

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

Application No : 17/03505/FULL1

Ward:
Orpington

Address : Ashling Lodge 20 Station Road
Orpington BR6 0SA

OS Grid Ref: E: 545788 N: 165780

Applicant : Churchill Retirement Living

Objections : YES

Description of Development:

Demolition of Nos 20-24 Station Road and redevelopment with two/two and a half storey building to form 27 retirement apartments for the elderly including communal facilities, access, car parking and landscaping.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 4
Stat Routes

Proposal

- Demolition of No's 20, 22 and 24 Station Road;
- Construction of two/three storey building with the third floor of accommodation within the roof to provide 27 units of sheltered accommodation (17 one bedroom and 10 two bedroom apartments);
- Vehicle and pedestrian access is from Station Road via an updated access;
- Car parking for 12 vehicles is proposed at the rear including 2 spaces within an undercroft section of the building at ground floor, accessed via a driveway extending along the north-western side of the building;
- two existing vehicular accesses will be stopped up;
- indicative landscaping proposals have been submitted;
- 1 full-time member of staff, a Lodge Manager, will be employed at the site;

The applicant has submitted the following documents and reports in support of the application which are summarised below:

Acoustic Assessment by Clarke Saunders Ref.AS9895.170801.ADS (August 2017)
At Stage 1 this report identifies the site as having low to medium risk in terms of noise impacts during the daytime hours and a medium to high risk during the night time hours. The main source of noise affecting this site is from road traffic along Station Road. On this basis a Stage 2 Acoustic Design Statement has been

prepared. This identifies the most noise sensitive rooms of the southern façade as requiring alternative means of ventilation in order to sustain suitable internal noise levels and recommends acoustically specified double-glazing and mechanical ventilation. However, it is expected that, due to screened outlook, noise sensitive rooms on all other aspects can be naturally ventilated via a partially open window.

The private amenity areas in this part of the site would also be subject to higher external noise levels and Imperforated balcony screens as opposed to railings are recommended for private amenity areas, along with fencing along the southern boundary of the site.

Arboricultural Assessment & Method Statement by barrel tree consultancy
Ref.17138-AA-PB (July 2017)

The report finds that the proposal will result in the loss of a small number of trees and domestic hedges that are all of low category because of their poor condition, small size or limited sustainability. One tree considered to be of moderate quality will also be removed, however the report asserts that this will have no adverse impact on the existing amenity of the locality.

Tree protection measures are recommended in order to protect retained trees from construction activity and the proposed changes. An arboricultural method statement has also been included which, if implemented, will result in no negative impacts on the contribution of trees to the character of the wider setting.

Archaeological Desk Based Assessment by Orion ref.PN1428 (June 2017)

The report explains that archaeological investigations 100m to the west of the application site have discovered buried remains dating to the Roman period, and artefactual evidence from the Prehistoric period. As such the presence of some peripheral remains cannot be entirely discounted at the application site. However the potential for any remains of high archaeological significance is low due to the existing residential development on the site, and the proposed development would therefore be unlikely to result in the loss of any significant archaeological remains.

The potential loss of remains of Local significance which may be present could be fully mitigate by a programme of archaeological investigation secured as a planning condition.

Daylight and Sunlight Study by Right of Light Consulting (Aug 2017)

This report assesses the impact of the development on the light receivable by the neighbouring properties at 18, 26, 28, 31, 33, 35 Station Road, Orpington Baptist Church and 2, 4 and 6 Hill View Road. Daylight and sunlight tests have been applied to neighbouring habitable rooms and windows which may be affected by the development. Overshadowing to gardens and open spaces has also been tested. The report finds that the proposed development will have a low impact on the light receivable by its neighbouring properties, including windows and external amenity areas.

Desk Study Appraisal by Crossfield consulting Ref.CCL02920.CC86 (Jan 2017)

Given the existing residential use of the site, significant contamination is likely to be absent, however traces of ashy materials may be present such that it could be necessary within areas of soft landscaping to remove such materials or place a capping soil/barrier within affected areas of the site. Chalk mining is recorded nearby and, as such, the possibility of unrecorded chalk mining or deneholes within the site cannot be ruled out at this stage. It is recommended that during any ground investigation, close attention be paid as to the need for further assessment regarding ground stability and any necessary mitigation measures employed. It is also recommended that an alternative drainage solution be identified for the development in case soakaway drainage is precluded.

Drainage Strategy Report by Peter Brett Ref.30481/4051 Rev.A (August 2017)

Due to the underlying geological conditions and records of chalk mining in the area, it is recommended that further intrusive investigations are undertaken to confirm the suitability of the underlying chalk for infiltration drainage. However, as this cannot be carried out while the site is still occupied this has been discounted at this stage.

The impermeable area at the site will increase from 0.14ha to 0.15ha post development and, without mitigation, there will be an increase in surface water run-off. It is therefore proposed to discharge surface water to the public surface water sewer, in accordance with SuDs attenuation techniques such as permeable paving and cellular storage, controlling discharge rates to 5l/s in accordance with the London Plan guidance.

Energy Statement by NHBC Ref.28965 (June 2017)

Communal Air or Ground Source Heat Pumps have been identified as the developers preferred route to address the requirement in the London Plan to minimise carbon dioxide emissions from development. In addition, the applicant also proposes to install 7.1kWp of Solar PV (approximately 70sq m) on one of the southerly facing roofs. This would provide a total offset of 35% over Part L of the Building Regulations.

The report calculates the total carbon off-setting payment for which the development would be liable to be £44,130.

Preliminary Ecological Appraisal by Ecosa Ltd (June 2017)

This finds that the vegetation and garage at No.22 has potential to support roosting bats and nesting birds. The site also has the potential to support reptiles. In respect of birds, it is recommended that clearance of habitats takes place outside of the breeding season or via a destructive search methodology under supervision of an ecologist. Any active birds nests identified during clearance will be retained with a suitable buffer until nesting ends. Further survey work is required/is underway in respect of bats and reptiles.

Subsequent Ecological Assessment by Ecosa (August 2017)

Bat surveys conclude that there are no roosting bats on site.

A reptile survey confirms the presence of a low population of common lizard on site. It is recommended that the vegetation on site is to be cleared during the reptile hibernation months and outside the nesting bird season of November to February. The vegetation previously strimmed to ground level and refuse piles should be removed during the active reptile months of April to September under the supervision of a suitably qualified ecologist, using a toothed bucket digger to prevent the risk of harm to widespread species of reptile.

A net gain in biodiversity is possible, provided that the landscape plan incorporates a large variety of native species and the establishment of a patchwork of wildflower meadows. The incorporation of two Schwegler 1SP sparrow terraces will also provide additional opportunities for nesting birds.

Supporting Stakeholder Engagement Statement

This sets out the pre-application consultation which the applicant undertook, including an 'on-line public exhibition' to which over 600 local residents were invited to view the initial plans. This also included local businesses, MP, Ward Members and Councillors. At the time of writing they state that no comments had been received.

Transport Statement by Mott Macdonald Ref.364622 072 B (July 2017)

The report says that the development would be located in a highly accessible location in relation to local amenities and services in the town centre and within a high PTAL area. With dropped kerbs, tactile paving, signalised crossings and provision of good quality footways and pedestrian crossings on local roads, residents' would be encouraged to access a range of local shops, services and public transports by foot. Furthermore, the amount of parking proposed for the development is considered appropriate based on evidence from similar established retirement living sites.

The report concludes that the proposed development trip generation (estimated to be around 40 trips per day) will not result in any material capacity impact on the local highway network. Furthermore, this has not considered the loss of the existing land use and the trips associated with those uses.

The application was also accompanied by a Planning Statement and a Design and Access Statement.

Location and Key Constraints

The application site is 0.34 hectares in area and consists of Ashling Lodge, a detached, two storey, 11 bedroom care home and no's 22 and 24 Station Road which are both two storey dwellinghouses;

The property has a substantial garden to the rear with two wooden sheds used for the storage of food and as a laundry and a garage style building that is used as ancillary storage for the care home;

To the front, the site is heavily planted along its front boundary with a grassed bank and mature landscaping in the form of trees and established coniferous hedging;

Behind the landscaped buffer is hardstanding providing car parking space;

The site is elevated from Station Road being on a hill and is sited approximately 1.4m up from the pavement edge and levels rise across the site from south to north;

The surrounding area comprises predominantly detached and semi-detached houses, particularly to the north, south and west of the site although No. 28 Station Road is used as a veterinary practice and No.33 is used as a residential care home;

Larger flatted development is located further to the north - east of the application site along Station Road within closer proximity to Orpington Town Centre, including the adjacent Knoll Court which comprises a 2 and a half storey building providing 20 units of sheltered housing accommodation;

The site is located approximately 365m from Orpington Station and 176m from the edge of Orpington Town centre;

Station Road (A232) is a Strategic Route;

The site is within area with a high Public Transport Accessibility (PTAL) rating of 6a (on a scale of 1 to 6 with 6b being the highest level of accessibility);

The site is in an area classified as being deficient in open space.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application by letter. Site notices were displayed and an advertisement was placed in the local press. One letter of objection was received which is summarised below:

- We need far more care homes, not less, so Ashling Lodge should most definitely be kept as such, not turned into yet another large retirement block;
- there are plenty of retirement homes in the town;
- the proposed building is far too big;
- Ashling Lodge is an attractive old house, but the developer wants to demolish it - plus two adjacent residential houses - and make it into one huge block of 27 flats covering 2 & 2½ floors;
- this huge building will look totally out of place on Station Road, which is a very pleasant road with lots of trees and foliage along its length;

- there are currently quite a lot of trimmed fir trees and hedges at the front of these three buildings, and to take all of these away will completely ruin the look of the road;
- the trees are not in a poor condition, as the developer states, and must be kept in situ;
- there are also a lot of trees at the back that are designated for the chop, and that definitely should not be allowed to happen;
- regarding the trees to be retained, have very, very grave doubts about the care that should be taken to stop their branches and roots being damaged during construction;
- will be enough of an excuse for Churchill to resort to felling them;
- the impact will be great for the residents around this development, in particular for the owners of houses in Hill View Road whose gardens back onto this huge development.

Comments from Consultees:

The Council's Highways Development Engineer:

- There are no parking standards in the UDP or London Plan for this use. The parking provision has been justified by surveys at other Churchill Retirement Homes. There has recently been one opened at the northern end of Orpington High Street and it would be useful to have a similar survey carried out there given its proximity to this site;
- A Stage 1 Road Safety was included with the previous application which was not resolved. Although this application involves the amendment of an existing access, given the status of Station Road and the intensification of use, another Stage RSA 1 should be provided. Prior to the site visit the auditors should contact the Council's traffic team to arrange an observer to be present;
- The refuse storage / collection strategy involves the Site Manager wheeling the bins to the front of the site. It is not clear if there is a specific area being provided as they cannot be left on the footway. Large vehicle cannot enter the site and so they will have to wait on the highway.
- The gradient should be no more than 1:10, and it will also be the pedestrian access for anyone who cannot use the steps. This should be confirmed.

Highways comments following the additional information received 31/10/17:

- The parking provision at this location at 0.44 spaces per unit is acceptable;
- The Transport Statement indicates that the sightline can be achieved within highway land and mentions relaying of the verge to the front of the property in macadam. However, our records indicate that this verge is neither owned nor maintained by the Council so we would need confirmation the sightline can be achieved;
- The confirmation from the applicant that the gradient of the ramp will not exceed 1:20 is acceptable.

- In response to additional information regarding sightlines, the highways Engineer has advised that the proposal is acceptable and requested conditions as follows:

H03 parking

H10 sightline ..43m x 2.4m x 43m.. ..the access.. ..1m..

H16 hardstanding for wash-down facilities

H22 cycle parking

H29 construction management plan

H32 highway drainage

The Council's Drainage Engineer:

- The submitted "Drainage Strategy Report" carried out by Peter Brett Associates with Project Ref No. 30481/4051 dated July 2017 concluded that a ground investigation should be undertaken to ascertain the ground conditions and if the use of soakaways are not practical than an alternative drainage solution be identified. A condition is recommended regarding a surface water drainage strategy.

The Council's Environmental Health Officer:

- In principle there are no objections to permission being granted;
- The Design & Access Statement Sec 4.8 deals briefly with the requirement in the London Plan to be Air Quality Neutral But there is no evidence to support this. A condition requiring an Air Quality Assessment is carried out is therefore recommended;
- the Phase 1 Desk Study has been carried out by Crossfield Consulting and this report makes recommendations for further sampling to be carried out. As such a condition requiring contamination is recommended.

Transport for London (TfL):

- The site of the proposed development is on the A232 Station Road, which forms part of the Strategic Road Network (SRN). TfL have a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN;
- TfL welcomes that no off street parking will be provided as part of the development. It is understood that the proposed development seeks to provide 12 car parking spaces, which will ensure that there is no demand for on-street parking to serve the development. This should be restricted to visitors only and not used by staff;
- Due to the excellent PTAL rating for the development, TfL requests that the applicant investigates the possibility of reducing the current provision of car parking;
- TfL welcomes the proposed covered electric mobility scooter parking with charging points;
- The 12 spaces, include three blue badge parking spaces, which is welcomed by TfL;

- A minimum of one long stay and two short stay cycle spaces should be provided in line with the standards within the London Plan. All cycle parking should be located in a secure, accessible and well-lit area. It is understood that this could be located within the buggy store;
- considering the location of the site, TfL requests the applicant provides further information in regards to construction (vehicle trip generation, delivery area and how the construction will be undertaken);
- The footway and carriageway on the A234 High street should not be blocked during the development. Temporary obstructions during the development 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 A234 High street;
- 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 TLRN.

Thames Water:

- 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;
- with regard to sewerage infrastructure capacity, no objections are raised;
- with regard to water infrastructure capacity, Thames Water would not have any objection to the above planning application
- informatives are recommended regarding the discharge of surface water and piling.

Historic England:

- Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, it is concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.

Planning Considerations

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

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

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination In Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan

London Plan Policies

- 3.1 Ensuring equal life chances for all
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.16 Protection and enhancement of social infrastructure
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.11 Green Roofs and Development Site Environs
- 5.13 Sustainable Drainage
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling

6.13 Parking
7.1 Lifetime neighbourhoods
7.2 An inclusive environment
7.3 Designing out crime
7.4 Local character
7.5 Public Realm
7.6 Architecture
7.13 Safety, security and resilience to emergency
7.14 Improving Air Quality
7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
8.2 Planning obligations
8.3 Community infrastructure levy

The relevant London Plan SPG's are:

Accessible London: Achieving an Inclusive Environment (2014)
Sustainable Design and Construction (2014)
The Control of Dust and Emissions during Construction and Demolition (July 2014)
Housing (March 2016)
Homes for Londoners - Affordable Housing and Viability (2017)

Unitary Development Plan

BE1 Design of New Development
C1 Community Facilities
C6 Residential proposals for people with particular accommodation requirements
H1 Housing Supply
H2 and H3 Affordable housing
H4 Supported Housing
H7 Housing Density and Design
H9 Side Space
IMP1 Planning Obligations
NE7 Development and Trees
T1 Transport Demand
T2 Assessment of Transport Effects
T3 Parking
T6 Pedestrians
T7 Cyclists
T9 and T10 Public Transport
T17 Servicing of Premises
T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles
Supplementary Planning Guidance 2: Residential Design Guidance
Supplementary Planning Document: Planning Obligations (2010)

Emerging Local plan

1: Housing Supply

2: Provision of Affordable Housing
4: Housing Design
8: Side Space
11: Specialist and Older People's Accommodation
21: Opportunities for Community Facilities
26: Health & Wellbeing
30: Parking
31: Relieving Congestion
32: Road Safety
33: Access for All
37: General Design of Development
73: Development and Trees
77: Landscape Quality and Character
79: Biodiversity and Access to Nature
99: Residential Accommodation
116: Sustainable Urban Drainage Systems (SUDS)
120: Air Quality
123: Sustainable Design and Construction
124: Carbon dioxide Reduction, Decentralised Energy Networks and Renewable Energy
125: Delivery and Implementation of the Local Plan

Planning History

The most recent planning history relating to this site is as follows:

Under ref.16/01631/FULL1 planning permission was refused for the Demolition of Nos 20 - 24 Station Road and construction of part one/three storey 36 bedroom residential care home (Use Class C2) with detached workshop building to rear, revised vehicular and pedestrian access, parking for 16 cars and 1 van, refuse and bicycle storage and landscaping (including 2.7m (approx.) high gazebo and pergolas). The reasons for refusal were:

1 The proposal, by reason of its scale, bulk, siting, design and the amount of site coverage by buildings, structures and hard surfaces which would leave limited opportunities to create an attractive setting with soft landscaping would be detrimental to the visual amenities of the street scene and out of character with the area, contrary to Policies BE1, H7 and NE9 of the Unitary Development Plan and policies 7.4 and 7.6 of the London Plan.

2 In the absence of a satisfactory Road Safety Audit and sufficient information to demonstrate the impact of the proposed access on the adjacent highway, the proposal would be likely to lead to conditions prejudicial to the free flow and general safety of traffic along A232 Station Road, inconvenient to road users and contrary to policy T18 of the Unitary Development Plan.

3 Insufficient information has been submitted in respect of energy and sustainability and how the development will seek to minimise carbon emissions in accordance with the energy hierarchy in policy 5.2 of the London Plan and policy BE1 of the Unitary Development Plan.

The following planning history is also considered relevant:

Ashling Lodge, 20 Station Road:

86/01260 - Permission granted for a part one, two storey side and rear extension and the change of use from residential to a 10 person home for the elderly with staff flat.

90/00554 - Permission granted for a single storey front extension.

98/00298 - Permission granted for a first floor rear extension.

22 Station Road:

88/00448 - Permission granted for a two storey rear extension.

Knoll Court, 18 Station Road:

92/00771 - Outline permission granted subject to legal agreement for a detached three storey building comprising 18 two bedroom flats.

93/00001 - Details of external appearance and design pursuant to ref.92/00771 refused and dismissed at appeal. The ground of refusal was:

94/00833 - Outline permission refused for six detached houses and estate road and subsequently dismissed at appeal.

95/01599 - Outline permission refused 28th September 1995 for a detached two storey building with accommodation within the roofspace to provide a 60 bed nursing home with parking on the grounds that:

1. The proposal would result in an increase in the intensity of use of this site, which together with the increase in hardsurfacing/car parking will be detrimental to the character of the area and the amenities of adjoining residential properties particularly by reason of the likely increase in servicing and general noise and disturbance associated with the use thereby contrary to Policy E.1 of the Bromley Unitary Development Plan.

2. The development would prejudice the retention and well-being of a number of trees which are subject to Tree Preservation Order No.746, which make a significant contribution to the amenities of the street scene, thereby contrary to Policies E.1 and G.26 of the Bromley Unitary Development plan.

A subsequent appeal was dismissed. The Inspector commented that the use would be different to the 18 bed retirement scheme and the mainly residential use of the surrounding area and although there were dental and veterinary surgeries and two homes for the elderly including No.20 as well as a three storey hotel in The Approach, these are small in scale involving the conversion of residential

properties and as such their impact upon the character of the area cannot be compared with that of a larger purpose built nursing home.

Furthermore, the Inspector concurred that a greater number of vehicular movements would take place with a nursing home use of that size and that these movements would reflect the intensity of use of the site and detracts from the predominately residential character of the area and impose noise and disturbance on neighbouring residents. The level of hardstanding and reduced landscaping resulted harm to the otherwise well vegetated character of the area.

In conclusion the Inspector noted that despite an ageing population, that there is/was no nursing home in Orpington and that the Bromley health Authority supports the proposal this does not outweigh the planning objections.

99/03492 - Permission granted 26th January 2000 for the change of use of the roofspace to form 2 two bedroom flats and the formation of 2 car parking spaces.

Considerations

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

- Principle
- Design
- Density
- Impact on neighbouring amenity
- Housing Issues
- Planning Obligations
- Highways impacts
- Energy and sustainability
- Pollution and contamination
- Flooding and drainage
- CIL

Principle

The proposal would result in the loss of the existing residential and care home uses (Class C2) and re-development of the site for retirement living (Class C3)

Policy 3.3 of the London Plan relates to increasing housing supply. There is a pressing need in London for more homes in order to promote opportunity and provide choice for all Londoners. Policy 3.8 states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.

Policy 3.14 of the London Plan relates to existing housing and identifies the need to retain existing housing stock for all elements of the community. Paragraph 3.83 refers to the retention of existing sites providing an element of care and indicates that where shortfalls of specialist housing needs have been identified the possibility of using these sites for other providers of specialist or supported needs

accommodation should be explored. Over the London plan period 2015 - 2025 older Londoner's may require 3,600-4,200 new specialist units per annum (Para 3.50B). Annex A5 of the London Plan gives an annual indicative requirement benchmark figure for Bromley of 205 specialist housing units comprising a mix of private and intermediate sale to be provided.

Proposals which would result in the loss of social infrastructure in an area where there is a defined need for such a use will be resisted. In the case of redundant or vacant premises, their suitability for the provision of other forms of high quality social infrastructure for which there is a defined need in the locality should be considered (Policy 3.16, London Plan).

UDP policy C1 is the current adopted policy in respect of the retention of community uses however this does not specifically identify the retention of C2 Care Home uses. Draft Policy 11 of the Local Plan resists the loss of sites currently providing specialist accommodation unless it can be demonstrated that there is no demand for the existing accommodation and no demand for sites from alternative providers, or there is equal or greater replacement provision of improved specialist accommodation in an alternative appropriate location. Although this is a draft policy its weight is increasing as the Local Plan progresses.

The supporting text for Draft Policy 11 states recognises that over the last decade there has been reduced reliance on residential care homes and a shift towards enabling people to retain their independence, remaining living in the community with appropriate support or in Extra Care Housing (ECH) which provides improved opportunities for the physically frail, and reducing the demand for residential care. However, there remains a potential growth in demand for both nursing and residential care for "Elderly Mentally Infirm" (EMI) people (para.2.1.80).

Policy H1 of the UDP would also apply to the proposal. This policy resists the loss of housing through redevelopment or change of use except where it can be demonstrated that accommodation is unsuitable for continued residential use or where the proposal meets an identified need for community facilities.

The proposal would result in the loss of two viable family-sized dwellings and an 11 bedroom care home in favour of 27 'retirement living' dwellings which will be marketed for people of 60 years or over. The proposal would therefore result in the increased provision of a different type of housing that would meet a slightly different need. On this basis, the principle of the provision is considered to be acceptable

The applicant has submitted supporting information in respect of the loss of the existing C2 care home use at Ashling Lodge. The building itself, they state, fails to meet existing standards for this type of accommodation across a number of areas, in particular with regard to space standards. Furthermore, they state that there are a number of socio-economic benefits of the proposed scheme, such as employment opportunities and reduced burden on local health infrastructure.

In addition, policies C5, C6 and H4 of the UDP all relate to the provision of specialist facilities including those for vulnerable groups and those for people with

particular accommodation requirements. In all cases, development proposals will be subject to other environmental constraint policies such as design and highways considerations, will need to be conveniently located for local shops and services, should provide suitably landscaped amenity space and should not result in significant harm to neighbouring residential amenity. The application site is conveniently located for Orpington Town Centre and the site would be capable of providing suitable landscaped amenity space. These issues are considered in detail below.

The proposed re-development of the site for use as sheltered accommodation / retirement living apartments is, in principle, considered acceptable as it would contribute to the strategic aims of the London Plan in promoting housing choice, taking account of the changing age and varying needs of London's older population.

Design

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

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. This policy requires that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas, should respect existing views/landscape features and not detract from the existing street scene and should allow opportunities for soft and hard landscaping in order to create an attractive setting. The relationship with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings and developments should incorporate security and crime prevention measures into the design and layout of

buildings and public areas. Draft Policy 37 additionally requires that recycling and waste storage facilities are incorporated within the design layout.

Policy H9 of the UDP and Draft Policy 8 require a minimum 1 metre side space to be retained to the flank boundaries in the case of a two or more storey development; or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

The design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood (London Plan policy 7.1) and all new development in London should achieve the highest standards of accessible and inclusive design ensuring that developments can be used safely and with dignity by all, are convenient and welcoming with no disabling barriers, are flexible and responsive taking account of what different people say they need and want, and are realistic, offering more than one solution to help balance everyone's needs, recognising that one solution may not work for all (London Plan policy 7.2).

The proposal is for a 'T-shaped' building which steps-in from the flank boundaries towards the rear of the site. At the rear the building would project back into previously undeveloped garden land to within 5.6m of the boundary with neighbouring properties in Hill View Road, resulting in a significant increase in built development in the rear part of the site. While this would impact upon the existing spatial standards of this site which currently benefits from a spacious and verdant character, the applicant has attempted to minimise the harm by proposing an increase in soft landscaping and amenity space and a reduced reliance on hard surfaces when compared with the previously refused scheme.

At the front, the building would sit slightly further forward than was previously proposed and would project substantially further forward of the adjacent Knoll Court. However, it is noted that this relationship is comparable to that of the existing buildings which are to be demolished and, as such, would not appear out of character. This forward positioning also allows for greater separation to be retained to the rear north-west boundary of the site, where it tapers in, and results in a less cramped relationship than was previously proposed. Furthermore, the position of the rearmost building line would be more akin to that of the adjacent Knoll Court.

At the sides, a separation of between 3.8 and 5.6m is proposed between the flank wall of the development and the south-western boundary with No.26 Station Road, which is comparable to the existing separation distances between No's 24 and 26. The proposal would also increase the separation distances between the north-eastern flank of the building and the boundary with Knoll Court from 1.8m (as existing) to 5.8m (min separation).

Access to the development for vehicles and pedestrians is proposed from one modified access off Station Road leading to the side/rear car parking area and to the main communal entrance for the development located on the north-eastern side of the building. A separate gated pedestrian entrance for access by

emergency services is also located on the Station Road frontage. Three wheelchair accessible parking spaces are proposed directly in front of the main entrance. Level access will be provided across the external approach routes and around the building and, in accordance with Part M4(2) of the Building Regulations, where this has not been possible due to the site's topography, the applicant states that gradients will not exceed 1:20.

Refuse and a buggy/cycle store have also been accounted for, in the form of an internal refuse storage area located on the eastern side of the building and a semi-enclosed buggy/cycle store close to the main entrance. Both are conveniently located along the principle access route for the development.

In terms of scale and massing, there are several examples of higher density flatted developments in the vicinity, most notably at the adjacent Knoll Court which is a two/three storey building of substantial scale. The proposal for a two and a half storey apartment building in this location would therefore not be wholly out of character with the locality.

The applicant proposes a contemporary design, taking design cues from the 1930s style dwellings prevalent in the area. The massing of the building is broken-up into three smaller components separated by 2.2m wide recesses and a combination of gable and hipped roofs are proposed with eaves and ridge heights being comparable to those of adjacent development. The maximum ridge height would sit well below that of Knoll Court to the north-east of the site and, to the south-west, the building steps down in height in response to the detached dwellings which adjoin the site.

Existing and proposed site levels and proposed slab levels have been provided, as well as sectional drawings through various parts of the site. No significant changes to site levels are proposed as part of this scheme and the finished floor levels for the building would not, generally, exceed the levels of its surroundings. The building would therefore sit comfortably within the site and would not appear over-dominant in relation to neighbouring development.

A combination of traditional bricks and roof tiles along with painted bricks, weatherboarding, uPVC windows and powder coated steel and timber balconies have been indicated for the external surfaces of the building, along with varying window sizes and small dormers set within the roof. The applicant is also proposing stainless steel fixings around the façade in order to encourage wall climbing plants and earth-retaining blocks or similar will be used in the landscaped areas in order to mitigate the impact of hardstanding. All in all, this would help to reduce the massing of the building and improve articulation and would convey a form of development, much more sympathetic to the context of the area, when compared to the previously refused scheme.

A landscaping strategy and a hard and soft landscaping plan have also been provided which include the retention of a landscaped buffer at the front edge of the site, enabled by the re-positioning of the proposed car parking from the front of the site (as was proposed under the refused application) to the rear. The only hardstanding now proposed would be for the access drive, paths and car parking

to the side/rear of the building, some of which would be contained within an undercroft area. At the front, a generously sized landscaped buffer is proposed with tree and shrub planting on the front boundary and a grassed area behind extending to the front edge of the building and wrapping around the sides and rear. Further tree and shrub planting is proposed at the sides and rear of the site, along with hedgerows separating areas for vehicle and pedestrian use. Where possible, the majority of existing trees are to be retained, particularly around the edges of the site. Seating areas and a pergola are also included. A 1.2m high railing adjoining Station Road is indicated for the front site boundary, details of which will need to be agreed by the Council subsequent to any grant of planning permission.

Overall, the layout proposed and relationship of development to site boundaries is considered acceptable in that it will not appear unduly cramped, nor will the spaciousness of the site be significantly undermined. Furthermore, the scale, form and appearance which the development will take, along with the landscaping proposals indicated, will result in a development which would appear sympathetic in relation to surrounding development and the street scene, and which would respond well to the important characteristics of the area.

Landscaping and boundary treatment conditions are recommended.

An assessment of the impact of the development on the amenities of occupiers of adjacent buildings is set out in more detail in the following paragraphs.

Density

London Plan Policy 3.4 states that taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. It is not appropriate to apply Table 3.2 mechanistically, with density ranges for particular types of location being broad, enabling account to be taken of other factors relevant to optimising potential - local context, design and transport capacity are particularly important, as well as social infrastructure, open space and play.

The application site measures around 0.34 hectares and is within an urban setting with a PTAL of 6a. The London Plan gives an indicative density range of 70-260 units/hectare and 200-350 habitable rooms/hectare as appropriate for this type of site and at the unit size mix proposed.

Taking into account the site's area, its location and the accommodation schedule submitted, the proposed density of the development would equate to approximately 79 units per hectare and 182 habitable rooms/hectare which is within the suggested ranges set out above. Subject to the assessment of other impacts, this is considered to be an acceptable density range.

Impact on neighbouring amenities

Policy BE1 of the UDP and Draft Policy 37 seek 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.

Concerns have been raised from a local resident regarding the provision of this form of housing in this area and the impact of the development on the character of the area. These issues were discussed earlier in the report. The impact on trees has also been raised and is considered later in the report.

With regard to the impact on the amenities of occupiers of No.26, to the south-west of the application site, the proposed building would retain a minimum separation of approximately 6m to this adjacent dwelling, which is a similar relationship to the existing dwelling which is to be demolished (No.24). The separation to this neighbouring site increases towards the rear where the proposed building steps-in and approximately 13.5m side space to the boundary with No.26 would be retained. While the extent of the rearward projection of the building would appear substantial from the adjacent site when compared to the existing arrangement, as discussed, generous separation would be retained to the boundary and the two and a half storey building is therefore unlikely to appear unduly harmful in views from No.26.

Furthermore, the positioning of proposed windows in the development is not anticipated to give rise to any harmful overlooking into this adjacent site, subject to a condition requiring a number of the flank windows at first and second floor to be obscure glazed. While this would not be possible in the case of every flank window since a number of them would be principle windows serving habitable rooms, given the proposed separation distances towards the rear of the site, the proposal is unlikely to result in any significant overlooking or loss of privacy for occupiers of No.26. There are also a number of proposed balconies located along the western side of the building. These would be set-back some 13m from the party boundary at first floor level and, in some cases, privacy screens have been proposed by the applicant in order to try and minimise overlooking to the adjacent site.

While some overshadowing of the rear garden of No.26 is anticipated in the earlier part of the day, this would not be significant enough to warrant refusal of the application on this ground.

At the rear, the north-west corner of the building would be located within close proximity (approximately 5.6m) of the boundary with 2 Hill View Road. While this would appear somewhat prominent when in the rear part of the garden of this neighbouring site, given the separation which is proposed to the main dwelling (around 25m), this is unlikely to result in any undue overlooking or loss of privacy and amenity for neighbouring occupiers. Furthermore, the applicant is proposing a reduction in the height of this part of the building to two storeys with no accommodation in the roof. Combined with the existing and proposed landscaping in this part of the site which would help to screen the development, on balance, it is unlikely to have a significant visual impact from or give rise to any undue overlooking to neighbouring sites in Hill View Road or Elm Grove.

In relation to Knoll Court, to the north-east of the application site, the proposed building would project forward of this neighbouring flattened development by around 11m, however, this would be akin to the front building line of the existing properties which are to be demolished. At the front, around 8.5m separation would be retained between the two buildings widening to around 16m at the rear where the rear building line of the development would project back roughly as far as Knoll Court.

There are a number of first floor windows situated in the north-western elevation of Knoll Court facing onto the two/three storey part of the development. However, it appears that these are high level and the impact on the outlook from these adjacent windows would not be significantly harmful. Furthermore, given the orientation and separation between the two buildings, the development would not give rise to significant overshadowing or loss of daylight and sunlight at Knoll Court.

A number of windows serving habitable rooms are proposed in the first and second floor flank elevation facing Knoll Court. Those closest to Knoll Court appear to be secondary windows and, as such, it would be prudent to impose a condition requiring that these are obscure glazed so as to avoid potential overlooking. Where the building steps-in from the boundary towards its rear, it is unlikely that the windows in this part of the building would enable any significant views of neighbouring sites.

An access drive and area of parking for 12 cars is proposed on the north-eastern side of the site adjacent to the boundary with Knoll Court, introducing vehicular activity into an area where previously there was none. The applicant's noise survey and assessment does not address the impact of noise on neighbouring sites from people using the car park.

The higher density and nature of the proposed use would generate greater activity than the existing use, however, the applicant has provided a separation gap of between 1.5 and 3m (approx.) between the access drive/car parking and the boundary with Knoll Court. Even if the noise from the car park were audible from the neighbouring site, based on the amount of car parking proposed, the age of future occupiers and their likely activity patterns, the scope for boundary treatment and landscaping, it is not considered that noise would be significant enough to undermine the peace and quiet enjoyment of the neighbouring amenity area to a significant degree.

An appropriate form of boundary treatment and a detailed scheme of landscaping should be secured by condition. Conditions relating to the obscure glazing and balcony screening are also required.

Housing Issues

Affordable Housing

Affordable housing will be sought on sites capable of providing 11 dwellings or more, a site area of 0.4ha or on sites providing over 1000 square metres of

residential floorspace. The London Plan, at policy 3.8, states that Londoner's should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. The Mayor's Housing Supplementary Planning Guidance reflects the tenure imbalance across London, and encourages the provision of a range of housing options which reflect the diversity of tenure amongst older households.

Policy 3.12 of the London Plan requires the maximum reasonable amount of affordable housing to be sought on schemes having regard to current and future requirements at local and regional levels and the London Plan's target of an average of at least 17,000 more affordable homes per year in London. Development proposals are required to create mixed and balanced communities with the size and type of affordable housing being determined by the specific circumstances of individual sites.

The London Plan (2016) Annex 5 indicates a specialist housing for older people "annualised strategic benchmark" for Bromley of 140 private sale units per annum and 65 intermediate sale units. There is a zero benchmark for affordable rented units. Draft Local Plan Policy 2 Provision of Affordable Housing will ensure that intermediate models, which developers are still devising, come forward to meet the need, subject to viability.

The development is considered liable for the provision of affordable housing on site as set out in the Policy H2 of the UDP and Draft Policy 2. Draft Policy 2 which is gaining increasing weight as the Local Plan progresses, requires 35% provision (on a habitable room basis). Given the zero benchmark for affordable rented units this provision will be sought as "intermediate" provision.

Policy H3 of the adopted UDP states that payment in-lieu of affordable housing on site will only be acceptable in exceptional circumstances and where it can be demonstrated that on-site provision of affordable housing would reduce the viability of the scheme to such a degree that it would not proceed, or on site provision of affordable units would not create mixed and balanced communities. In such instances the maximum level of affordable provision must be sought.

The applicant has submitted a report on Affordable Housing and Viability which concludes that the scheme could not viably support the provision of affordable housing on site. However, the applicant has offered a payment in-lieu of affordable housing on site of £34,262. The assessment has been independently reviewed by an expert consultant appointed by the Council and it has been confirmed that the scheme would be unable to viably support the provision of on-site affordable units. The applicant's proposal for a payment in-lieu of affordable housing on this site is, on balance, acceptable.

Standard of Residential Accommodation:

Policy 3.5 of the London Plan sets out the Mayor's aspirations for the quality and design of housing developments. Part 2 of the Mayor's Housing SPG sets out guidance in respect of the standards required for all new residential accommodation to supplement London Plan policies setting out baseline and good

practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements. The 2016 Minor Alterations to the London Plan adopted the DCLG Technical Housing Standards - nationally described space standard (March 2015) which standard 24 of the SPG says that all new dwellings should meet.

All homes should provide for direct sunlight to enter at least one habitable room for part of the day. Living areas and kitchen dining spaces should preferably receive direct sunlight (standards 29 and 32, Housing SPG). There must be an area of unobstructed window/door glazing (natural lighting) to a habitable room (i.e. bedroom or dining room) equivalent to at least 1/10th of the room's floor area to achieve the requirement for natural light. There must also be an area of openable window equivalent to 1/20th of the floor area to the room to achieve the natural ventilation requirement.

The Housing SPG also says that developments should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided. Policy 7.15 of the London Plan states that development proposals should seek to manage noise by mitigating and minimising potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on development. At the same time development proposals should improve and enhance the acoustic environment and promote appropriate soundscapes (including quiet areas); separate noise sensitive development from major sources (such as road, rail, etc) through the use of distance, screening or internal layout - in preference to sole reliance on sound insulation; and where it is not possible to achieve separation of noise sensitive development and undue noise sources, without impacting other sustainability objectives, then any potential impact should be mitigated through the application of good acoustic design principles.

The applicant has provided revised internal floor plans and an accommodation schedule. The layouts indicate that all the flats would meet the minimum space standards for one and two bedroom units. However, a number of units would only be single aspect with a south-easterly aspect towards the front of the site/Station Road or with windows just on the side elevations of the development.

The noise assessment submitted in support of the application finds that the majority of the dwellings to the rear of the development would be screened from traffic noise along Station Road by the building itself, however, for the units fronting Station Road mechanical ventilation and acoustically specified glazing is recommended in order to control the daytime and night time noise levels in these areas. External noise levels are found to be such that an alternative means of background ventilation are required so that windows may remain closed, which is not ideal. Nonetheless, acoustic design has also been considered in this proposal - setting the building back from Station Road and providing an area of landscaped amenity at the front to allow for vegetation screening and shading of southern facing rooms to help minimise summer overheating. The proposal also includes a generous amount of communal external amenity space to the rear of the site,

offering a quiet area away from noise sources. On balance, the noise environment for future occupiers is considered acceptable.

In response to concerns about the proposed window arrangement of flats on the north-western side of the building and the relationship of some of the windows to neighbouring units which could give rise to mutual overlooking between flats, the Applicant has confirmed that the use of one way privacy film on the relevant windows could be utilised. It is considered that this would be a reasonable and proportionate approach to the matter, and could be required by condition.

Policy 3.5 also requires design of new housing development to consider elements that enable the home to become a comfortable place of retreat. All units must benefit from private amenity space which must comply with the requirements set out in the SPG. A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. Dwellings on upper floors should all have access to a terrace, roof garden, winter garden, courtyard garden or balcony. The minimum depth and width for all balconies and other private external spaces should be 1500mm.

Where communal open space is provided, development proposals should demonstrate that the space is overlooked by surrounding development; accessible to disabled people, including people who require level access and wheelchair users; designed to take advantage of direct sunlight; and has suitable management arrangements in place.

The majority of flats benefit from either a terrace or balcony which meets the minimum standards in the SPG. Due to their relationship with Knoll Court and in order to protect the amenity of neighbouring occupiers, Flats 20 and 21 do not benefit from any private amenity space. However, the applicant has proposed additional internal living space which is generally equivalent to at least the area of the open space requirement. The Housing SPG, at paragraph 2.3.32 advises that this is acceptable "In exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings...". In this instance, and given the extensive communal open space, this is considered acceptable.

Having regard to the above, subject to conditions relating to obscure glazing and the installation of privacy film, the development would provide a high standard of living accommodation for all future occupiers and would therefore accord with Policy BE1 of the UDP and draft policy 37.

Wheelchair Accessible Housing

In accordance with the London Plan Policy 3.8, 10% of all new dwellings should also meet building regulation M4(3) 'wheelchair user dwellings'. In addition, 90% of all of the new dwellings should meet building regulation M4(2) 'accessible and adaptable dwellings'. As set out in approved document part M of the Building Regulations - Volume 1: Dwellings, to comply with requirement M4 (2), step free access must be provided. Generally this will require a lift where a dwelling is accessed above or below the entrance storey. In accordance with the Technical Housing Standards, the minimum gross internal areas specified for new dwellings

will not be adequate for wheelchair housing (Category 3 homes in Part M), where additional area is required to accommodate increased circulation and functionality to meet the needs of wheelchair users. The Council will expect the provision of wheelchair units across all tenures.

The accommodation schedule and floor plans submitted demonstrate that the proposed units would all comply with the minimum space standards set out in the Technical Housing Standards. A lift is provided at each floor of accommodation and the applicant has also provided written confirmation in their Design and Access Statement that 3 of the proposed apartments (flats 4, 14 and 20) would be designed in such a way that internal partitions and fittings could be easily adapted to comply with part M4(3). Furthermore, all apartments would comply with part M4(2).

Conditions are required to secure the relevant category of building regulations for the units which are wheelchair accessible and adaptable and those designated as wheelchair user dwellings.

Planning Obligations

The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

Policy IMP1 (Planning Obligations) of the UDP, Draft Policy 125 and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

As outlined in the Housing SPG, from 1 October 2016 the Mayor will apply a zero carbon standard to new residential development. The Housing SPG defines 'Zero carbon' homes as homes forming part of major development applications where the residential element of the application achieves at least a 35 per cent reduction

in regulated carbon dioxide emissions (beyond Part L 2013) on-site . The remaining regulated carbon dioxide emissions, to 100 per cent, are to be off-set through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere (in line with policy 5.2E).

The development, as proposed, would necessitate the following contributions, as well as the affordable housing contribution, which the applicant has, in principle, agreed to pay should permission be granted:

Health: £27,898

Carbon off-setting: £44,130

Affordable Housing: £34,262.

Therefore a legally binding planning obligation will be required to secure the above contributions.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Para.32).

Plans and decisions should also ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised while at the same time taking into account policies set out elsewhere in the Framework. Therefore developments should be located and designed to, among other things: accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians; incorporate facilities for charging plug-in and other ultra-low emission vehicles; and consider the needs of people with disabilities by all modes of transport (Paras.34-35, NPPF).

London Plan and UDP Policies also encourage sustainable transport modes whilst recognising the need for appropriate parking provision. In accordance with paragraph 39 of the NPPF, if setting local parking standards for residential development, local planning authorities should take into account the accessibility of the development, its accessibility in relation to public transport, the type, mix and use of development, local car ownership levels and the overall need to reduce the use of high-emission vehicles. Car parking standards within the UDP, the Draft

Local Plan and the London Plan should therefore be used as a basis for assessment.

12 car parking spaces are proposed at the site. While there are no specific parking standards within the development plan for 'retirement housing', given the site's high PTAL rating the proposed parking provision of considered acceptable. Three wheelchair accessible parking bays have been provided on site which the applicant states will comply with the requirements of Part M4(3) of the Building Regulations.

Cycle parking is proposed for 5 bicycles which is in excess of the London Plan's requirement for 1 short-stay space per 40 units. The applicant says that, due to the intended demographic of the development, relatively few residents will own or ride bicycles and they have also provided an area for residents to store mobility scooters. These storage facilities are located close to the main entrance of the building and easily accessible to the highway. This is considered acceptable.

In its refusal of the previous application, the Council considered that in the absence of a satisfactory Road Safety Audit and sufficient information to demonstrate the impact of the proposed access on the adjacent highway, the proposal would be likely to lead to conditions prejudicial to the free flow and general safety of traffic along A232 Station Road. While no Road Safety Audit (RSA) has been submitted with this application, it is noted that the access for the development will be via a modified existing access and would not therefore require a RSA. The proposed access can achieve the required sightlines, and the Highways Engineer has raised no objection in this regard.

In terms of refuse and recycling, 3 x 1100ltr bins for general waste, 6 x 240ltr bins for recyclables and 1 x 240ltr bin for food waste are proposed within an internal storage area towards the front of the building. These will be taken down to the front of the site by the Lodge Manager on collection day and, if required, the applicant has offered to provide a collection point in the eastern corner of the site, set at pavement level with a retaining wall to the rear. The rate of bins per number of units proposed falls below the Council's normal requirements for refuse and recycling. Given the extent of space surrounding the proposed building, there is sufficient space for alternative means of refuse storage to be agreed post decision and this can be managed through a planning condition.

Overall, the proposed car parking arrangements for this development are considered acceptable, given the likely traffic to be generated by the development and, there is unlikely to be any demand for additional on-street parking to serve the development. Sufficient sightlines have been proposed to ensure that vehicles can safely enter and exit the site onto the A232.

Impact on Trees and Ecology

Landscaping is an integral part of the development and is fundamental to ensuring that the development responds appropriately to the character of the site and surrounding area and provide a high standard of amenity for future occupiers. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological

conservation interests and soils; minimising impacts on biodiversity and providing net gains in biodiversity where possible.

Policy NE7 of the UDP requires proposals for new development to take particular account of existing trees on the site and on adjoining land, which, in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. Policy NE9 seeks the retention of existing hedgerows and replacement planting; where appropriate, recognising the important role they can play in softening and screening new development.

Policies NE2 and NE3 seek to protect sites and features which are of ecological interest and value while policy NE5 prohibits development which would have an adverse effect on protected species. Planning Authorities are required to assess the impact of a development proposal upon ecology, biodiversity and protected species. The presence of protected species is a material planning consideration. Natural England has issued Standing Advice to local planning authorities to assist with the determination of planning applications in this respect as they have scaled back their ability to comment on individual applications. English Nature also act as the Licensing Authority in the event that following the issue of planning permission a license is required to undertake works which will affect protected species.

This application was accompanied by an indicative landscaping plan, an arboricultural assessment and method statement and a preliminary ecological appraisal. The arboricultural assessment and method statement propose effective protection measures to retained trees and indicate that a high quality landscaped setting for the development could be secured which includes the re-instatement of a green buffer at the front of the site, the loss of which was previously raised as a concern by Officers.

The Ecological Assessment recommends that the vegetation on site is to be cleared during the reptile hibernation months and outside the nesting bird season of November to February; that the vegetation previously strimmed to ground level and refuse piles should be removed during the active reptile months of April to September under the supervision of a suitably qualified ecologist, using a toothed bucket digger to prevent the risk of harm to widespread species of reptile; and that the landscape plan incorporates a large variety of native species and the establishment of a patchwork of wildflower meadows. The incorporation of two Schwegler 1SP sparrow terraces will also provide additional opportunities for nesting birds. The indicative landscaping proposals are supported subject to the above recommendation and that specific details of tree planting and sizes are accurately plotted.

Subject to the imposition of a landscaping condition and following the recommendations within the Ecological Assessment, the proposal would accord with the NPPF and Policy NE3 and NE5, through preservation of the protected species potential, as well as, providing a net gain in biodiversity

In accordance to Policy NE1, NE2 and NE3 the development will not result in the loss of important wildlife features or impact local designations. The proposed

retention of the trees on site accords with Policy NE7 in regards to tree preservation.

Energy and sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. For major development proposals there are a number of London Plan requirements in respect of energy assessments, reduction of carbon emissions, sustainable design and construction, decentralised and renewable energy. Major developments are expected to prepare an energy strategy based upon the Mayors energy hierarchy adopting lean, clean, green principles.

In accordance with the energy hierarchy in policy 5.2 of the London Plan, updated following the implementation of the 2013 Building Regulations (see the Mayor's guidance: Energy Planning (guidance on preparing energy assessments (2015))), developments should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible. The strategy shall include measures to allow the development to achieve a reduction in carbon dioxide emissions of 35% above that required by the 2013 Building Regulations. The development should also achieve a reduction in carbon dioxide emissions of at least 20% from on-site renewable energy generation.

The energy statement submitted as part of the application demonstrates that the scheme can achieve at least a 35% reduction in carbon emissions above the 2013 Building Regulations, through the use of a combination of energy efficiency improvements, air or ground source heat pumps and an array of PV panels mounted on the roof of the development.

The applicant has also agreed, in principle, to a cash in-lieu payment of £44,130 to the Council to offset the remaining regulated carbon emissions up to 100%. This would need to be secured through the section 106 legal agreement attached to any subsequent grant of planning permission.

The proposal is therefore considered acceptable in respect of energy and sustainability. It would be appropriate to attach conditions requiring an updated energy assessment and final designs with the renewable energy technologies incorporated to any subsequent grant of planning permission.

Pollution and Contamination

The planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (Para.109, NPPF).

The London plan, at policy 7.14 states that development proposals should seek to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality, such as by design solutions, buffer zones or steps to promote greater use of sustainable transport modes. Furthermore, development proposals are required to promote sustainable design and construction to reduce emissions from the demolition and construction of buildings following the best practice guidance set out in the Consideration section of this report. Developments should be at least 'air quality neutral' and should not lead to further deterioration of existing poor air quality.

Although this site does not fall within an Air Quality Management Area (AQMA) the demolition and construction of the development has the potential to impact on nearby AQMAs and the development should be at least 'air quality neutral' as required by the London Plan. The applicant has not provided any information in respect of impacts on air quality.

It would therefore be appropriate to attach conditions requiring the submission of construction management plan, an air quality assessment and the provision of electric vehicle charging points at the development.

Flooding and drainage

The application site is within Flood Zone 1 and is therefore considered to be at low risk of flooding.

Policy 5.13 of the London Plan requires developments to utilise sustainable urban drainage systems (SUDS), unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water is managed as close to its source as possible in line with the hierarchy in policy 5.13. The supporting text to policy 5.13 also recognises the contribution 'green' roofs can make to SUDS.

A condition requiring the submission of 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 is recommended.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application.

Summary

The proposed re-development of the site for use as sheltered accommodation / retirement living apartments would result in the increased provision of a different type of housing that would meet a slightly different need. The proposal is therefore, considered to be acceptable in principle as it would contribute to the strategic aims of the London Plan in promoting housing choice, taking account of the changing age and varying needs of London's older population.

The proposed design, layout and scale of the proposal would respect surrounding development and respond to the context of the site. Subject to the imposition of conditions, the proposal would not have a significantly detrimental impact on the amenity of neighbouring occupiers.

Evidence has been submitted to demonstrate that an appropriate contribution in lieu of on site affordable housing has been proposed. In addition, the applicant has agreed to policy compliant health and carbon off-setting contributions. Any planning permission would be subject to completion of a legal agreement to this effect.

The standard of residential accommodation would comply with standards set out in the Mayor's London Plan, and Housing SPG.

The highways impact of the proposal is considered to be acceptable, and sufficient parking provision on site has been shown.

Subject to conditions, the impact of the proposal on trees and ecology can be acceptably mitigated against.

Having regard to the relevant provisions of the Unitary Development Plan, the emerging Local Plan, the London Plan and other material considerations, it is considered that the proposed development would be acceptable and it is recommended that planning permission be granted

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

and the following conditions:

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

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

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

**20037OP P01
20037OP P02 Rev A
20037OP P03 Rev B
20037OP P04 Rev A
20037OP P05 Rev A
20037OP P06 Rev A
20037OP P07
20037OP P08
20037OP P09**

20037OP P10 Rev A

Acoustic Assessment by Clarke Saunders Ref.AS9895.170801.ADS (August 2017)

Arboricultural Assessment & Method Statement by barrel tree consultancy Ref.17138-AA-PB (July 2017)

Archaeological Desk Based Assessment by Orion ref.PN1428 (June 2017)

Daylight and Sunlight Study by Right of Light Consulting (Aug 2017)

Desk Study Appraisal by Crossfield consulting Ref.CCL02920.CC86 (Jan 2017)

Drainage Strategy Report by Peter Brett Ref.30481/4051 Rev.A (August 2017)

Ecological Assessment by Ecosa (August 2017)

Energy Statement by NHBC Ref.28965 (June 2017)

Transport Statement by Mott Macdonald Ref.364622 072 B (July 2017)

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 The development shall be implemented in accordance with the Arboricultural Assessment and Method Statement (17138-AA-PB) approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

REASON: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.

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

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

- 5 No development shall commence until an Air Quality Assessment has been submitted to and approved in writing by the local planning authority. The Assessment shall demonstrate how the development satisfies the requirement of the London Plan to be Air Quality Neutral.

Reason: To protect local air quality and to prevent harm to human health and pollution of the environment.

- 6 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.

7 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.

- 8** The development permitted by this planning permission 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 reduce the impact of flooding both to and from the proposed development and third parties..

- 9** The apartments within the building hereby approved shall, unless otherwise agreed by the local planning authority in writing, be used solely for the designed purpose of providing self-contained independent living units of accommodation for person or persons who, for the purpose of acquiring purchase or lease of any of the approved apartments will have a minimum age of not less than 60 years of age. The building shall not be used or occupied for any other purpose (including equivalent provision in Class C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any equivalent provision, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015) and no permitted changes of use shall occur, unless express written permission of the local planning authority has been obtained.

To ensure the retention of specialist housing provision in accordance with London plan policy 3.14, UDP policies C1, C5, C6 and H4, and draft policy 11.

- 10** 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.

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

- 12 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 in accordance with that standard 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

- 13 Vegetation on site shall be cleared during the reptile hibernation months and outside the nesting bird season of November to February. The vegetation previously strimmed to ground level and refuse piles should be removed during the active reptile months of April to September under the supervision of a suitably qualified ecologist, using a toothed bucket digger to prevent the risk of harm to widespread species of reptile.

Reason: To prevent harm to the ecological value of the site

- 14 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.

- 15 Before any part of the development hereby permitted is first occupied, the sightlines shall be provided in both directions at 43mx2.4mx43m and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed 1m in height in advance of this sight line, which shall be permanently retained as such.

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

- 16 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.

- 17 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.

- 18 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.

To prevent localised flooding of the highway, in the interests of highway safety.

- 19 Before the development hereby permitted is first occupied, the following proposed secondary windows shall be obscurely glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such:

In the south west elevation at first floor level which serve units 18 and 19, and at second floor level which serves unit 27
In the North East elevation at first floor level which serves the living rooms of units 12a and 14, and at second floor level which serves the living room of units 23 and 22.

Reason: In order to comply with Policy of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 20 Before the development hereby permitted is first occupied, the following proposed windows shall be fitted with privacy film in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such:

At ground floor level, the bedroom windows of units 6 and 6
At first floor level, the bedroom windows on units 9, 19, 12 and 12a
At second floor level, the bedroom windows of units 21, 22 and 27

In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of future occupiers of the dwellings.

You are further informed that :

- 1 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.

- 2 **Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.**
- 3 **No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.**
- 4 **We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality**

- 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 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**