

**Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No : 17/02279/FULL3**

**Ward:  
Cray Valley East**

**Address : Sun Chemical Cray Avenue Orpington  
BR5 3PP**

**OS Grid Ref: E: 546879 N: 167967**

**Applicant : Bilsdale Properties / Goya  
Developments**

**Objections : YES**

**Description of Development:**

The redevelopment of an existing 2.38 hectare site for 13,975sqm of B1b (research and laboratory), B1c (light industrial), B2 (general industrial) and B8 (storage and distribution) use, with associated parking, service area and landscape. (Including adjacent plot on corner of Cray Valley Road and Faraday Way - Car Park Cray Valley Road Orpington BR5 2EY)

Key designations:

Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding  
Smoke Control SCA 23

**Proposal**

Permission is sought for the demolition of the existing buildings, and the erection of 7 buildings divided into 14 units totalling 13,839m<sup>2</sup> GEA within use classes; B1(b), B1(c), B2 & B8.

The units are shown predominantly around the edge of the site with inward facing servicing areas. Units 1-5 face onto Cray Avenue at approx 8.5m in height with active frontages set behind landscaping and parking. The length of the frontage onto Cray Avenue is set back from the pavement. Units 6-10 back onto Cray Valley Road and are split into two blocks with servicing and access from within the site, and contrasting materials facing onto the road frontage. Unit 11 backs onto Stanley Way and is accessed and serviced from within the site. Units 12 and 13 back onto Lynton Avenue and are set in from the boundary with access and servicing from within the site. Unit 14 is sited on the separate parcel of land on the northern side of Cray Valley Road.

A variety of materials are utilised across the proposal including larch cladding throughout each public facing elevation.

## Supporting Documents

Along with the submitted plans, the following supporting documents have been submitted with the application. Where appropriate, they are examined in greater depth throughout the body of this report:

- Remediation Strategy (UK20-24096) Sept 2017
- Phase 1 Environmental Assessment (UK-20 237052) Feb 2017
- Phase 2 Environmental Assessment (UK20-24096) September 2017
- Detailed Quantitative Risk Assessment (UK20-24096) September 2017
- Planning Statement (PRC Ref: 10646. Revision A) May 2017
- Waste Management Strategy
- Drainage Information
- Archaeological Desk Based Assessment (RM/22993) Feb 2017
- Noise Impact Assessment ref PJB8005/16479/V1.0
- Transport Assessment (Doc Ref: EF/17034/TA/2) March 2017
- Arboricultural report (DEV170105-175) Feb 2017
- Flood Risk Assessment (16-081R\_001) April 2017
- Breeam Assessment (1542 Rev A) Feb 2017
- External Lighting Assessment April 2017
- Energy Strategy Report April 2017
- Statement of Community Involvement
- Preliminary Ecological Appraisal Feb 2017
- Daylight and Sunlight Study April 2017

## **Location**

The application site is split into two parts and is located to the west of Cray Avenue either side of Cray Valley Road. The application area is circa 2.38 hectares in total and consists of two sites, plot 1 the Sun Chemical site to the south of Cray Valley Road circa 2.28ha and plot 2 which is the associated car parking on the northern side of the road circa 0.1ha. Both plots are slightly irregular in shape and have slight falls across them.

Both sites are occupied by Sun Chemicals who are currently in the process of decommissioning the sites with a view to fully vacating and demolishing the existing buildings during the course of the year.

The area surrounding the site has a wide range of uses including retail, industrial and residential. Of particular note, to the west of plot 1 is Lynton Avenue which consists mainly of post war semi-detached residential properties of one and two storey in height.

Plot 2 which is currently a car park on the northern side of Cray Valley Road is open and fully hard surfaced with some small areas of self-seeded scrub to the perimeter.

There are currently five main access/ egress points connecting plot 1 to the highways, and two connecting plot 2. The main pedestrian entrances are off of Cray Avenue and Cray Valley Road.

Site Constraints:

Area of Archaeological Significance  
Allocated Business Area within UDP  
Strategic Industrial Location (SIL) in London Plan

## **Consultations**

### Comments from Local Residents:

- There is not enough staff car parking on site. This will make the existing parking situation worse.
- The additional traffic will make congested roads even worse
- No more retail units are needed in the area.
- Non retail job opportunities are required
- The proposal will result in more rubbish in the area
- The site contains asbestos in several forms - control measures will be needed when this is removed
- Noise controls and restrictions will be needed to prevent disruption to local residents
- Construction traffic will need to be managed to avoid local school and surrounding roads
- Construction personnel should be restricted to parking on site only.
- Welcomes the possibility of new jobs

### Comments from Consultees:

Highways:

Bromley Highways Officer has commented:

*'Cray Avenue is a classified road, a Strategic Route, and part of the A224. TfL will need to be consulted on the application. The site has a moderate (3/4) PTAL assessment. A Transport Assessment (TA) was provided with the application.*

*The site is split into 2, the main area is bordered by Cray Avenue, Stanley Way, Lynton Avenue and Cray Valley Road and there is a smaller section at the corner of Cray Valley Road and Faraday Way. The existing buildings have a GFA of approximately 15,015m<sup>2</sup>. The proposal is to provide 15 commercial units of various sizes (total 13,975m<sup>2</sup>) with an internal service road and associated parking areas.*

Access

*There currently appear to be 10 accesses to the sites, 2 more than shown on the plans. There are 5 in Cray Valley Road, 3 in Stanley Way and one each from Cray*

*Avenue and Faraday Way. Four in Cray Valley Road and 2 in Stanley Way will be closed and a new access provided in Cray Valley Road. The access in Cray Avenue is indicated as "modified" on the site plan. There are no details provided but it appears the radius on the northern side is being increased. The works would need to be agreed with the Highways section.*

*Gates are proposed at the remaining access points. They are not set back and so vehicles would have to wait in the highway while the gates are opened. I assume the gates will remain open during the day but it would be helpful to have confirmation as to how they will operate.*

#### *Trip generation and parking*

*It would have been helpful to get the existing trip generation of the site but it is currently being boarded up. The trip generation estimates are taken from TRICS which are based on the GFA of the buildings and as the GFA will be reduced the trip generation will also reduce.*

*There are currently 128 spaces on the site. The proposal will result in 127 spaces and 21 lorry bays. The maximum standard for B1 and B2 uses is one space per 100m<sup>2</sup> GFA which would give 140 spaces. The provision is close to this and equates to one space per 110m<sup>2</sup> GFA. Looking at the site plan there appears little scope to provide more spaces.*

*Units 1 - 5, those fronting Cray Avenue, are indicated to potentially have trade counters. These are among the smallest units with fewest parking spaces. Customers are likely to have to park in the areas shown for lorry unloading.*

#### *Cycle parking*

*Cycle parking will be aimed at staff so the stands should be secure and undercover. Some could be located within the units.*

*The TA indicates a Travel Plan has been submitted with application but I could not find one.*

*I am not sure whether we can ask about the policy on the operation of the gates now or if it should be conditioned.*

*Please include the following conditions in any permission*

*H03 parking*

*H16 hardstanding for wash-down facilities*

*H22 cycle parking*

*H23 lighting*

*H29 construction management plan*

*H32 highway drainage*

*Non-standard conditions*

*Details of new / amended access junctions shall be submitted to and approved in writing by or on behalf of the Local Planning Authority (LPA) prior to commencement of the works and the access shall be completed to the LPA's satisfaction before the first occupation of the development hereby permitted.*

*Reason: In the interest of pedestrian and highway safety.*

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

*Informative*

*DI16'*

In response to revisions, the following comments were made:

*'The proposal has been amended from the initial application. There are now 14 rather than 15 commercial units proposed although the GFA has only been slightly reduced, from 13,975m<sup>2</sup> to 13,839m<sup>2</sup>. The number of parking spaces has been increased from 127 to 132 and the lorry bays reduced from 22 to 19. Given the relatively small changes the Transport Assessment has not been updated.*

*The parking provision is getting nearer to the maximum UDP standard of 138 parking spaces (one space per 100m<sup>2</sup>) and in that sense is an improvement over the first proposal. The road layout and access points have remained the same.*

*Gates are proposed at the remaining access points. They are not set back and so vehicles would have to wait in the highway while the gates are opened. There were initial comments back from the applicant regarding the operation of the gates but they did not seem practical. My main concern is with lorries arriving and finding the gates closed. Can there be a condition about the operation of the gates? Is there likely to be any time limits imposed on the operation or deliveries to the site to which a condition can be linked?*

*Apart from that, the previous comments and suggested conditions would remain applicable.'*

Transport for London have made the following comments:

*'1. The site of the proposed development is on the A224 Cray Avenue, which forms part of the Strategic Road Network (SRN). TfL has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.*

2. It is understood that the proposed development seeks to provide 15 commercial units totalling an area of 13,975sqm.

3. It is understood that the proposed development seeks to provide 127 parking spaces. Considering the site's PTAL of 4, TfL requests the number of spaces are significantly reduced. The Blue Badge spaces are welcomed; however any other provision should be fully justified. The London Plan promotes sustainable travel and developments coming forwards should help to achieve this by providing limited parking, especially in accessible areas like this.

4. TfL welcomes that 12% of all parking will be for blue badge use, in line with the standards of the London Plan.

5. The London Plan policy 6.13 also requests that 20% active and a further 10% passive Electric Vehicle Charging Points (EVCP) is provided for all spaces.

6. TfL welcomes the 40 cycle parking spaces in line with the standards of the London Plan. All cycle parking should be located in a secure, accessible and well-lit area.

7. It should be noted that there is an existing bus stop located adjacent to the site on Cray Avenue. This should be considered within the CLP.

8. TfL welcomes the submitted Travel plan identifying a daily net of 226 fewer vehicle movements.

9. No information has been submitted with the application on the arrangements for construction. In accordance with London Plan policy 6.14, a framework Construction Logistics Plan (CLP) should be provided to allow TfL to agree the approach and secured by condition. The Construction Logistics Plan (CLP) should be delivered in line with TfL's guidance available at <https://tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guide/guidance-by-transport-type/freight>. The CLP should include details of construction phasing, trips generated and site access arrangements.

10. No information has been submitted with the application on the arrangements for delivery and servicing. In accordance with London Plan policy 6.14, a framework Delivery and Servicing Plan (DSP) should be provided to allow TfL to agree the approach and secured by condition. The DSP should also reflect the need for robust safety standards from freight operators. The requirements for providers of goods transport services to offer Fleet Operator Recognition Scheme (FORS) - or FORS bronze-equivalent or better safety accreditation, should be included.

11. The footway and carriageway on the A224 Cray Avenue should not be blocked during the development. Temporary obstructions during the conversion should be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the A224 Cray Avenue. All vehicles should only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.

*Subject to the above conditions being met, the proposal as it stands would not result in an unacceptable impact to the SRN.'*

Environment Agency:

*'We have reviewed the following two documents by Ramboll: 'Phase 1 Environmental Assessment (reference UK20-23705-03 dated 3rd February 2017) and 'Phase 2 Environmental Assessment' (reference UK20-23705-01 dated 20th December 2016). From the Phase 1 report the site is noted to have a long history of inks manufacture using a variety of solvents and other hydrocarbons. There was a petrol filling station on site until at least 1986. Numerous historic and extant underground and above ground hydrocarbon storage tanks have been noted. Previous ground investigations revealed elevated concentrations of various hydrocarbons in the soil and groundwater. There is a groundwater abstraction well on site. The Phase 2 investigation comprised the installation of five boundary monitoring wells and soils and groundwater analyses from these, along with water analyses from the existing abstraction well. No significantly elevated contamination concentrations were reported. It is noted that additional investigations are proposed. Such a scheme of additional investigation (letter reference UKP20-22242\_03 dated 13th March 2017) was provided to the Agency for review in April 2017 and accepted in principle.*

*Environment Agency position We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below.*

*Condition 1 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) An additional site investigation scheme, based on the letter proposal, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.*

*Reason*

*For the protection of Controlled Waters. The site is located over a Principal Aquifer and it is understood that the site has yet to be fully investigated for the assessment of historic contamination.*

*Condition 2 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in*

*writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.*

*Reason*

*There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.*

*Condition 3 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.*

*Reason*

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

*Condition 4 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.*

*Reason*

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

*Condition 5 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.*

*Reason*

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



Thames Water:

*'Waste Comments*

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

*Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.*

*A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.*

*There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit [thameswater.co.uk/buildover](http://thameswater.co.uk/buildover)*

*Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.*

*Water Comments*

*Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure*

*of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.*

*On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application'*

Drainage:

Bromley Drainage officer initially commented:

*'Reviewing the submitted FRA carried out by Bradbrook with Ref No. 16-081R\_001 Dated April 2017. I note the applicant is proposing to use permeable paving as well as tanks to reduce surface water run-off to 50% of the existing rate, he has also acknowledged the fact that soakage test must be carried out to ascertain the suitability for infiltration.*

*Our position at this stage is that part of the site is at high risk from surface water run-off and part of the reason is the under capacity of the public sewers along Cray Valley Road and Cray avenue, so this is an opportunity to increase storage capacity to aim for greenfield run-off which we think is achievable. Please ask the applicant to amend his surface water strategy to reflect our above requirements.*

*Finally could the applicant give us more information about the two public sewers crossing the site and how he intends to divert them.'*

In response to the submission of additional information, the following comments were made:

*'Reviewing the submitted FRA carried out by Bradbrook with Reference No. 16-081R\_001 dated April 2017 and the email received from Roque Menezes dated 28/06/2017 to store surface water run-off in cellular tanks and permeable paving to a restricted rate of 52l/s for all events including the 1 in 100 year plus climate change are acceptable.*

*CONDITION, The surface water drainage scheme hereby permitted shall be implemented in full accordance with the approved details unless otherwise agreed in writing by the Local Authority.*

*The following approved plans/report shall be complied with:*

- Flood Risk Assessment carried out by Bradbrook with Reference No. 16-081R-001 dated April 2017.*
- Drainage Layout Plan Drawing No. 16/081/300 Rev P1 dated 27/04/2017.*
- Microdrainage Calculations carried out by Bradbrook Consulting dated 27/04/2017.*

*REASON, In order to comply with Policy 5.13 of the London Plan and to reduce the impact of flooding both to and from the proposed development and third parties.'*

## Environmental Health:

*I have looked at the details of this application and have a general concern about the replacement of one large industrial development with a number of smaller uses, each with different requirements for external plant, deliveries etc. In particular I have the following comments:*

### *Contamination:*

*I have seen the Phase 2 Environmental Assessment carried out by Ramboll Environ (Project no UK20-23705, Dec 2016) and concur with the Conclusions. I do not consider that a Condition is necessary but would recommend that the following Informative be attached:*

*If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.*

### *Noise:*

*I have seen the Spectrum Acoustics Report (Project PJB8005/16479/V1.0). Firstly, in Sec 4, it is stated that we are normally satisfied with a noise level difference of 0-5 dB(A) for assessments under BS4142:2014. I have checked with Dr Pugh and understand that we have always tried to achieve a 10dB(A) level difference however this can be relaxed to 5dB(A) where background levels are very low or it is considered unreasonable. The background noise levels around this site are not very low and therefore a 10dB difference should be regarded as the goal.*

*The Report makes no reference to piling during the construction phase, however should this method of construction be adopted then a Piling Method Statement should be submitted.*

*I have no other specific comments on the report but please see my general comments in the last paragraph below.*

### *Lighting:*

*I would have no objections to the proposals as detailed in the Shepherd Bromley Partnership Report of 13 April 2017.*

### *Air Quality:*

*I have no specific comments regarding air quality as the application is for speculative purposes. However, when end-users are known if they lead to a change of use application then further assessments may be necessary.*

*In conclusion, I would have serious reservations about all units on the site being granted permission to operate 24 hours/day. Although this is the case at present, large parts of the site do not generate noise at night and so such a permission could have serious detrimental impacts on neighbouring residents. I would therefore recommend that those units which are in noise sensitive locations should be subject to hours of use Conditions or more stringent noise controls.*

*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.'*

Archaeology - Historic England:

*'The planning application lies in an area of archaeological interest (Archaeological Priority Area) identified for the Local Plan: Upper Cray Valley and an archaeological desk based assessment has been submitted as part of the planning application (CgMs 2017). The DBA has demonstrated that 'the study site can be considered likely to have a modest archaeological potential for the Mesolithic and Roman periods, and a generally low archaeological potential for other periods of human activity.' (CgMs 2017, para 6.5). The British Geological Survey indicates that the western part of the site is located above an area of Crayford Silts whilst the northern block of land is potentially located above an area of higher ground adjacent to a valley.*

*Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a condition could provide an acceptable safeguard.*

*A condition is therefore recommended to require a two- stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. The archaeological interest should therefore be conserved by attaching a condition as follows:*

*No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.*

*If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall*

*include:*

*A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works*

*B The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.*

*Informative Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.*

*It is envisaged that the archaeological fieldwork would comprise the following:*

#### *Evaluation*

*An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted. The evaluation should cover both the main part of the planning application and the separate northern block of land.'*

### **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 Practice Guidance (NPPG) as well as other guidance and relevant legislation must also be taken into account.

#### **Unitary Development Plan (2006)**

BE1 Design of New Development  
BE7 Railings, Boundary Walls and Other Means of Enclosure  
BE9 Demolition of Listed Buildings  
EMP4 Business Areas  
NE7 Development and Trees  
ER7 Contaminated Land  
ER10 Light Pollution

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T7 Cyclists
- T10 Public Transport
- T11 New Accesses
- T15 Traffic Management
- T17 Servicing of Premises
- T18 Road safety

#### Supplementary Planning Guidance 1: General Design Principles

#### Bromley's Proposed Submission Draft Local Plan:

It is expected the emerging Local plan Examination in Public will commence in 2017. The weight attached to the draft policies increases as the Local Plan process advances. These documents are a material consideration. Updated Policies relevant to this application include:

- 13 Renewal Areas
- 17 Cray Valley Renewal Area
- 30 Parking
- 31 Relieving congestion
- 33 Access to services for all
- 34 Highway infrastructure provision
- 37 General design of development
- 73 Development and trees
- 46 Archaeology
- 80 Strategic Economic Growth
- 81 Strategic Industrial Locations (SIL)
- 84 Business Improvement Areas
- 115 Reducing flood Risk
- 116 Sustainable Urban Drainage Systems
- 118 Contaminated Land
- 122 Light Pollution
- 120 Air Quality
- 119 Noise Pollution
- 123 Sustainable design and construction
- 124 Carbon reduction, decentralised energy networks and renewable energy
- 125 Delivery and implementation of the Local Plan

#### London Plan (March 2015)

- 2.6 Outer London: vision and strategy
- 2.7 Outer London: Economy
- 2.8 Outer London: Transport
- 2.17 Strategic Industrial Locations
- 4.1 Developing London's Economy
- 4.4 Managing Industrial Land and Premises

4.8 Supporting a successful and diverse retail sector and related facilities and services

5.2 Minimising carbon dioxide emissions

5.3 Sustainable design and construction

5.6 Decentralised energy in development proposals

5.7 Renewable energy

5.8 Innovative energy technologies

5.9 Overheating and cooling

5.10 Urban Greening

5.11 Green roofs and development site environs

5.12 Flood Risk Management

5.13 Sustainable drainage

5.21 Contaminated Land

6.3 Assessing effects of Development on Transport Capacity

6.9 Cycling

6.10 Walking

6.12 Road Network Capacity

6.13 Parking

6.14 Freight

7.2 An Inclusive Environment

7.3 Designing Out Crime

7.4 Local character

7.5 Public Realm

8.2 Planning Obligations

8.3 Community Infrastructure Levy

SPG: "Accessible London: Achieving an Inclusive Environment" (2014)

SPG - Sustainable Design and Construction

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 14: Achieving sustainable development

Para 17: Core planning principles

Paras 18-22: Building a strong competitive economy

Paras 29 - 41: Promoting sustainable transport

Paras 56 - 66: Requiring Good Design

Paras 93-103: Meeting the challenge of climate change & flooding

Paras 109-125: Conserving and enhancing the natural environment

Paras 126-141: Conserving and enhancing the historic environment

Paras 188-195: Pre-application engagement

Paras 196-197: Determining applications

Paras 203-206: Planning conditions and obligations

## **Planning History**

01/00710/FULL1 - Elevational alterations at front including replacement windows and extension to provide new entrance. Permitted

01/01132/FULL1 - Replacement detached warehouse building and alterations to access. Permitted

02/03194/FULL1 - Single storey extension (fronting Cray Valley Road). Permitted

10/03237/FULL1 - Installation of new sprinkler tank and pump house and demolition of existing workshops. Permitted

## **Conclusions**

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

- Principle of Development
- Layout, Scale, Massing, Design and Appearance
- Highways and Parking
- Amenity Impact
- Flooding
- Sustainability and Energy
- Contaminated land
- Trees / Ecology
- Archaeology
- CIL

### Principle of Development

The NPPF states that significant weight should be placed on the need to support economic growth through the planning system and identify strategic sites for local and inward investment.

The London Plan identifies St Mary Cray as a SIL (Industrial Business Park). The application site is located within this identified area. Paragraph B of policy 2.17 states that 'development proposals should be refused unless they fall within the broad industrial type activities outlined in paragraph 2.79.'

Paragraph 2.79 states that: London's strategic industrial locations (SILs) are London's main reservoir of industrial land comprising approximately 50 per cent of London's total supply. They have been identified following an assessment of future need

In addition, the Majors SPG: Land for Industry and Transport 2012, puts Bromley in the category of 'restricted transfer' commenting that this applies to Boroughs with typically low levels of industrial land relative to demand. Boroughs in this category are encouraged to adopt a more restrictive approach to the transfer of industrial land to other uses. This approach is reflected in Policy 4.4 of the London Plan.



The site is designated within the UDP as a Business Area. Policy EMP4 sets out the criteria for evaluating proposals in designated business areas stating that only proposals for uses within Use Classes B1, B2 and B8 will normally be permitted.

The site is identified in draft policy 80 as the Cray Business Corridor - a strategic priority area for economic growth. The policy states that the focus within this area will be on bringing forward adequate development capacity, the co-ordination of public and private investment and the delivery of enabling infrastructure.

The Site is designated as a Strategic Industrial Location (SIL) in Draft Policy 81, which states that within these areas, uses falling within Class B1(b) and B1(c), B2 and B8 will be permitted and safeguarded. The supporting text to the policy states that the Council will restrict further expansion of retail floorspace within the SIL to instances where the use is demonstrated to be ancillary to a primary B use.

In respect of the proposed mix of uses, the units are to be B1(b and c) / B2 and B8 units which all comply with planning policies. Mention is made in the Design and Access statement about the installation of trade counters in units 1-5. The provision of trade counters could change the nature of the use from storage and distribution to retail based business. The Draft Local Plan Policy in relation to SIL's clearly states that "Proposals involving a portion of floorspace to be used for display and sales should demonstrate that the use is clearly ancillary to a primary Class B use." This form of development would be discouraged on site. Therefore, it would be appropriate to restrict the installation of ancillary trade counters throughout the scheme through condition to protect the industrial character of the site. A condition can require details of the extent and scale of any trade counters to be submitted for approval prior to their installation.

Subject to condition, the principle of development is policy compliant and appropriate in this designated employment area. In addition, the proposal would bring an under-utilised site into an industrial/commercial use in accordance with NPPF, London Plan and local policy aspirations.

#### Layout, Scale, Massing, Design and Appearance

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

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history,

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

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. Policy EMP4 is also applicable. These policies seek to ensure the highest standard of design in all new development and require proposals for new business development to provide a high standard of landscaping which makes appropriate provision for biodiversity as well as space for vehicle circulation and parking. In addition, policy BE7 seeks to ensure that railings, walls, plantings and hedgerows are retained where they form an important feature of the streetscape.

The scheme is situated in an area which has a variety of building types and sizes. The buildings immediately adjacent to the site vary in size with the smallest being the residential properties on Lynton Avenue and the largest buildings adjacent being within the Nugent shopping park on the opposite side of Cray Avenue.

The proposal also includes a variety of sizes of building which are similar to many buildings in the immediate vicinity and as such will be of a scale and massing that will be in keeping with the context of the site. The proposed scheme addresses the topography and locality of the site, whilst successfully connecting the site to adjacent land. The open green frontage along the road is maintained, and the siting of unit 6 respects the front building line of the adjacent building on the opposite corner of Cray Valley Road.

Appropriate landscaping is shown across the full frontage of the site, which would soften the site within the streetscene and improve the quality of the local environment.

It is considered that the buildings will sit well within the industrial area with many of the existing buildings being of a similar scale and massing, and that the use of reduced ground levels and additional landscape will further reduce any impact that may be perceived from the properties to the west.

The proposed buildings have been orientated in a fashion so that units 1 - 6 face onto Cray Avenue offering a visible link from the site onto the neighbouring properties and create a visible and improved street scene along the road.

The elevations along Cray Valley Road, Lynton Avenue and Stanley Way feature contrasting materials which help to break the façades down and make the elevations more appealing for the surrounding users and passers-by. The proposal creates a consistent identity for the development as well as a high quality, well designed working environment. The buildings utilise a limited number of different cladding materials which provide contrast and variation to the expanse of elevation.

The elevations of each building are treated in a consistent way throughout the development to create coherent scheme.

Doors and windows are located at the front of buildings, and this, along with the hard and soft landscaping scheme, would provide an appealing and active frontage.

The existing structured landscape on the main site is limited primarily to the west and south western corner of the site and consists of an existing tree line with some formal tree planting and some self-sown trees/hedges. A coherent and improved landscaping scheme is proposed throughout the site, which would enhance the area and soften the character of the site without losing its industrial character. It is considered that the proposed landscaping will increase the quality of the development.

In summary, the proposal would result in a high quality development that responds to the character of the area, and provides a functional, non-invasive wider provision to accommodate a policy compliant use of the site.

In accordance with NPPF policy, the proposed site would function well, add to the overall quality of the area, and establish a strong sense of place through the use of sensitive landscaping and appropriate design features. The proposal would optimise the potential of the site to accommodate development, and create an appropriate provision of use.

### Highways and Parking

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability objectives. All developments that generate significant amounts of movement should be supported by a 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 in Paragraph 32 that development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the UDP and the London Plan should be used as a basis for assessment

The site has a moderate (3/4) PTAL assessment. A Transport Assessment (TA) was provided with the application which shows that trip generation to the site would be reduced.

There are currently 128 spaces on the site. The proposal will result in 132 spaces and 19 lorry bays. The maximum standard for B1 and B2 uses is one space per 100m<sup>2</sup> GFA which would give 138 spaces. The provision is close to this. Although

a number of objections have been received about lack of parking, the provision is only marginally short of the maximum level required by policy, and is therefore not objectionable in this case.

Bromley Highways Engineer has advised that as cycle parking will be aimed at staff, the stands should be secure and undercover and some could be located within the units.

Conditions relating to parking, hardstanding for wash-down facilities, cycle parking, lighting, a construction management plan and highway drainage are necessary.

In addition, conditions have been requested regarding details of new / amended access junctions, and requiring a Stage 1 and, where appropriate, a Stage 2 Road Safety Audit.

There is concern about the operation of the gates shown at the access points. They are not set back and so vehicles would have to wait in the highway while the gates are opened. A condition can be imposed requiring further detail about deliveries and the operation of the gates. This would sufficiently address any impact from the access points.

Bromley Highways Engineer, has raised no objections to the highways impact and parking provision on the site, subject to the imposition of appropriate conditions.

Transport for London have also assessed the application given that Cray Avenue forms part of the Strategic Road Network. TfL have raised no objections to the proposal but have requested that the level of parking provision be reduced. Given that the current provision is policy compliant, and the existing pressure on the surrounding road network for parking, it is not considered that this would be achievable without negatively compromising the impact of the proposal on surrounding roads.

TfL have requested that 20% active and 10% passive Electric vehicle Charging Points should be provided for the parking spaces. This can be required by condition.

TfL have also requested a condition to address the logistics of construction. This has been included with the condition requesting a Construction Management Plan. Their comments regarding servicing and delivery have been accommodated in a condition requiring details prior to commencement of the use.

Comments regarding the footway and carriageway on the A224 Cray Avenue can be addressed through an informative.

### Amenity Impact

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light,

overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The application site is set within an established Business Area/SIL. The nearest residential properties are located adjacent to the site in Lynton Avenue.

With regard to the physical impact of the proposal on these adjacent dwellings, during the course of the application, the units which back onto these dwellings (units 12 and 13) have been amended so that they sit further back from the boundary with Lynton Avenue and so that they have a lower eaves and ridge height. The buildings are now shown as sitting 6m back from the boundary with an eaves height of approx. 9.7m, and an overall height of approx. 11.6m. Owing to the drop in land levels of the site compared with the road (approx. 1.3m), the eaves level would sit approx. 8.4m high from the level of Lynton Avenue. At a set-back of 6m from the edge of the grass verge on the opposite side of the road, this is considered an acceptable distance back from the front of the existing dwellings in Lynton Avenue. The proposal, in its revised form, would have an acceptable relationship with the neighbouring dwellings in terms of appearance and impact. There would be no loss of daylight / sunlight, and no overshadowing would be caused by the proposal.

The applicant has submitted an acoustic report and a lighting assessment with the submission. Bromley Environmental Health have considered these and advised that they have no objection to the lighting proposal. However, they have advised that they would have serious reservations about all units on the site being granted permission to operate 24 hours/day. Although this is the case at present, large parts of the site do not generate noise at night and so such a permission could have serious detrimental impacts on neighbouring residents. It is therefore recommended that those units which are in noise sensitive locations should be subject to hours of use Conditions or more stringent noise controls.

Bromley Environmental Health have requested a condition to control noise levels within the site. In addition, given the proximity of units 12 and 13 to the residential dwellings on Lynton Avenue, these units will be subject to a condition restricting their hours of operation. In reaching this conclusion, it is appreciated that the site, as it currently exists, benefits from an unrestricted use. However, the majority of development currently on site is not focussed on the most sensitive boundary with Lynton Avenue. In fact, this is currently a relatively undeveloped part of the site. Although units 12 and 13 face away from the neighbouring occupiers, there is no evidence to suggest that their 24 hour use wouldn't introduce unacceptable disturbance to facing occupiers. As such, in accordance with policy BE1 of the UDP, it would be reasonable and proportionate to condition the hours of operation of these two units in order to protect neighbouring amenity from noise and disturbance.

A number of consultation responses from local neighbours have raised concern about the impact of construction works including construction workers parking. The potential for adverse noise impacts from construction vehicles and plant during the works can be minimised through a range of measures which can form part of a site specific Construction Management Plan within which all contractor activities would

be undertaken. This could be required by condition and agreed prior to any works taking place on site.

### Flooding

The site is at a high risk of surface water runoff. A Flood Risk Assessment has been submitted with the application. The proposed measures to mitigate against risk (to store surface water run-off in cellular tanks and the use of permeable paving) are considered to be acceptable, along with the submitted drainage scheme. Compliance with the surface water drainage scheme can be required by condition, and the application is therefore considered to be acceptable in this respect.

### Sustainability and Energy

The London Plan provides the policy framework in respect of sustainable construction and renewable energy, and in particular Chapter 5 of the London Plan and the Supplementary Planning Guidance entitled Sustainable Design and Construction. In addition, Policy BE1(vi) of the UDP, regarding sustainable design, construction and renewable energy is also relevant.

Policy 5.2 states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be green: use renewable energy

Compliance with Policy 5.2 is achieved by demonstrating that the Building Emission Rate (BER) is at least a 35% improvement on the Target Emission Rate (TER) calculated in accordance with Building Regulations Approved Document Part L2A 2013

Policy 5.7 states that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.

There is a presumption stated within the policy that in achieving the targets of policy 5.2 carbon dioxide emissions would be reduced by at least 20% through the use of on-site renewable energy generation.

An Energy Strategy Report has been submitted with the application, which demonstrates the use of a range of measures which result in a 35% improvement on the TER thus demonstrating compliance with Policy 5.2 of The London Plan 2016.

The results also show a range of measures to reduce CO<sub>2</sub> and demonstrate which of these are appropriate for the development. The strategy shows a 13% CO<sub>2</sub> reduction using on-site renewable energy generation across the development

which is considered to demonstrate compliance with Policy 5.7 of The London Plan 2016.

### Contaminated land

The Environment Agency have noted that the site has a long history of inks manufacture using a variety of solvents and other hydrocarbons. There was a petrol filling station on site until at least 1986. Numerous historic and extant underground and above ground hydrocarbon storage tanks have been noted. Previous ground investigations revealed elevated concentrations of various hydrocarbons in the soil and groundwater. There is a groundwater abstraction well on site. The Phase 2 investigation reports no significantly elevated contamination concentrations. It is recommended that conditions be imposed on any permission which requires further assessment work and verification be undertaken in relation to contamination and invasive works.

Subject to the imposition of condition, the development would accord with the requirements of Policy ER7 of the UDP.

### Trees / Ecology

Policy NE7 requires proposals for new development to take particular account of existing trees and landscape features on the site and adjoining land and Policy BE1 requires proposals to respect existing landscape features.

An Arboricultural Survey, has been submitted with the application. It concludes that all surveyed trees can be retained along with their contribution to the character and appearance of the locality. It advises that the impact of the proposed development on the trees can be managed through planning condition.

Subject to implementation of the recommendations of the survey, the proposed development would not have a significant impact upon the existing arboricultural amenity of the area and therefore complies with UDP Policy NE7.

The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes; minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF addresses ecology in paragraph 109 which states, the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitments, which include establishing ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

UDP Policies NE2, NE3 and NE5 seek to protect wildlife features and protected species requiring development proposals to incorporate appropriate mitigation where damage may occur.

A preliminary ecological survey has been submitted which concludes that habitats

within the site are considered to be of low ecological value within the local area. The site provides suitable habitat to potentially support low numbers of breeding birds and bats. However, populations of these are unlikely to be significant at a district level.

The survey recommends that prior to any works taking place, a pre-works check by an ecologist of any features considered suitable for sheltering bats and, following the precautionary principle, work to remove potentially suitable features should take place outside of the hibernation period when bats are considered least vulnerable.

The hibernation period is taken to run between mid to late November and mid-March, weather dependant. This can be required by condition.

### Archaeology

Historic England have advised that the planning application lies in an area of archaeological interest (Archaeological Priority Area) identified for the Local Plan: Upper Cray Valley. An archaeological desk based assessment has been submitted as part of the planning application (CgMs 2017). The DBA has demonstrated that 'the study site can be considered likely to have a modest archaeological potential for the Mesolithic and Roman periods, and a generally low archaeological potential for other periods of human activity.' (CgMs 2017, para 6.5). The British Geological Survey indicates that the western part of the site is located above an area of Crayford Silts whilst the northern block of land is potentially located above an area of higher ground adjacent to a valley.

Appraisal of the application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that a condition could provide an acceptable safeguard.

### CIL

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

### Summary

The proposed use of the site complies with planning policy and is acceptable in principle.

The proposal would result in a high quality development that would function well, add to the overall quality of the area, and establish a strong sense of place through the use of appropriate design, materials and improved landscaping. The proposal would optimise the potential of the site to accommodate development.



The proposals are supported by comprehensive set of technical reports which demonstrate that the proposals do not result in any significant impacts.

**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 approved shall be carried out strictly in accordance with the application plans, drawings and documents as detailed below:**

**PL001, PL002, PL003B, PL004A, PL005A, PL006A, PL007A, PL008A, PL009A, PL010A, PL011, PL012, PL012A, PL014A, PL015A, PL016B, PL017B  
PL018A, PL019A, PL020A, PL021A, PL022B, PL023B, PL024B, PL025B, PL026B, PL027B**

**Design and Access Statement Feb 2017  
Remediation Strategy (UK20-24096) Sept 2017  
Phase 1 Environmental Assessment (UK-20 237052) Feb 2017  
Phase 2 Environmental Assessment (UK20-24096) September 2017  
Detailed Quantitative Risk Assessment (UK20-24096) September 2017  
Drainage Information  
Archaeological Desk Based Assessment (RM/22993) Feb 2017  
Noise Impact Assessment ref PJB8005/16479/V1.0  
Transport Assessment (Doc Ref: EF/17034/TA/2) March 2017  
Arboricultural report (DEV170105-175) Feb 2017  
Flood Risk Assessment (16-081R\_001) April 2017  
Breeam Assessment (1542 Rev A) Feb 2017  
External Lighting Assessment April 2017  
Energy Strategy Report April 2017  
Waste Management Strategy Rev A  
Statement of Community Involvement  
Preliminary Ecological Appraisal Feb 2017  
Daylight and Sunlight Study April 2017**

**Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority when judged against the policies in the London Plan 2015 and the Bromley UDP 2006**

- 3 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings 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 the interest of the appearance of the building and the visual amenities of the area.**

- 4 No trade counter shall be installed in any of the units hereby approved without the prior written approval from the Local Planning Authority. Proposals to install a counter shall include details of its extent and scale, and demonstrate to the satisfaction of the Council that the counter is ancillary to the primary use of the unit.**

**Reason: To prevent the erosion of the permitted use of the site and ensure consistence with the NPPF, Policy 2.17 and 4.4 of the London Plan, UDP Policy EMP4, and draft UDP Policies 80, 81 and 82.**

- 5 The landscaping scheme as shown on the approved landscaping 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, and shall be retained as such thereafter. 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.**

- 6 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.**

- 7 Sustainability measures as detailed in the approved Energy Strategy Report shall be incorporated into the development prior to its occupation.**

**Reason: To achieve a sustainable development in accordance with London Plan Policies 5.7 to 5.11, the Mayor's SPG and UDP policy BE1**

- 8 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.**

- 9 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.**

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

- 10 Prior to occupation of the development, the lighting scheme as shown in the submitted External Lighting Proposals report shall be implemented in full and shall be retained as such thereafter unless otherwise approved in writing by 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.**

- 11 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 details of phasing, 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, 6.14 of the London Plan and in the interest of the amenities of the adjacent properties.**

- 12 Details of new / amended access junctions shall be submitted to and approved in writing by or on behalf of the Local Planning Authority (LPA) prior to commencement of the works and the access shall be completed to the LPA's satisfaction before the first occupation of the development hereby permitted.**

**Reason: In the interest of pedestrian and highway safety.**

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

**Reason: In the interests of highway safety**

- 14 Prior to the occupation of the development, a Delivery and Servicing Plan shall be submitted and approved by the Local Planning Authority. This shall detail how deliveries will be managed to the site to ensure that they will not have a detrimental impact on the local highway network, and should also reflect the need for robust safety standards from freight operators. The requirements for providers of goods transport services to offer Fleet Operator Recognition Scheme (FORS) - or FORS bronze-equivalent or better safety accreditation, should be included. The approved scheme shall be implemented and adhered to throughout the operation of the site unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In the interests of highway safety and traffic management and in accordance with Policy 6.14 of the London Plan.**

- 15 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) An additional site investigation scheme, based on the letter proposal, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2) The results of the site**

investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:** For the protection of Controlled Waters as the site is located over a Principal Aquifer.

- 16 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

**Reason:** To address the potential for unexpected contamination to be identified during development groundworks.

- 17 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

**Reason:** To ensure the management of environmental risk to that the site is suitable for use.

- 18 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning

**Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.**

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

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

**Reason: To prevent an unacceptable risk of contamination to controlled water.**

- 20 The surface water drainage scheme hereby permitted shall be implemented in full accordance with the approved details unless otherwise agreed in writing by the Local Authority.**

**The following approved plans/report shall be complied with:**

- Flood Risk Assessment carried out by Bradbrook with Reference No. 16-081R-001 dated April 2017.**
- Drainage Layout Plan Drawing No. 16/081/300 Rev P1 dated 27/04/2017.**
- Microdrainage Calculations carried out by Bradbrook Consulting dated 27/04/2017.**

**Reason: In order to comply with Policy 5.13 of the London Plan and to reduce the impact of flooding both to and from the proposed development and third parties.'**

- 21 No demolition or development shall take place until a stage 1 written scheme of archaeological investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.**

**If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:**

**A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works**

**B The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.**

**Reason: To protect any archaeological value of the site**

- 22 No use shall take place within Units 12 and 13 outside of the hours of 7:00am and 22:00pm on any day.**

**Reason: To protect neighbouring residential amenity in accordance with Policy BE1 of the UDP**

- 23 Works shall only take place in accordance with the method statement specified in the approved Arboricultural Appraisal Report (DEV170105-175)**

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

- 24 Prior to the commencement of any development, a pre-works check by an ecologist of any features considered suitable for sheltering bats shall be carried out. Following the precautionary principal, work to remove potentially suitable features should take place outside of the hibernation period when bats are considered least vulnerable. The hibernation period is taken to run between mid to late November and mid-March, weather dependant.**

**Reason: In the interests of ecological biodiversity**

- 25 Noise control for machinery at each Unit which is audible beyond the boundary of the site to be designed to satisfy an acoustic standard, not exceeding LFNR 35 Leq,5mins 1900 - 0700 hrs on Mondays to Fridays, LFNR 40 Leq,5mins 0700-1900 hrs Mondays to Fridays, and LFNR 35 Leq,5mins for any time period on Saturdays, Sundays and Bank Holidays, measured or calculated at 1m from the nearest facade of the nearest affected noise sensitive premises with all items of plant operating together and at full power, and a 5dBA penalty added for tonal noise content.**

**Reason: To protect the amenity of neighbouring occupiers in accordance with policy BE1 of the UDP.**

- 26** Prior to occupation of any unit, 20% active and 10% passive Electric Vehicle Charging Points (EVCP) should be provided in the parking areas in accordance with details submitted to and approved by the local planning Authority. The EVCP shall be retained as such thereafter and maintained in full working order.

**Reason:** In accordance with Policy 6.13 of the London Plan.

**You are further informed that :**

- 1** You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 2** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)
- 3** You are advised to contact the following address regarding alignment of, connection to or diversion of a public sewer, or adoption of a sewer -

**Thames Water**  
**1 Kew Bridge**  
**Brentford, Middlesex**  
**TW8 0EF**  
**0845 850 2777**  
**Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)**



- 4** A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.
- 5** Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 6** 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.'
- 7** Written schemes of archaeological investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 8** The footway and carriageway on the A224 Cray Avenue should not be blocked during the development. Temporary obstructions during the conversion should be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the A224 Cray Avenue. All vehicles should only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.