifetime Homes" in accordance with the criteria set out in Supplementary Planning Guidance to the London Plan "Accessible London: achieving an inclusive environment" (April 2004) prior to construction of any of the residential dwellings hereby permitted. The dwellings shall be constructed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In order to comply with Policy 3.8 of the London Plan and the Supplementary Planning Guidance to the London Plan "Accessible London: achieving an inclusive environment".

**40** No impact piling shall take place without the prior approval in writing of the local planning authority in consultation with the relevant water or sewerage undertaker.

**Reason:** The proposed works will be in close proximity to underground water and sewerage utility infrastructure and piling has the potential to impact upon this infrastructure.

**41** The specialist access consultant approved under condition 41 of planning permission reference 11/03865/FULL1 shall liaise with the developer and/or his architect or engineer to approve details of accessibility, oversee the works and report to the Council throughout the period of the works in so far as the works may affect access issues on the site. After commencement of the project, all persons employed or engaged on the project shall immediately comply with any reasonable instruction, advice or request given or made by the specialist access consultant in respect of works in so far as they relate or affect accessibility within the development.

**Reason:** In order to comply with Policy T5 of the Unitary Development Plan and to ensure that all access issues associated with this challenging site can be adequately addresses.

**42** Details shall be submitted to the Local Planning Authority of a Delivery Service Plan before any part of the development is occupied unless otherwise agreed in writing with the Local Planning Authority. After it has been approved in writing by the Authority the Plan shall be implemented in accordance with the approved details and operated thereafter. The Plan shall include measures for annual monitoring and updating.

**Reason:** In order to provide adequate, safe and convenient access for service vehicles and in the interest of the free flow of traffic and conditions of highway safety, to comply with policy T18 of the Unitary Development Plan.

**43** The development hereby permitted shall be carried out in accordance with the following approved plans:

**11.13.70 D - Proposed Elevations**

11.13.71 D - Proposed Elevations  
11.13.72 E - Proposed Elevations  
11.13.72 E - Proposed Elevations  
11.13.73 D - Proposed Elevations  
11.13.74 D - Proposed Elevations  
11.13.75 D - Proposed Elevations  
11.13.77 H - Proposed Elevations  
11.13.78 H - Proposed Elevations  
11.13.60 F - Proposed Approved and Comparison Elevation A  
11.13.61. E - Proposed Approved and Comparison Elevation B  
11.13.62 E - Proposed Approved and Comparison Elevation C  
11.13.63 F - Proposed Approved and Comparison Elevation F  
11.13.64 E - Proposed Approved and Comparison Elevation E  
11.13.65 E - Proposed Approved and Comparison Elevation F  
11.13.66 E - Proposed Approved and Comparison Elevation E  
11.13.67 and 68 - Proposed Elevations  
0153-0323-C08 - Proposed Elevations (hotel)  
0153-0322-C06 - Proposed Elevations (hotel)  
0153-0321-C06 - Proposed Elevations (hotel)  
0153-0320-C06 - Proposed Elevations (hotel)  
11.13.01 Site Location Rev B  
11.13.15K Proposed Floor Plan Level -6  
11.13.16N Proposed Floor Plan Level -5 and 5a  
11.13.18N Proposed Floor Plan Level -4 and 4a  
11.13.20P Proposed Floor Plan Level -3 and 3a  
11.13.22O Proposed Floor Plan Level -2 and 2a  
11.13.24O Proposed Floor Plan Level -1 and 1a  
11.13.25J Proposed Floor Plan Level 0  
11.13.26J Proposed Floor Plan Level +1  
115006\_L(36) 01 AB\_P002 A Proposed Floor Plan Level +1  
115006\_L(36) 01 CDE\_P004 A Proposed Floor Plan Level +1  
11.13.27J Proposed Floor Plan Level +2  
115006\_L(36) 02 AB\_P003 A Proposed Floor Plan Level +02  
115006\_L(36) 02 CDE\_P005 B Proposed Floor Plan Level +02  
11.13.28I Proposed Floor Plan Level +3  
115006\_L(36) 03 CDE\_P006 A Proposed Floor Plan Level +3  
11.13.29I Proposed Floor Plan Level +4  
115006\_L(36) 04 CDE\_P007 B Proposed Floor Plan Level +4  
11.13.30I Proposed Floor Plan Level +5  
115006\_L(36) 05 CDE\_P008 A Proposed Floor Plan Level +5  
11.13.31I Proposed Floor Plan Level +6  
115006\_L(36) 06 CDE\_P009 B Proposed Floor Plan Level +6  
11.13.32H Proposed Floor Plan Level +7  
115006\_L(36) 07 CDE\_P010 A Proposed Floor Plan Level +7  
11.13.33I Proposed Floor Plan Level +8  
115006\_L(36) 08 CDE\_P011 A Proposed Floor Plan Level +8  
11.13.34K Proposed Floor Plan Level +9  
115006\_L(36) 09 CDE\_P012 B Proposed Floor Plan Level +9  
11.13.35J Proposed Floor Plan Level +10  
115006\_L(36) 10 CDE\_P013 B Proposed Floor Plan Level +10  
11.13.36J Proposed Floor Plan Level +11  
115006\_L(36) 11 CDE\_P014 A Proposed Floor Plan Level +11  
11.13.37J Proposed Floor Plan Level +12  
115006\_L(36) 12 CDE\_P015 A Proposed Floor Plan Level +12  
11.13.38J Proposed Floor Plan Level +13

115006\_L(36) 13 CDE\_P016 A Proposed Floor Plan Level +13  
 11.13.39J Proposed Floor Plan Level +14  
 115006\_L(36) 14 CDE\_P017 A Proposed Floor Plan Level +14  
 11.13.40J Proposed Floor Plan Level +15  
 115006\_L(36) 15 CDE\_P018 A Proposed Floor Plan Level +15  
 11.13.41J Proposed Floor Plan Level +16  
 115006\_L(36) 16 CDE\_P019 A Proposed Floor Plan Level +16  
 11.13.42J Proposed Floor Plan Level +17  
 115006\_L(36) 17 CDE\_P020 A Proposed Floor Plan Level +17  
 11.13.43J Proposed Floor Plan Level +18  
 115006\_L(36) 18 CDE\_P021 B Proposed Floor Plan Level +18  
 11.13.44J Proposed Floor Plan Level +19  
 115006\_L(36) 19 CDE\_P022 B Proposed Floor Plan Level +19  
 0153-SK447 - Link Bridge Sketch Design  
 0153-CDT-192 Rev 01 - Landscaping Plan and FFL  
 115006 A(62) Y ZZ D7401 B - General height Coordination Schedule  
 115006 A(62) Y ZZ D7401 C - General height Coordination Schedule  
 115006\_L(98) 06 D\_H078 - Unit Audit Review Wheelchair Units  
 115006\_L(98) 02 D\_H058 - Unit Audit Review Wheelchair Units  
 115006\_A(74) 6 D\_D8077 B Bathroom Detail Drawing Wheelchair Units  
 115006\_A (74) 4 D\_D8067 B Bathroom Detail Drawing  
 115006\_A(73) 04 D\_D8568 Kitchen Layout Wheelchair Units  
 115006\_L(98) 04 D\_H068 Unit Audit Review Wheelchair Units  
 115006\_A(73) 02 D\_D8558 Kitchen Assembly Layout Wheelchair Units  
 115006\_A(73) 06 D\_D8578 Kitchen Assembly Layout Wheelchair Units  
 115006\_A(74\_2 D\_D8057 B Bathroom assembly layout Wheelchair Units  
 Supporting Design and Access Statement (4th November 2016) and drawings within.  
 Bromley South Central - Studio Egret West Landscape Maintenance and Management Plan Rev 00 Dated: 02.04.15  
 Bromley South Central - Studio Egret West – Statement to Discharge Landscape Condition  
 0153\_0152\_PO2 – Illustrative Masterplan  
 0153\_0154\_P00 – Proposed Tree Locations  
 0153\_0155\_P00 – Level 02 Detailed Planting Plan  
 0153\_0156\_P00 – Staircase Detailed Planting Plan  
 0153\_0190\_P00- Landscape Finishes, L00  
 0153\_0191\_P00 – Landscape Finishes Upper Level  
 0153\_9050\_P00 – Public realm materials outline specification

**44** Unless agreed in writing with the Local Planning Authority, at any time the noise level from any plant (including ventilation, extraction or air conditioning plant) in terms of dB(A) shall be 5 decibels below the relevant minimum background noise level (LA90 15mins) measured at the nearest noise-sensitive building. If the plant has a distinctive tonal or intermittent nature the predicted noise level of the plant shall be increased by a further 5dBA.

**Reason:** In order to comply with Policy S9 of the Unitary Development Plan and to ensure a satisfactory standard of amenity for adjacent properties.

**45** A minimum separation of 4 metres shall be provided between the buildings hereby permitted and both the River Ravensbourne and the River Ravensbourne East Branch culverts, except to the rear of Nos. 2 and 4 Newbury Road where the separation shall be no less than 3.1 metres.

**Reason:** In order to retain operational access to the river culverts and prevent an increased risk of flooding.

**46** The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (dated 28/02/2012 - FRA/397111 revision 5 by PEP) and the finished floor levels and water entry thresholds shall be set no lower than set out in the FRA.

**Reason:** In order to reduce the risk of flooding to the proposed development and future occupants.

**47** The flood compensation works approved under condition 47 of planning permission reference 11/03865/FULL1 shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to reduce the risk of flooding to the proposed development and future occupants.

**48** The surface water drainage details shall not include infiltration into the ground other than with the written consent of the Local Planning Authority, which may be given if it can be demonstrated that there will be no risk to controlled waters.

**Reason:** In order to comply with Policy ER7 of the Unitary Development Plan and to ensure that any risks relating to contamination discovered during development are dealt with appropriately.