

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

**Application No : 17/02876/FULL1**

**Ward:  
Crystal Palace**

**Address :** Alan Hills Motors Alma Place Anerley  
London SE19 2TB

**OS Grid Ref:** E: 533596 N: 170454

**Applicant :** TLS (Alma Yard) Ltd. **Objections :** YES

### **Description of Development:**

Demolition of existing structures and the construction of six dwellings, commercial floorspace, private and communal amenity areas, car parking, refuse and cycle storage.

Key designations:

Conservation Area: Belvedere Road  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 6

### **Proposal**

The application seeks consent for the demolition of the existing structures onsite and the construction of 6 two bedroom dwellings. It would also include the construction of a detached single-storey office building providing B1 Use Class floor space. Five car parking spaces would be provided, together with refuse and bicycle storage. A woodland sanctuary would also be created.

The application is the submission of an amended scheme originally approved by Members at Plans Sub Committee under ref: Ref: 16/04635/FULL1, which comprises demolition of existing structures and the construction of 3 four bedroom houses, commercial floor space, private and communal amenity areas, car parking, refuse and cycle storage.

The application as currently proposed has the same height, massing and design as the previously approved application but the number of unit has been increased from 3 houses, to 6 two bedroom flats. The external changes include the addition of three recessed terraces to the dwellings at the second floor level.

### **Location and Site Context**

The application site has been used as a commercial premise for a service and repair workshop for motor vehicles (Use Class B2). There are a number of various single-storey sheds used in conjunction with the use across the site. The site bounded to north west by a three-storey Locally Listed terrace, which includes commercial uses at ground floor level and residential accommodation above. The

above building fronts Church Road and includes a number of outdoor terraces at first floor level, which directly overlook the application site situated at the rear. The rear gardens of Nos 67-69 Church Road also directly back on to the north end of the site. Immediately to the south west are two 2 storey terraces of Alma Place and Spring Cottages. To the south east are the rear gardens of No 19-25 Belvedere Road, which are Grade II Listed two/three storey buildings.

There are significant gradient changes at the northern and eastern edges of the site, including steep embankments which slope downwards to a woodland area.

The site is located within the Belvedere Conservation Area.

## **Consultations**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- o This is a higher density development as it is for 6 flat, which is not appropriate for the site.
- o Applicants have stated that 'there is a need for 2 bedroom flats in the area rather than houses'. This needs substantiation and evidence of research carried out.
- o Crystal Palace ward already has areas of development e.g. Orchard Lodge and CP Park Caravan Club.
- o Loss of employment.
- o Consideration as a windfall site under Policy H1 should 'retain the existing use of the site'.
- o Increase parking demand, with same displacement of current residents.
- o The site has a PTAL of 6a(Excellent) therefore increase in parking at the site is not justified.
- o Refute claims that there would be a reduction in vehicular movements to and from the site and reduction in noise for surrounding residents. The previous business operated only during working hours Monday-Friday, with no vehicular movements during evenings or weekends. There would be an increase in disturbance due to possible 24/7 movement.
- o Concerns about arrangements for refuse previously agreed. Current problems of residents of Church Road leaving rubbish at the entrance of Alma Place.
- o Alma Place is an unadopted road and unsuitable for heavy traffic flow.
- o Problems with previous burst pipes.
- o Houses were more in keeping with the street where all of the dwellings are domestic houses.
- o Overlooking from the upper balconies
- o Safety concerns with regards to access on Church Road from vehicles.
- o Balance needs to be struck between health of the environment and the provision of housing. Last year's proposal got this balance about right. This is not the case with this proposal.
- o The developer has been underhand.

- o Increase in human and vehicular traffic will be detrimental to the character of the street which are 9 older family townhouses all occupied by single families or couples.
- o Larger population will have an effect on the woodland, which the developer is being careful to protect and preserve, and work in harmony with.
- o More light and noise pollution
- o Three additional dwellings would be more intrusive and disconnected from natural setting.
- o Harm to habitats, including bats, foxes and stag beetles.
- o Sublet flats will have a higher turnover.
- o Parking statement full of inaccuracies. 7 cars parked in Alma Place (5 belonging to the residents of Alma Place/Spring Grove).
- o Residents have been parking in Alma Place for over 45 years. This was agreed with previously landowner and leaseholder.
- o The Council previously refused an application for a loft extension in Alma Place due to overlooking. The council should reject the proposal for the same grounds.
- o Use of yellow brickwork is not sensitive to the surrounding listed buildings or woodland.
- o Number of 2 way trips that took place while Alan Hill Motors was vastly exaggerated by RGP.
- o The applicant provided no evidence that 'A full and proper marketing of the site has been undertaken. Only a single additional letter from the applicant's agent was submitted.
- o In the precis that accompanied noted to the previous planning meeting, none of the additional information supplied by local residents was referred to. It was axiomatic by the responses by Members that none of this information (receipt acknowledged by the case office) has even been read by the Members. This was both negligent and biased. Documents include a valuation report dated 1/9/16 and numerous emails/letters from Summers Solicitors. A letter from JLL from their chairman of UK planning critiquing TLS's Marketing Process was not given any consideration. The only individual to refer to the documents was Cllr Wilkins. This letter clearly demonstrated that a proper marketing process has not been undertaken.
- o No explanation has been provided by Bromley as to why the petition signed by 120 local residents was rejected.
- o Comments regarding Bromley's Code of Corporate Governance identifies 4 key roles. Bromley has failed on all of the key roles outlined, putting the interest of the developer before 800 local families.
- o Comments about the procedure of the previous committee meeting.
- o What has changed in the housing market in the last few months that renders 3 town houses unviable. This indicates the TLS marketing process was flawed.
- o Applicant has failed to advise Bromley that Alma Place has a shared access with 11-21 Belvedere Road. There is a Right of Way (right to roam) in neighbouring deeds across this land.
- o Refute there was no market demand for continued use of the site as a repair garage. Reference to a petition signed by 120 local residents.
- o Supportive data sent in by local residents was not referred to by the Presenting Officer in his precis to Members, failing to protect local residents

and to take informed and transparent decision which is subjective to effective scrutiny.

- o TLS fail to mention that there was a mandatory onus placed upon TLS to provide an additional 3 parking spaces for current residents of Alma Place and Spring Grove.
- o Incorrect statements made within supporting documents. Including concerns around overlooking.
- o No account has been taken of the impact on 11-25 Belvedere Road whose rear elevations and gardens will be similarly compromised, suffering loss of privacy.
- o Harm to trees and does not respect important views and skylines.
- o TLS fails to consider that the land on the site slopes in two directions behind Belvedere Grade II Listed properties. When standing in these gardens, when looking up, the sky scape will be replaced by a building.
- o Loss of light
- o Overlooking from surrounding properties into the proposed gardens.
- o Applicant has failed to prove that reasonable efforts have been made to find a viable use for the current building.
- o Comments regarding Policy BE12 and responsibility to maintain buildings. The buildings were deliberately neglected in order to gain planning permission.
- o No compensation for local families
- o TLS reports states there is an over provision of office space but the proposal includes office space.
- o Design fails to conserve heritage assets in a manner appropriate for their significance. Does not respond to local context. The yellow stock brick will stick out; alternatives put forward to the development were rejected as being too expensive.
- o Does not fit with the woodland area behind the Listed properties. The design of the building and outdoor space do not enhance the neighbourhood and are no informed by the Historic Environment. Lack of sympathetic architectural details.
- o Legal concerns regarding right to park within Alma Place by existing residents.
- o Inaccuracies regarding parking and transport assessments.
- o RGP point out that 51% of households in the vicinity would not own a car. This is incorrect. Only 14% of households do not own a car. Church Road properties have not been included. The conclusion that 5 parking spaces and 1 disabled space is inadequate.
- o Parking survey is flawed. Impossible to find parking during the day and sample size is skewed. Survey area not large enough.
- o Consideration of the implications of a possible CPZ being introduced by Croydon within close proximity
- o Statements made in the 'Trip Generation' section are ludicrous. Surveys are flawed. Full of anomalies and false comparisons just based upon desk research and third parties than original field research.
- o Comments from Alan Hill former tenant - statement relating to generation of 64 two way trips exaggerated. The maximum number of two way trips generated by the previous use were 17 per day.

- o No consideration within proposal regarding vehicular deliveries, visitors to site generated from an office and 6 residents. There will be no reduction in trips.
- o TLS still reliant on original Ecology report dated August 2016
- o Stag beetles are present and have been seen in neighbouring gardens backing onto the woodland.
- o Comments regarding the content and accuracies within the ecology report. Incorrect methodologies employed.
- o The rear of the site was an infill and the land is unstable.
- o Concern about damage the surrounding foundations and drainage details, particularly regarding a cesspit from the Belvedere Road properties.
- o A condition should be imposed undertaken a ground survey
- o The increase in density is not in keeping with the surrounding residences of Alma Place, Spring Grove and Belvedere Road.
- o The second floor terraces extend across the rear elevations. They are outdoor rooms and are typically used for parties and music.
- o It will not contribute to the CA either in occupation density, traffic pollution or with its negative impact on parking access for locals.
- o The traffic study is inaccurate. It shows fewer vehicular journeys than the present use but this is based on reference to garage businesses in other areas of London. The previous analysis of the existing use is also inaccurate as it was not an MOT station but a small 'domestic' scale business with a single mechanic and the number of vehicles serviced was much smaller than suggested. Only 4 vehicles per day so 8 trips per weekday. The proposed 5 spaces will result in 20 trips per day and weekends.
- o Soils are subject to shrinking and swelling. Soils on site have been subject to creep. This has been ignored.
- o Affordable housing is needed. There are already large scale developments in the area.
- o Developers have not discussed the previous parking conditions within the residents of Alma Place.
- o Surrounding woodland greenspace is at risk.
- o Concerns the developers will try to convert the office space into a residential unit. The changing of what was originally agreed shows a duplicitous nature. This was the plan all along. They must have known six flats would not be acceptable so suggested houses first.
- o The revised ecology report is incorrect as bats have been seen on site.

A petition submitted in respect of the withdrawn application, objecting to the redevelopment of this site, has been resubmitted as part of a representation for this application.

Photographs have been provided from residents regarding parking on surrounding roads and wildlife

Highways - The site is located in an area with PTAL rate of 5 (on a scale of 1 - 6, where 6 is the most accessible).

Vehicular Access- the access is from Alma Place leading to the car parking area. The access is confined by the adjacent building and parked vehicles. Service vehicles will have difficulty accessing the site.

Car parking- Five car parking spaces would be provided; this is acceptable.

Cycle Parking - The applicant should be aware that two secure cycle parking spaces per unit are required.

Refuse-. The Waste Management Team should be consulted to ascertain serviceability of the site.

If minded to approve please include the following with any permission:

**CONDITION**

H03 (Car Parking)

H18 (Refuse)

H22 (12 Cycle parking spaces)

H23 (Lighting scheme for access and parking)

H29 (Construction Management Plan)

H32 (Highway Drainage)

Environmental Health - I have looked at this application and in principle would have no objections to Permission being granted. I would however recommend that the following Condition be imposed, even though section (a) has already been satisfied by the Ground & Water Ltd report (ref GWPR1462/DS/November 2015): Condition K09

I would also recommend that the following Informative be attached:

Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

Drainage Officer - No objections subject to conditions relating to the submission of a surface water drainage strategy.

Historic England - Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

## **Planning Considerations**

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

BE1 Design of New Development

BE7 Railings, Boundary Walls and Other Means of Enclosure

BE8 Statutory Listed Buildings

BE10 Locally Listed Buildings  
BE11 Conservation Areas  
BE12 Demolition in Conservation Areas  
BE14 Trees in Conservation Areas  
H1 Housing Supply  
H7 Housing Density and Design  
H9 Side Space  
NE5 Protected species  
NE7 Development and Trees  
NE8 Conservation and Management of Trees and Woodland  
ER10 Light pollution  
T3 Parking  
T7 Cyclists  
T18 Road Safety  
EMP 2 Office Development  
EMP 5 Development Outside Business Areas  
ER7 Contaminated Land

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

SPG No.1 - General Design Principles  
SPG No.2 - Residential Design Guidance

Belvedere Road Conservation Area SPG

London Plan (2016)

Policy 3.3 Increasing Housing Supply.  
Policy 3.4 Optimising Housing Potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 4.2 Offices  
Policy 4.3 Mixed Use Development and Offices  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable energy  
Policy 5.9 Overheating and cooling  
Policy 5.10 Urban greening  
Policy 5.11 Green roofs and development site environs  
Policy 5.12 Flood risk management  
Policy 5.13 Sustainable drainage  
Policy 5.14 Water quality and wastewater Infrastructure  
Policy 5.15 Water use and supplies  
Policy 5.21 Contaminated Land  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime

Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage Assets and Archaeology  
Policy 7.15 Reducing and Managing Noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes  
Policy 7.19 Biodiversity and Access to Nature  
Policy 7.21 Trees and Woodlands  
Policy 8.3 Community infrastructure levy

Housing: Supplementary Planning Guidance. (2015)

DCLG: Technical Housing Standards (2015)

National Planning Police Framework (NPPF) - Relevant chapters include Chapters 6, 7, 11, 12.

Emerging Plans

Draft Local Plan

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances

Policy 1 Housing Supply  
Policy 3 Backland and Garden Land Development  
Policy 4 Housing Design  
Policy 8 Side Space  
Policy 30 Parking  
Policy 32 Road Safety  
Policy 37 General Design of Development  
Policy 38 Statutory Listed Buildings  
Policy 39 Locally Listed Buildings  
Policy 41 Conservation Areas  
Policy 43 Trees in Conservation Areas  
Policy 72 Protected Species  
Policy 73 Development and Trees  
Policy 74 Conservation and Management of Trees in Woodland  
Policy 79 Biodiversity and Access to Nature  
Policy 83 Non-designated Employment Land  
Policy 86 Office Uses Outside Town Centres  
Policy 115 Reducing Flood Risk  
Policy 116 Sustainable Urban Drainage  
Policy 118 Contaminated Land  
Policy 119 Noise Pollution  
Policy 122 Light Pollution  
Policy 123 Sustainable Design and Construction

Planning History

85/00279/FUL - Alan Hills motors Ltd Alma Place Church Road. Continued use for repairing motor cars renewal 812891. Permission 25.07.1985

10/00965/TREE - Intention to crown lift to 40ft above ground level and crown reduce and crown thin by 15% 1 Lime and crown lift to 30 ft above ground level and crown reduce and crown thin by 15% 2 sycamores. No objection 06.05.2010

11/03769/TREE- Intention to remove 3 large branches of 1 ash tree overhanging 2 Rama Lane . No objection 16.12.2011

15/03018/TREE - Reduce the height of 3 lime trees to 8 metres. No objection 19.08.2015

15/04824/FULL1- Demolition of existing structures and the construction of four dwellings, private and communal amenity areas, car parking, refuse and bicycle storage, the creation of a community woodland and the extension to the private amenity space of Nos 1-3 Alma Place Withdrawn 10.03.2016

16/04635/FULL1 - Demolition of existing structures and the construction of three dwellings, commercial floorspace, private and communal amenity areas, car parking, refuse and bicycle storage. Permission 20.02.2017

## **Conclusions**

The main issues to be considered in respect of this application are:

- o Principle of Development
- o Density
- o Design/Impact on the character and appearance of the wider CA
- o Standard of Residential Accommodation
- o Impact on adjoining neighbours
- o Highways and Traffic Issues
- o Ecology and Trees

### **Principle of Development**

The current proposal is a resubmission of a scheme previously approved under ref: 16/04635/FULL1 for the 'Demolition of existing structures and the construction of three dwellings, commercial floorspace, private and communal amenity areas, car parking, refuse and bicycle storage . It would continue to provide a mixed use, with residential and office uses; however the resident element would now comprise 6 two bedroom flats rather than 3 four bedroom houses.

The application site is located on the north side of Alma Place, which is accessed from Church Road and forms the south east side of the Crystal Palace Triangle gyratory. It is surrounded by residential and commercial properties and comprises a mixture of single-storey buildings used as a vehicular repair workshop, storage and office space.

Given the existing commercial use and location outside a defined business area Policy EMP5 was considered to be applicable. Policy EMP 5 Development Outside Business Areas allows for the redevelopment of business sites outside Designated Business Areas provided that:

- (i) the size configuration, access arrangements or other characteristics make it unsuitable for Classes B1, B2 or B8 use, and
- (ii) full and proper marketing of the site confirms the unsuitability and financial non-viability of the site for those uses.

Draft Policy 83 Non-Designated Employment Land of the emerging Local plan states that 'proposals for change of use or redevelopment of non-designated sites containing Class B uses for alternative employment generating uses will be considered provided that the amenity of any nearby residential uses is not detrimentally affected'

The applicant originally provided a commercial feasibility report in support of the approved application. This provided a professional opinion in respect of the market demand for the existing buildings and uses, or an alternative commercial use. A further updated marketing statement was also provided in response to a request from Members.

At the time, the proposal provided a mixed use scheme, with three residential units and an employment generating use (B1a) which Members considered to be acceptable and in accordance with the thrust of Policy EMP5. The proposal was also considered to be more compatible with adjacent residential uses compared to the existing industrial (B2) use. The location of the site, access arrangements and condition of the existing built development were also considered to be prohibitive for similar uses going forward.

Members resolved to grant planning permission at Plan Sub Committee and accepted the mix use proposal. The principle of a mixed use scheme on this site, with residential and B1 (a) office space has therefore already been established.

#### Density and Mix

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).

The London Plan advises that development plan policies related to density are intended to optimise not maximise development and density ranges are deliberately broad to enable account to be taken of other factors relevant to optimising potential such as local context, design and transport capacity, as well as social infrastructure, open space and play (para.3.28).

The Housing SPG (March 2016) provides further guidance on implementation of policy 3.4 and says that this and Table 3.2 are critical in assessing individual residential proposals but their inherent flexibility means that Table 3.2 in particular should be used as a starting point and guide rather than as an absolute rule so as to also take proper account of other objectives, especially for dwelling mix, environmental and social infrastructure, the need for other land uses (e.g. employment or commercial floor space), local character and context, together with other local circumstances, such as improvements to public transport capacity and accessibility (para.1.3.8).

This site is considered to be in an 'urban' setting and has a PTAL rating of 6a. The London Plan gives an indicative density range of between 45-260 units/ha and 200-700 habitable rooms/ha. UDP Policy H7 also includes a density/location matrix which, in areas comprising flats and terraced houses, supports a density of 55-175 units/ha and 200-450 habitable rooms/ha for locations such as this provided the site is well designed, providing a high quality living environment for future occupier's whilst respecting the spatial characteristics of the surrounding area.

The density calculations for the proposed development are approximately 90 habitable rooms/ha and 30 units/ha which is below density ranges for the London Plan and below that of the UDP. This is considered appropriate in this location given the residential context, specific site constraints, location of the site and excellent PTAL rating.

To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups on the community; identify the size, type, tenure and range of housing that is required in particular locations.

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms.

In relation to the housing mix an extant permission exists for 3 four bedroom family dwellings however the current proposal seeks to now provide 6 two bedroom flats.

The site's size and location in an urban setting with good access to local amenities and transport links make it suitable for the provision of family housing as well as housing for more transient professionals and smaller family units. The applicant has referenced paragraph 2.1.16 (Policy 1) of the emerging Local Plan and the 2014 Strategic Housing Market Assessment (SHMA), which highlights that the highest need across tenures within the Borough up to 2031 is for one bedroom units (53%) followed by two bedroom units (21%) and three bedroom units (20%).

It goes on to state however, that larger development proposals (i.e. 5 plus units) should provide for a mix of units sizes and considered on a case by case basis.

The site is within a highly sustainable location with an excellent PTAL and within close proximity to a number of shops and local services. It is surrounded by small cottages, terraces, flats above commercial premises and commercial properties.

Members may therefore consider that the increase in unit numbers, together with the mix of 6 two bedroom flats is acceptable in this context and would not result in an overdevelopment of the site.

### Scale, Layout and Design.

The National Planning Policy Framework (NPPF) states that a key role for planning is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Further to this, paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, respond to local character and history, and reflect the identity of local surroundings and materials; and are visually attractive.

The London Plan further reiterates the importance of ensuring good design, and states, in Policy 7.4, that development should improve an area's visual or physical connection with natural features and, in areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area. Policy 7.6 of the London Plan also states that development should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and should comprise details and materials that complement, not necessarily replicate, the local architectural character.

BE1 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

The site is located within the Belvedere Road Conservation Area and is a previously development backland site accessed from Alma Place. Alma Place comprises two sets of terraced houses, 3 of which are locally listed (1-3 Spring Grove). The proposal would see the removal of the existing single-storey garage structures on site, the construction of one terrace with six flats and the erection of a single-storey office building. As noted above, the principle of three residential dwellings has already been established. The current proposal is virtually identical in terms of scale and layout to the approved scheme; however minor amendments

have been made to the detailing on the rear elevations. This includes the provision of an inset terrace at second floor level and a change to a ground floor window in order to facilitate an increase in units.

The proposed terrace dwellings would have a similar massing to the buildings within the immediate locality. The proposed architectural features and detailing, such as the use of a butterfly roof, central windows and recessed brickwork is considered to be an acceptable design approach within this sensitive context. The buildings would be situated to the north of the Spring Grove cottages but there is a 4m set back from the first southern units and the north facing flank of existing dwellings. The entrances to each unit have been pulled away from the drive way and the elevation off-set from its neighbour, allowing each to be perceived as individual dwelling. They would face inwards towards the proposed parking area. The overall height of the residential element would be no higher than the neighbouring buildings of Spring Grove and would step down marginally to the north, taking into account the change in gradient across the site.

There is a significant level change across the whole of the site, with the ground level falling away steeply to the north, north east and east. The applicant has overcome this specific constraint by arranging the development centrally within the site and having the rear amenity space utilise the areas with the most significant changes in ground level. A proposed woodland sanctuary is also proposed around the area of amenity space to the north, east and south. This woodland area would separate the development from the Grade II Listed Buildings along Belvedere Road. The position of the development in relation to these dwellings, traditional vernacular, changes in ground level, surrounding woodland context and separation distance would limit the impact on these properties and would not result in harm to their setting or special historical interest.

No objections were previously raised to the scale and height of the proposed buildings in relation to neighbouring properties and consideration has been given to the existing site levels and relationship with woodland area along the site fringes. As noted above, the principle of three residential dwellings of a similar design and scale has already been established. The approved dwellings were considered to be acceptable and sympathetic to the character and appearance of the neighbouring Locally Listed Buildings and their setting. It was considered that the existing arrangement and poor state of repair of the buildings onsite did not make a positive contribution to the CA. The proposal was therefore considered to be acceptable and enhanced the character and appearance of the CA.

A single-storey office building is proposed along the north west boundary of the site. This would face inwards towards the proposed parking area. There is currently an existing single-storey storage building along this boundary and in terms of massing; the proposed office building would be similar to the existing arrangement. It would not appear out of keeping in this context and would utilise London Stock Brickwork, dark stained timber cladding and timber window frames.

Members may therefore consider that the revised proposal, with the provision of 6 flats, is an acceptable form of development in design terms which accords with Policies H7, BE1 and BE11 of the UDP and preserves the character and

appearance of the Conservation Area, setting of the Locally Listed buildings and Grade II Listed building along Belvedere Road.

### Standard of Accommodation

The Nationally prescribed technical housing standards set out minimum floor space standards for dwellings of different sizes. These are based on the minimum gross internal floor space requirements for new homes relative to the number of occupants. The quality of the proposed accommodation needs to meet these minimum standards.

The layout, as indicated on the plans, demonstrates a form of development which would provide a level of accommodation in accordance with the minimum space standards and overall unit sizes as set out in the London Plan and the Mayor's Housing SPG.

All rooms would achieve a satisfactory level of light, outlook and ventilation.

Private and secure amenity space would be provided for each dwelling in the form of terraces and courtyards. The level of provision would comply with the minimum requirements set out within the London Plan.

### Neighbouring residential amenities

As previously noted, Members accepted the principle of a mixed use scheme with residential and office accommodation on this site. The location, scale, massing and orientation of the development would replicate what has already been accepted by Members. The current proposal would however result in a change from 3 four bedroom family units into 6 two bedroom self-contained flats. This would result in intensification in terms of unit numbers and could have the potential to have a greater impact in terms of comings and goings and thereby a greater level of noise and disturbance, particularly along the shared access with Alma Place.

The closest residential properties to the proposed development would be the terraces of Alma Place and Spring Grove. Furthermore, the proposal would be in close proximity to a number of commercial and residential properties on Church Road and Belvedere Road.

1-3 Alma Place is located to the west of the site and is a small terrace of two-storey residential cottage type dwellings. The above properties front Alma Place and include small amenity areas to the rear, which back directly onto the site. The proposed parking area and single-storey office building would be situated to the rear of these properties and the bulk of the proposed dwellings would be set away at an oblique angle from the rear elevation. Whilst the rear of the site would be more built up, it was considered that the overall scale and orientation would not result in an unacceptable loss of outlook or would be significantly intrusive or overbearing for these neighbouring occupiers.

The proposed dwellings would include windows within the front elevation, which face inwards towards the proposed parking area and the rear elevations of Alma

Place and Church Grove. However the dwellings have been orientated at an oblique angle to the rear of Alma Place in order to prevent direct overlooking into rear windows. The southernmost flats (Units 1.01 & 2.01) would face the flank elevation of 3 Alma Place, whilst the remaining units would be situated approximately 14m and 26m away from the rear elevations of Alma Place, at an oblique angle.

It is clear that mutual overlooking occurs between neighbouring properties, particularly due to the urban location and as there are terraces at first floor level to the rear of Church Road, which overlook the application site and rear gardens/elevations of 1-3 Alma Place. The proposed front elevation of the proposed units would be separated from the rear elevation and terraces of Church Road by approximately 19m.

It is however noted that the proposal would result in intensification in terms of unit numbers. The extant permission included bedrooms at first and second floor levels, which faced inwards towards the car parking and rear of the neighbouring dwellings. The current proposal would continue to provide bedrooms at second floor level but the primary living space for the upper flats would now be situated at first floor level and would face inwards towards the parking area.

Spring Grove is located immediately to the southwest of the application site and comprises a small terrace of three two-storey residential dwellings. The ground level falls away at the rear, meaning the garden is below the front entrance level. The proposed residential development would be located to the north of Spring Grove but would be situated approximately 6.5m back from the front elevation. This would result in the building of southernmost flats projecting approximately 6.4m beyond its rear elevation. It would be set back from the flank elevation of this property by approximately 3.8m at its narrowest point and then increases up to 4.2m due to the tapering nature of the boundary line. The building has been design to have a similar height to the Spring Grove Cottages and in terms of outlook, the development would not breach the 45 degree sightline. The flank elevation of the proposed dwellings would be highly visible from the rear amenity space at 1-3 Spring Grove and the overall height of the flank elevation would appear pronounced due to the changes in ground level. However, the gardens of Spring Grove have a green and open prospect to the rear due to the woodland setting and trees surrounding the periphery of the site. Members did not object to the original proposal and as noted above, an extant permission exists for three family dwellings. Members may therefore consider that current proposal would not result in unacceptable harm to the residential occupiers of Spring Grove.

Windows are also proposed on the north facing side elevation and rear elevations. The windows on the north facing elevations would serve stairwells and en-suite bathrooms. They would be set well back from the boundary with No 73 Church Road and are partially screened by trees and shrubs. It is not considered that the proposal would result in a material loss of privacy to neighbouring properties due to the above factors and changes in ground level. The windows on the rear elevation would include Juliette balconies and inset terraces at second floor level. These would however face the proposed rear amenity spaces and would be set away from Spring Grove at an oblique angle, thereby preventing direct overlooking.

As previously explained, the proposal is virtually identical to the scheme already approved by Members in terms of layout and scale. No objections were previously raised in respect of loss of light or overshadowing. The applicant supplied a daylight, sunlight and overshadowing analysis in support of the application. It was not anticipated that the development would have any negative impact on the daylight and sunlight received by neighbouring properties. In terms of overshadowing the site analysis within the report did not identify any amenity spaces close to proposed development, where overshadowing is likely to occur.

The properties along Belvedere Road adjoin the southern boundary of the woodland sanctuary and are also to the south of the Spring Grove. They are situated at a lower level due to the sloping nature of the land, however the built development of the residential properties would be situate approximately 25-35m from the rear elevations of these properties. This separation would prevent the development appearing significantly overbearing or intrusive. No windows are proposed within the southern elevation of the development and the windows/terrace within the rear elevation are set away at an oblique angle, which would limit any unacceptable loss of privacy. The orientation and separation would also prevent any unacceptable loss of light.

Members will need to have consideration for the extant permission on this site; however the proposal would result in intensification in terms of unit numbers and a change to the internal configuration of the units with the provision of primary living areas at a higher level.

#### Highways

The site benefits from a PTAL of 6a and is therefore highly accessible. It is close to local amenities and is within walking distance of good transport links. The proposed scheme would provide 5 parking spaces, four for the residential dwellings and one for the commercial unit.

The Parking Addendum to Policy 6.13 of the London Plan provides maximum parking standards for residential development and employment uses. It states that 'All development in areas of good public transport accessibility should aim for significantly less than 1 space per unit'. Similarly, within outer London, one space should be provided per 100-600sqm of office floor space (GIA). The proposed office would have a floor area of 50sqm and the level of provision for both the commercial and residential elements of the scheme, within this highly sustainable location, are considered to be compliant with the requirements of the London Plan.

The site is accessed via Alma Place, which is a small private road, but includes the residential properties of 1-3 Alma Place and 1-3 Spring Grove.

Alma Place is used for parking by the residents of the above properties. The agent has confirmed that Alma Place is wholly within the applicant's ownership and that the residents of the above properties have no formal right to park in this area. Objections have been received from residents of Alma Place disputing this arrangement; however issues of ownership fall beyond the scope of this

assessment and are a civil matter between interested parties. Nevertheless, it is clear that there is some informal parking arrangement, and the proposed development could result in the displacement of parking for these properties. In considering the acceptability of the previous scheme Members agreed that a condition should be imposed regarding the provision of three additional parking spaces along Alma Place in order to mitigate the impact of any displaced parking. Three spaces have been outlined within current proposal along Alma Place (Drawing (1605(PL) 003).

The current revision to the extant permission would result in intensification in terms of unit numbers. One additional parking space would also be provided over and above the extant permission, which included four spaces to the front of the residential/commercial properties.

A parking stress survey was previously submitted by the applicant in support of ref: DC/16/04635 which stated there was capacity locally to accommodate up to 27 additional vehicles. A transport assessment has been submitted with the current proposal. This includes an up to date parking stress survey to understand the potential on-street capacity. Surveys were carried out in the early hours on Monday 8th and Tuesday 9th May 2017. Parking stress on the surrounding road network was observed as being 62% on the 8th May and 59% on Tuesday 9th May. The report states that in real terms the local highway network had space for a further 26 vehicles on the 8th May and 28 spaces on the 9th May. No objections have been received from the Council's highways officer in respect of the scheme.

In relation to trip generation, the previous scheme considered the number of trips which could have been generated from the establish use of the site as an M.O.T and repair garage. The Transport Statement (TS) submitted in respect of that scheme identified that the extant permission for 3 houses and office space would have resulted in an overall net reduction in terms of traffic movements, with 44 fewer two way vehicle trips on daily basis compared to the existing situation.

An updated TS has been provided in respect of the amended scheme. Paragraph 6.3.1 states that 'The proposed scheme would see the site redeveloped to provide 6 flatted units and 50sqm of B1a office space. To understand their potential traffic generation the TRICS database was interrogated for privately owned flats within Greater London with parking provision of 1 and below. For B1a Office similar office developments within Greater London, with a GFA of up to 1,500sqm are considered'.

The TS anticipates that the revised scheme would generate 2 two-way vehicular movements during the AM peak hour, 1 two-way vehicular movement during the PM peak hour and 9 two-way vehicular movements over the course of a typical day. Both land uses would generate 4 peak hour movements respectively, with the office and houses generating a total of 9 movements over the day.

The TS concludes that this is a net decrease of 6 vehicular movements in arrivals and departures, resulting in a net reduction of 11 two-way movements over the court of typical day in comparison to the extant permission.

The proposal seeks to provide a formalised refuse arrangement, with a bin collection point towards the entrance of Alma Place. The applicant highlights that this could be used by the residents of Alma Place and Alma Yard. The storage of refuse on non-collection days would be at the entrance to the site along the north flank of Spring Cottages.

In relation to cycle parking the plans show the provision of up to 18 spaces. This complies with the requirements of the London Plan, which requires units with 2(plus) bedrooms to provide a minimum of 2 cycle parking spaces per unit. One space should also be provided per 150sqm of commercial office space.

Members may therefore consider that the level of parking provision is sufficient within this sustainable local and would not lead to an unacceptable impact on the local highway network.

### Ecology and Trees

Policy NE3 states that where development proposals are otherwise acceptable, but cannot avoid damage to and/or loss of wildlife features, the Council will seek through planning obligations or conditions including (i) inclusion of suitable mitigation measures; and the creation, enhancement and management of wildlife habitats and landscape features. Policy NE5 states that planning permission will not be granted for development that will have an adverse effect on protected species, unless mitigating measures can be secured to facilitate survival, reduce disturbance or provide alternative habitat.

The site is surrounded by an area of woodland, with a mixture of trees and shrubs. The applicant has sought to retain this area of woodland with the creation of a woodland sanctuary.

The original application was supported by an Ecology Report, including Extended Phase 1 Habitat Survey. At the time of the original survey no evidence of protected animals species were recorded during the walkover survey and the site was considered to be of limited value to such species, given the urban location and type of habitats present.

The report concluded that the development would be confined to existing areas of hard-standing and building, and significant effects on habitats and protected species, including breeding birds, roosting/foraging bats, hedgehog and stag beetle are not anticipated in relation to the proposed development. The impact in ecological terms was therefore considered acceptable, however it was considered reasonable to condition a pre-development clearance strategy in order to mitigate the impact on the wildlife.

In relation to current application an updated walkover survey was conducted on site. This report confirms that 'no changes had occurred to the habitats present or the condition of the buildings on site'. A number of common bird species were recorded during the survey, however no other evidence of protected species were noted. The conclusions and recommendations of the 2015 survey therefore remain unchanged. This included a 'precautionary approach' to tree/shrub clearance in

relation to bats and other protected species, together with habitat enhancement and compensation measures. The above recommendations are considered reasonable and could also be suitably conditioned to limit the ecological harm. Further details regarding the management of the woodland and habitat enhancement could also be conditioned.

The report also notes that the majority of the trees and overall woodland character would be retained. Furthermore, the removal of select low value trees was not considered to be a significant loss in ecological terms.

In relation to trees, Policy BE14 states that development will not be permitted if it will damage or lead to the loss of one or more trees in conservation areas, unless (i) removal of the tree is necessary in the interest of good Arboricultural practice, or (ii) the reason for the development outweighs the amenity value of the tree/s, (iii) in granting permission one or more appropriate replacement trees of a native species will be sought either on or off site through the use of conditions.

Policy NE7 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interest of visual amenity and/or wildlife habitat, are considered desirable to be retained.

The site is located within the Conservation Area and includes a large number of trees and shrubs along the periphery of the site, which add the visual character of this section of the Conservation area. They are also visible from surrounding properties and the wider locality, due to changes in gradients and ground levels. The application would see the removal of four trees onsite (G12 Sycamore, G13 Sycamore, T14 Ash and T15 Ash). The application proposes to mitigate the removal of these trees through extensive soft landscaping, including tree replanting. This is similar to what was permitted under the extant permission; however it was considered reasonable and necessary to condition the submission of a full landscaping scheme in order to finalise the details of the proposed species mix.

All other trees would remain on site and the Council's Tree Officer has reviewed the application and advised that the revised design allows for the healthy retention of trees located at the end of each of the rear gardens. It is considered that the development can proceed in accordance with the precautionary measures detailed within the Arboricultural Report and a condition ensuring such compliance has been recommended.

#### Contamination

The applicant has supplied a contamination desk study report in support of the application. The Council's Environmental Health Officer has reviewed the submitted information and has not objected to the proposal.

In summary, the principle of a mix used scheme with residential accommodation and the provision of B1(a) office space has already been accepted by Members. However, Members will have to consider whether the proposed changes, with the

provision of 6 two bedroom flats, would be acceptable in this context. They will have to consider whether there would be any adverse impact to the character and appearance of the surrounding area, Belvedere Conservation Area and whether there would be any unacceptable harm to neighbouring residential amenities.

Background papers referred to during production of this report comprise all correspondence on the file ref: 17/02876/FULL1 and any other applications on the site set out in the Planning History section above, excluding exempt information

## **RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

- 2      **The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed 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 visual and residential amenities of the area.**

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

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

- 4      **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.

- 5** The development shall be implemented in accordance with the Arboricultural Report (ha/aiams4/ay dated Aug 2016) submitted and approved as part of this planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.

**Reason:** To maintain the visual amenity of the area and to comply with Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

- 6** A woodland management plan, including tree and shrub planting, habitat enhancement, long term design objectives, management responsibilities and maintenance schedules for the proposed woodland sanctuary outlined on Drawing number 1605(PL)003 shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The plan shall include arrangements and timetable for its implementation and shall be carried out in accordance with the approved details.

**Reason:** In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of good arboricultural practice and the visual amenities of the area.

- 7** Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided and approved in writing by the Local Planning Authority before any work is commenced and the sample panels shall be retained on site until the work is completed. The facing brickwork of the development hereby permitted shall be carried out in accordance with the details of the approved sample panels.

**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

- 8** Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the

**Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.**

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

- 9** Details of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.

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

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

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

- 11** 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.

- 12** Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary), shall be submitted to and approved in writing by the Local Planning Authority prior to above ground works and the approved arrangements shall be completed before any part of the

development hereby permitted is first occupied, and permanently retained thereafter.

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

- 13 Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to above ground works. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.

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

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

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

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

**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policies 5.12 and 5.13 of the London Plan (2016)

- 16 The development hereby permitted shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water

**drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.**

**Reason:** To ensure satisfactory means of surface water drainage, to reduce the impact of flooding both to and from the proposed development and third parties and to accord with Policies 5.12 and 5.13 of the London Plan (2016)

- 17 Prior to commencement a pre-development clearance strategy for any overgrown areas should be submitted to and approved in writing by the local planning authority. The strategy should outline measures to minimise the impact on wildlife during the clearance and construction of the development and the details of a suitably licenced ecologist on call to provide advice and/or liaise with statutory authorities (Natural England) if required.

**Reason:** In order minimise the impact of the wildlife and to comply with Saved Policy N3 Nature Conservation and Development of the adopted Unitary Development Plan (2006)

- 18 The office accommodation (Use Class B1) hereby permitted shall be used for no other purpose (including any other purpose in the B1 Use Class of the Schedule to the Town and Country Planning (Use Classes) order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

**Reason:** In order to comply with Policy EMP 5 of the Unitary Development Plan and in order to protect neighbouring amenity and the character and appearance of the area.

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

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

- 20 Prior to commencement of development the applicant shall submit a parking management plan for Alma Place, including the full details of layout and provision of 3 parking spaces as outlined within the Transport Assessment and Drawing no. 2015/2818/005 hereby approved. The approved management plan and parking spaces shall be provided in full prior to commencement of the use and shall be permanently retained and maintained thereafter.

**Reason:** In order to comply with 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.

- 21 Prior to the commencement of development, a phasing plan shall be submitted and approved, including details of the phasing of the office, residential, parking and access elements of the approved development. The office accommodation, as shown on approved plans 1605(PL) 210 and 1605 (PL)003 , will be completed and provided prior to the occupation of the residential units hereby permitted

**Reason:** In order to ensure the continued function of the employment use of the site and in order to comply with EMP 5 of the Unitary Development Plan

- 22 No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.
- a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in writing. The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.
  - b) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.
  - c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.
  - d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is

encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

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

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

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

23 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter.

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

24 Before the development hereby permitted is commenced, details of the materials, depth, extent and means of excavation required for the construction of the access/car parking shall be submitted to and approved in writing by the Local Planning Authority, and the excavations and the access/car parking shall be carried out in accordance with the approved details.

**REASON:** In order to comply with Policy NE7 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained.

**You are further informed that :**

1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008.

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

- 2 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.**