

**Application No : 17/05790/FULL1**

**Ward:  
Bromley Town**

**Address : Absolute Applications House 6  
Sherman Road Bromley BR1 3JH**

**OS Grid Ref: E: 540424 N: 169661**

**Applicant : Prime Place (Sherman Road Bromley) Objections : YES  
LLP**

**Description of Development:**

Demolition of existing buildings (6-10 Sherman Road) and redevelopment with a mixed-use, 23-storey, scheme comprising 219 Build to Rent apartments, flexible class B1/D1 floorspace, car and cycle parking, associated access and public realm improvements

Key designations:

Biggin Hill Safeguarding Area  
Bromley Town Centre Area  
London City Airport Safeguarding  
Open Space Deficiency  
Proposal Sites  
Smoke Control SCA 10

**Proposal**

The application proposes the demolition of the existing buildings on the site (6-10 Sherman Road) and the redevelopment of the site with a mixed-use, 23 storey scheme comprising 219 Build-to-Rent apartments, flexible B1/D1 floor space, car and cycle parking, associated access and public realm improvements.

The development is to be stepped in height rising to 23 storeys within the central element and stepping down to 18 storeys to the south and four storeys to the north where the site adjoins 10A Sherman Road. The building can be considered wedge-shaped in appearance, consequently looking slimmer when viewed from the south than when viewed from the east or west. The building extends for 53.5m in width along the Sherman Road and train line frontages and measures 26.4m in width to the north and 8-9.8m in width to the south.

At ground floor level it is proposed that an area of landscaping will delineate the development from the train station function as publically accessible bicycle parking is located to the south. Cycle parking for the scheme is located within a part integral part external location. The bin storage is sited within the confines of the ground floor of the proposal, along with the foyer for residential use, communal meeting facilities, flexible B1/D1 floor space and sub-station/plant room. 2 car club

spaces and 4 disabled parking bays are to be sited adjacent to the development along the Sherman Road frontage along with a drop-off zone.

The residential use of the building begins at first floor level. Internal communal amenity space (encompassing storage and seating) is also provided. Winter gardens are proposed for the first floor units to the western elevation facing the railway.

External amenity space by way of a 'gym', 'kitchen garden' and 'the garden' are located at fourth floor level sited on top of the roof of the north-eastern elevation at the point in which the development steps in from 10A Sherman Road. A roof terrace and 'club house' are also proposed within the 17th floor which hosts a study/work zone, multifunctional space for art/yoga/film and a social/refectory zone.

### EIA Considerations

The application is for a scheme which is 'EIA development'; therefore it is accompanied by an Environmental Statement, in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations (2017).

The Environmental Statement (ES) assessed the likely significant environmental effects of the development, including looking specifically at the following matters:

- Construction methodology
- Townscape and visual effects including heritage
- Daylight, sunlight and overshadowing
- Wind
- Air quality
- Socio-Economic
- Cumulative Impacts
- Residual Impacts

A formal scoping opinion was not sought from the Council and as such the matters scoped out of the ES were not agreed with Officers nor were the schemes to be taken into account in terms of the assessment of cumulative impact.

The topics that the Applicant has chosen to scope out of the ES include but are not limited to:

- Noise and vibration
- Human health impacts
- Transport
- Water resources

On the 9th April, the Council requested additional information pursuant to Regulation 25 of the EIA Regulations. This Supplementary Environmental Information Report provides a response to the points raised by the Council and updates the Environmental Statement where necessary. A subsequent addendum to the Environmental Statement was received following the submission of the Reg

25 response which primarily deals with socio-economic factors following amendments to the housing mix. Further additional information was also forthcoming.

In addition to the information submitted pursuant to Regulation 25 of the EIA regulations, the developer has also submitted the following amended information:

- Amended design and access statement
- Technical Highways Note
- Amended housing schedule to take into account an increase in units by 4 and an increase in discount market rented units by 10.
- Amended floor plans and elevations to remove the first floor B1/D1 space and to introduce in-set balconies along the first floor level. The Applicant has also increased the residential unit sizes to provide minimum floor space standards in accordance with London Plan standards.

The ES and the additional information submitted should be taken into account in the determination of the application.

The EIA Regulations require that there is a systematic assessment of a project's likely significant environmental effects before consent is granted, which the Environmental Statement together with the Regulation 25 information do, as noted below. The Council and Members must take the ES and Regulation 25 information into account in making its decision on the application, as well as any other environmental-related information, which includes the representations received from statutory and other consultees. Information on those matters is set out later in the report.

The conclusions of the Environmental Statement, and the need for mitigation measures to be secured through the conditions should permission be forthcoming or via the section 106 agreement, are dealt with in the sections below.

Following the submission of the further Regulation 25 information (and subsequent updates), the Environmental Statement is considered to be compliant with the EIA Regulations and applicable legislation, in relation to its assessment of the likely significant environmental effects of the development as a whole.

The application was supported by the following documents in addition to the ES:

*Air Quality Assessment (Entran, August 2017)* - The report concludes that an assessment of the potential impacts during the construction phase has been carried out. This has shown that during the construction phase the proposed development is likely to release dust and Particulate Matters (PM10). It is considered that through good site practice and the implementation of suitable mitigation measures, the impact of the dust and PM10 may be effectively mitigated and the resultant impacts considered negligible. The potential for exposure of future development occupants over the objectives was assessed using the ADMS-Roads dispersion model. This indicated that concentrations of NO2 and PM10 are likely to be below the relevant objectives at the development location. The impact

of the development with regards new exposure to local air quality is therefore considered by the author to be negligible.

*BS5837 Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement (Greengage, September 2017)* - A visit was made to the site on the 2nd August 2017. During the survey, two category C and two category U trees were recorded within or adjacent to the proposed development site which could potentially be impacted by the proposed development. It is proposed to remove all four trees. Through consultation, Network Rail has objected to original proposals for small scale tree planting on the grounds that it would overly conflict their future site operation and as such hard landscaping is instead proposed. The author does not consider an Arboricultural Method Statement is required given the removal of all on site trees.

*Construction Management Plan (Prime Place, November 2017)* - The Construction Logistics Plan (CLP) is submitted in outline and gives a detailed and defined description of how the CLP will be implemented following the appointment of a Construction Logistics Manager.

*Energy Strategy (Prime Place, 5th December 2017)* - The proposal incorporates the Be Lean, Be Clean, Be Green methodology. In terms of Be Lean, the application proposes a high performance building fabric, high levels of air tightness, energy efficient lighting, provision of energy efficient appliances etc. With regard to Be Clean, a CHP providing low carbon heating, hot water and electricity are being provided. PV panels are also incorporated at roof top level to fulfil the Be Green requirement.

*Statement of Community Involvement (Hardhat, November 2017)* - The statement confirms a public consultation was held in September 2017 of which over 8500 local addresses were notified of. A project website was created along with a project email and community hotline. Meetings were held with the MP, ward councillor, Assembly Member and Babbacombe Road Residents Association.

*Utilities Strategy (Prime Place, 6th December 2017)* - The report details what applications have been made to connect the site to the main utilities and has correspondence appended.

*Telecommunications Impact Assessment (Pager Power, November 2017)* - The report concludes that a consultation response from Ofcom had not been received at the point of finalising the report and as such it is unknown whether the proposed development would have any negative impacts upon wireless fixed links. With regard to terrestrial television services, the proposed development is within the coverage area for the Crystal Palace television transmitter. A site survey was undertaken on 28 November 2017 to confirm the relevant transmitter and record the signal quality. Television services with stable image and audio quality were received at all survey locations. The signal strength was variable but generally defined as good or very good. If an impact were to occur this would most likely be in the shadow zone within 500 m of the proposed development. Specifically, homes on Palace Grove, Palace Road and Park Road to the east of the proposed development could be affected. The report notes that a post-construction television

reception survey should be considered to be conditioned however it is possible that no detrimental effects will occur in practice. Mitigation options are likely to be available in the event that an adverse impact occurs in respect of satellite television services.

*Transport Assessment (Prime Place, December 2017)* - The transport assessment gives a comprehensive review of the potential impacts of the scheme upon the wider transport network. The assessment notes that the development will be car limited, with two on-site and four on-street disabled parking bays to be provided as well as space for two car-club vehicles and a 'drop-off' zone adjacent to the site on Sherman Road. The site is highly accessible being within a PTAL 6A area given its location next to the train station and bus routes. The development is supported by a Travel Plan and it is considered that future residents and visitors will have the potential to visit the site by sustainable transport methods.

A single vehicle crossover will be retained to provide access to two undercroft accessible parking spaces for the commercial use. All other existing vehicular crossovers, in particular the crossover adjacent to the Bromley North station pedestrian entrance, will be permanently closed and reinstated as footway. Pedestrian access to the site for the residential and commercial units will be taken directly from Sherman Road. Cycle access will be via the residential lobby fronting Sherman Road as well as to the south of the site for commercial use.

The anticipated daily servicing/delivery requirements are low - with a worst-case requirement of approximately 27 light goods vehicles per day. An outline Delivery Servicing Plan has been prepared in accordance with regional and local requirements.

The development includes dedicated storage for 316 bicycles, which exceeds the minimum standard required by local policy. 16% of this provision is in the form of Sheffield stands allowing for the securing of larger/adapted cycles.

The report concludes that the development would not result in 'severe' transport impacts, in accordance with paragraph 32 of the NPPF.

*Affordable Housing Statement (Prime Place)* - The affordable housing statement covers the background to the development and the proposed demographic of the Build-to-Rent apartments. The statement covers the affordability of the units and explanation of discount market rent units.

*Highways Technical Note (in response to initial Highways Comments) i-Transport, May 2018)* - The note states that given the four additional units proposed through the amendments, two additional departure trips in the AM and one arrival trip in the PM are now proposed, all of which would be made on public transport. They state that in line with the comments received from TfL, there is no resultant significant impact on the local highway network and there is sufficient capacity on public transport. The remainder of the report addresses comments made by TfL and the Council in respect of the original submission.

*Noise Assessment* - The report concludes that where noise may be a determining factor, mitigation measures have been proposed to ensure satisfactory living conditions are capable of being met. It is stated that the residential development can be brought forward with compliant internal noise levels subject to the use of thermally insulated façade treatments to the development. The external amenity spaces will broadly achieve the external amenity requirements however it is noted that the balcony spaces on the south western facade and lower floors of the south-eastern and north-western facades are predicted to marginally exceed the desirable <55dB daytime criterion for external amenity spaces. A further assessment of noise levels should be undertaken at the detailed design stage

*Archaeological Desk based Assessment* - No finds, features or Archaeological Priority Areas (APA) are recorded by the GLHER within or adjacent to the study site. The closest GLHER entry is a post-medieval wall recorded c. 175m to the south-east of the study area. The historic core of Bromley, the extent of which is covered by an Archaeological Priority Area (APA) is located c. 240m south-west of the study area. The study site was located in undeveloped agricultural land to the north-east of the historic core until the arrival of the railway in the late 19th century. The existing building stock is not considered of heritage significance. The detailed review of the available evidence undertaken by this assessment has shown that the study site has a low potential for remains of archaeological interest to be present. Therefore, it is clear that the proposed development would not result in the loss of buried remains of archaeological interest.

*Geo-Environmental Desk Study* - Given the site's historical development, there is potential for contamination within the ground and groundwater from both on and off-site sources. Based on the preliminary risk assessment; future site occupiers, internal spaces and structure, controlled water and construction workers are identified receptors. The potential risks to identified receptors are considered to be generally low to medium. It is recommended that ground investigation is undertaken to quantify the risks and to provide geotechnical and geo-environmental information to inform further assessment of hazards present.

*Flood Risk Assessment* - The site is located within Flood Zone 1 on the Environment Agency's Flood Map for planning. The FRA demonstrates that the proposed development will not be unduly at risk from flooding. No specific mitigation measures are warranted. An assessment of the proposed drainage system has been undertaken and design parameters for the detailed design set out to ensure surface water flooding does not provide a hazard to person or property.

*Preliminary Ecological Appraisal* - The ecological appraisal found negligible and low potential for various species including badgers, roosting bats, great crested newts and reptiles. Moderate potential was found for nesting birds with confirmed presence of feral pigeon. The site has the potential to support Biodiversity Action Plan Species. It is considered that the scale and nature of the proposals will not give rise to any negative impacts upon any sites designated for nature conservation. A staged clearance of the site between the scrub and train line is required which will help protect newts and any required relocation of hedgehog. Any clearance of shrubs or trees should occur outside of bird nesting season.

Additional ecological enhancement measures are also detailed within the report to ensure the proposals increase the biodiversity value of the site.

The application was also accompanied by a planning statement and design and access statement (which was subsequently revised in May 2018 to take account of the change in plans and housing mix).

### Location and Key Constraints

The site appears wedge like in shape, encompassing both office (B1 use) and a single storey car garage unit (B2 use) and measures approximately 0.2 hectares in size. Units 6-8 are three storey office buildings constructed from red-brick with a duo-pitched roof profile. The buildings adjoin the single storey flat roof car garage to the north-east. Adjoining number 10 is an MOT car repair centre known as 10A Sherman Road which is subject to a separate planning application for re-development. The site is located close to the junction with Tweedy Road which is a strategic route within the UDP and forms part of Transport for London's TLRN.

To the north of the site is a residential building known as Northpoint which is a 10 storey building constructed from a yellow facing brickwork, metallic cladding and blue coloured fenestration. The lift-shaft of the application is sited adjacent to the footway along Sherman Road and projects above the roof profile. Windows relating to the residential use are located within the north-east and south-west elevation, facing directly onto the site.

The Royal Mail sorting office is sited to the south-east of the site, with Uno Apartments and Living Building sited opposite 6-10 which are both in residential use with office use at ground floor. Uno Apartments has a maximum height of 5 storeys and is constructed primarily from a terracotta tile cladding, white render and dark grey cladding. Windows relating to the residential units also face onto the site with a separation distance of approximately 16.5m. The Living Building has a maximum height of 4 storeys and is again primarily finished with a palette of white render and a dark grey cladding. Windows pertaining to the communal and private residential use also face the development site at an approximate distance of 14.3m.

To the south-west of the site, the land adjoins a surface car park and bus interchange which lies adjacent to Bromley North Train Station, a Grade II Statutory Listed building. The train station was constructed in 1925 and is built primarily from a brown stock brick with stone dressings and a hipped clay tiled roof. The building has a double height round-headed arched doorway with large sash windows with stone surrounds. Attached on the Sherman Road elevation is a parade of 6 single storey shops. The train station lies adjacent to Northside House, a commercial building, of 5 storeys in height. There is a large area of public realm in front of the station which is included within the red-line boundary of the application site.

On the opposite side of Tweedy Road the Conservation Area continues along East Street and North Street where buildings are typically two-three storey Victoria terraces. Further to the west of the application site the area is characterised by

predominantly residential development of two-three storey traditional Victoria terraced and semi-detached dwellings.

The site is bound to the west by the train line which serves the Bromley to Grove Park service which is an interchange for services to London Bridge and other central London train stations.

The site is located within the Bromley Town Centre boundary and adjacent to the Bromley Town Centre Conservation Area. The site is within a PTAL 6A area, being of excellent public transport connectivity.

The site forms part of the wider Site 2 allocated site within the Draft Local Plan which proposes the redevelopment of the site for a mixed use including 525 residential units, 2000sqm of office accommodation , community use, 230sqm café/retail, transport interchange and parking.

### Comments from Local Residents and Groups

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

*As consulted 8/1/2018*

#### *Objections*

- Until Bromley Council want to complete large transport infrastructure projections such as TFL suggested tram or tube links, the Bromley North line will not cope with 100s of extra passengers directly next to the station.
- The Site is located at 69m above sea-level. This is near the top of the hill. All directions away from the site are predominantly downhill, so the 21 story development will have a gross visual impact on the area and will be seen for miles, and be a detriment to all Bromley residents.
- The development provides inadequate parking
- With the on-set of electric cars, how will residents ever be able to charge cars at their homes if they cannot park near their property?
- The left turn from the A21 to Sherman road junction is dangerous, particularly at times when trains arrive.
- Bromley North Old Town may potentially lose TV/Radio signal.
- Most people have been shocked and disgusted by the development at Bromley South, this shouldn't allow a similar scale of development
- There is no proof that the 8500 leaflets were delivered as per the Applicants statement of community involvement.
- The development, given its height, will impact upon neighbouring privacy
- At 23 storeys in height, the development does not fit with the character of the neighbourhood
- Adverse impacts upon daylight/sunlight of neighbouring properties
- Bromley North does not have the infrastructure for a development of this size

- The building is ugly
- The area is already over-populated with parking, schools and doctors feeling the brunt.
- The idea of putting a 23 storey building in the middle of a low rise area is unthinkable
- There will be a detrimental impact on local utilities
- This is piece-meal development of the Bromley North site. The aggregate impact of the subsequent development of the rest of the site has not been considered.
- There will be an environmental and social impact
- The development should be a maximum of 6 storeys
- The development will overshadow the area and impact views
- It will dominate the skyline and even tower over Northpoint
- As residents with parking permits it is already difficult enough to find a space within a bay outside of the 12-2pm restricted period. The proposed parking arrangements for both residential and commercial tenants is woefully inadequate and will lead to a rise in vehicles needing to use the bays. There will also be an inevitable increase in the volume of traffic leading to increased inconvenience and noise levels for local residents.
- The development will bring additional pollution
- The tower block looks sad with no interesting design
- Bromley council has been successful in creating a lovely village atmosphere in Bromley North and this should be cherished and maintained.
- The selling point of the development (superfast broadband, Gym) is only attractive to a limited demographic. It is reasonable to assume the tenants will be a transient population as they move to progress their careers, want to own (and park) cars, become families and have children. What about public sector employees, families, young children, the retired in this development? The developers provide no information about the length of time their tenants stay in their rental properties. Tenants will move on as things other than a gym and broadband become important to them. Imposing a large number of residents with this very skewed demographic (perhaps it should be called 'professionalication') will seriously adversely affect the existing communities around Bromley.
- The Catford Green development by Barratt London for Lewisham Council is a far more balanced development than what is proposed here in terms of mix of tenure, car parking provision and build height.
- Thames Water have highlighted difficulties in their response to the Local Plan as many locals complain about waste water problems in the local area.
- Increased pressures on drainage and sewers
- Trains can't cope
- It is acknowledged that during construction pollution levels will be raised and "assumes" proposed mitigation measures will be implemented - this is unrealistic and unacceptable. The development itself will raise pollution levels but as it is car-free the operational traffic emissions are

considered insignificant - again this is unrealistic as there will be increased commercial traffic which will reduce air quality.

- The dwellings themselves are very small internally and some are even below minimum size standards. This will compromise the wellbeing of residents and can create social problems within the development as a whole. The lack of green space provided for residents is also cause for concern and would question the provision of "high quality communal facilities for the benefit of future residents".
- The transport from Bromley North is inadequate to cope with this type of development
- Unsure about where machinery and plants will be stored during construction.
- 'Build to Rent' is a money making scheme and not in the local interest
- Affordable housing is what is needed
- Properties without adequate parking are difficult to let and sell
- The block is featureless
- The removal of parking permits only puts the parking issues elsewhere
- The scheme impacts detrimentally upon the Grade II listed station
- Will create poor overall water pressure
- There is clearly a good case for a great many more homes to be built in London and as the largest borough Bromley must accept its share, however this is not the solution
- Tree planting will do nothing to enhance the area.
- There needs to be sufficient outdoor play spaces for young children
- The council needs to develop an overall plan for Bromley North especially the lands both sides of the railway car park included.
- Sufficient consideration has not been made for rubbish collection
- The proposed development at Sherman Road providing 215 units amounts to nearly 40% of the total allocation of Units on a site which is less than 10% of the designated area.
- Potential for unacceptable wind conditions
- There is only one staircase up and down the development. Should there be an emergency, services and residents will be in conflict. One of the criticisms levelled at Grenfell Tower was that it was higher than could be reached by a Fire Brigade ladder, and therefore it was impossible to rescue people living above that level from outside the building. Until the Inquiry into Grenfell, permission should not be given for a single staircase building to be built to this height.
- The transport assessment is deficient in two respects: i) the assumption that tenants in an outer borough will not have cars is self-serving on the part of the developer; and ii) platform 1 at Grove Park, where the shuttle train arrives and leaves, has no disabled access and is remarkably difficult for anyone with a buggy or luggage. It is a dead-end, both for transit to other platforms and for leaving the station.
- Obstruction of views from North Point
- There are little or no thoughts to the environmental sustainability with solar panels, water capture or new innovative building ideas.
- This should be an opportunity to make an architectural statement.

- The current council isn't fit and proper to oversee such a large development after the fiasco that is the Bromley South development.
- The Council should be stepping up existing projects, such as the town hall conversion into a hotel
- It will set a precedent for future high rise developments
- The supporting documentation filed with this application states that 80% of those giving feedback at the public consultations indicated that the building is too high, yet when the application is made, the applicant has increased the height of the building since the time of the consultations. This clearly makes a mockery of the consultation process, as the feedback has been totally ignored.
- It is disappointing (and condescending) to see a developer undertaking community consultation as a box ticking exercise
- A 3 year construction period with a circa 14 month superstructure programme is concerning. I would like to see the council pushing for a more innovative and sustainable construction methodology which can be installed with much shorter programmes.
- Whilst I applaud provision for disabled parking I object to the shameless use of vulnerable people as a fig leaf for what is an obscene proposal made by a greedy people.
- Waste generated from 215 flats will result in vermin, smell and noise
- Unless someone puts a stop to this soon, Bromley will become a town full of tower blocks
- Have a severe impact upon the daylight/sunlight of the Northpoint apartments
- The terrace on the fourth floor will compromise privacy of Northpoint flats. Using the online measuring tool there is only about 8m between the terrace and the windows
- Northpoint is generally a quiet block and the area as a whole is home to a stable population; the new development, a designated rental property, will have a much more transient population, who without stakeholder status may not be as considerate, for example with regard to noise emanating from open windows during the summer and impacting upon the opposite flats.
- Metered parking spaces are lost to the general public
- Fire safety should also be investigated as the rubbish bins for Northpoint are stored next to the One Stop Auto Service garage on one side, and the rubbish bins (35 bins - a significant amount of combustible material) will be alongside the other side of the garage.
- The Bromley Town Centre Area Action Plan identifies Bromley as predominantly in need of social rented housing and larger family homes. The development does include some 3-bedroom flats but the majority are studio or one-bedroom flats, which does not address locally identified need.
- Rents in central Bromley range from about 800pcm for a studio flat to 1,500 for a three bed flat, although these may be conservative figures for a new, managed facility such as the proposed development. Applying the 20% standard DMR brings these figures down to the range 640 - 1,200. Given that 'affordable' is defined as rent costing no more than

35% earnings (Shelter), tenants earning 22,000pa could afford a studio flat and 41,150pa could afford a three-bed flat. As the average wage in Bromley is currently 23,500, the availability of these flats to local people would be rather limited if Bromley agreed to allow the developers to use DMR to fulfil its 'affordable' commitments.

- This area as a whole is intended to provide 525 residential units. It seems disproportionate for about 40% of the proposed units to be squeezed onto 0.2 ha of a 3 ha site. In order to comply with the London Development Plan, and with Bromley borough's own planning policy, the development of an Opportunity Area should be considered as a whole, so that the impact on the local area can be fully realised.
- The submission states that there are a shortage of office to rent in the area however Easy Street, Northside House and the High Street have many vacancies
- Will the development constrain development potential development of the DLR/tram service to Bromley?
- Detrimently impact the conservation area
- Intimidating to people in this area at night given the building looming over the station
- Discrepancies with the information provided in the submission
- Having people renting the apartments means they won't contribute to village life
- Overcrowding on the already poor service from Bromley North to Grove Park
- Visually dominating
- Fire safety issues with such a tall building
- Highways Safety issues
- The Bromley Area Action Plan 4.8.30 requires the safeguarding of suitable land around Bromley North station to ensure that the future expansion of transport links is not precluded. This safeguarding "is to be shown as part of the masterplan for the site with a requirement to retain that safeguarding in any subsequent planning permission granted". The application ignores the requirement to safeguard land for this purpose and is therefore in conflict with this pre-existing LBB policy.
- Has the potential to impact on Bromley and Sheppard Colleges
- Application is based on privileged knowledge
- Disruption from building work
- Bland design that will date quickly
- The Applicant is not accurately recording objections to their plans from local residents
- Increase in criminal activities
- Poor quality residential units with many being single aspect
- Would result in the closure of some of the public car park during construction

*As consulted 8/5/2018*

- Nothing has been done to reduce the scale of the building
- The building will devour the skyline at the highest part of the town

- Out of keeping with nearby buildings
- The developers response to the Council's letter is thin in the extreme
- All previous reasons to object still stand
- Take note of the public's overwhelming objection to the scheme
- Additional traffic will make the roads congested
- Not enough infrastructure
- Object to build to rent, people should be given more opportunities to buy their own property.
- The building is an eyesore
- More houses should be built not flats
- The road is already dark and a wind tunnel.
- The flats will no doubt be 'luxury' and priced at attracting commuters willing to move from closer to London for the transport links, therefore bringing more residents to the town as opposed to dealing with the housing problems already evident for the town residents.
- No cohesion with the Grade II Listed station
- There is no requirement for an 'urban wayfinder', Bromley is well signposted
- No steer by the Developer to increase social housing
- Massive impact on public transport including trains
- Does not enhance the Conservation Area
- Bromley North Residents Association objects to the amended plans due to height, scale and bulk. This eyesore is not in keeping with the 'village' atmosphere
- Poor water pressure
- The overall site should be looked at as a master plan
- Pedestrian and cyclist safety will be compromised
- Has anyone done a survey to see how many people actually cycle and whether this many cycle spaces are required?
- We are pleased with the improvements in the East Street area but a 23 storey high-rise block will be completely out of character with the sensitive way in which the historic old town has recently been enhanced
- The amended proposals discount all objections received by the public
- The development will block light
- The documents are too technical and can't be understood
- I note the addition of several images portraying entrance areas and a roof terrace. I humbly submit that these spaces will soon become unworkable due to the sheer number of residents who the developers propose to house in this block and are there for cosmetic purposes only rather than as useful amenities for residents. I also note that there are play spaces in corridors for children - again I suggest entirely cosmetic.
- Environmentally friendly measures i.e. solar panels, biomass fuel and water capture should also be essential in all new developments which are absent in this case.
- The balconies overhanging the pavement would cause a safety issue
- the mix of community, commercial office and residential space is clearly disproportionate to local requirements. Bromley North is a hub of

business/commercial activity and there is already a proven shortage of quality office/commercial space within the Town Centre.

### Support

- The look of the building is great
- Your Bromley (Business Improvement District), speaking for 600 businesses in the town centre, support the application.
- South-East London Chamber of Commerce, as the voice of business in South East London, is pleased to see provision of 200 new homes and office space.
- Space for micro-businesses and entrepreneurs is scarce in Bromley Town Centre and businesses in Bromley North would benefit from the increased footfall.
- Additional housing for rent is much needed
- The Borough should get on and build, people need more houses.
- At the moment East Street is very quiet, the new residents will create more business for the area.
- It will bring more customers into the area
- This needs to happen, there are too many families sharing one room
- Young and old would benefit
- Borough wide requirement for more houses
- The Council should support build to rent schemes
- It will tackle homelessness
- It makes sense to locate height next to Bromley North
- The design is of high quality which will set a bar for future development
- Pleased to see provision of new office space
- The development would give access to the larger business community in London given its proximity to Bromley North
- Higher density development in locations like this will ensure that we do not have to develop on the Green Belt in the south of the Borough
- The land is allocated by the Borough for a tall building
- Enhances the landscape
- Increase the offer of affordable rental accommodation in the town centre
- Provides modern accommodation in a small footprint on currently underutilised land
- Support plans to upgrade the front of the station and make a feature of the Grade II Listed station

Comments have also been received from the Agent in respect of the adjacent planning application at 10A Sherman Road for a 10 storey mixed-use scheme, which are summarised as:

- The relationship with the two proposed buildings is a material consideration to the determination of each application
- The site lies within the opportunity site at Bromley north Station and a comprehensive approach to development proposals within the policy area is required

- The DAS submitted with the 6-10 Sherman Road application does not directly address this relationship in terms of its consideration of the site constraints or the site appraisal
- The two buildings can co-exist satisfactorily
- No objections are raised to the application however, if Officers did not consider this relationship to be satisfactory, then the client for 10A would strongly object to the aspects of the Prime Place application that give rise to any concerns because nothing should be approved that would constrain the redevelopment potential of the neighbouring site.
- The two applications should be processed in parallel as representing a comprehensive approach to the redevelopment of the Bromley North opportunity site.

### Comments from Consultees

#### *Secure by Design:*

Concerns are raised to the access arrangements, defensible space between the outdoor amenity areas and the residential units and general security measures. The Officer considers the scheme capable of securing Secure by Design standards which should be applied via condition.

#### *Thames Water:*

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application. A piling method statement is required to be submitted and approved by the LPA prior to the start of development.

#### *Drainage Officer:*

The submitted FRA carried out by WALSH Dated 13/12/2017 to provide 10mx4mx1m deep tank to restrict surface water run-off to 5l/s for all events including the 1 in 100 year plus 40% climate is acceptable. No objections are raised subject to conditions.

#### *Environmental Health Pollution Officer:*

**Air Quality:** The Air Quality Assessment prepared by Entran Ltd (Revision 1.1, August 2017), considers the impact on future residents of living in an Air Quality Management Area and concludes that air quality satisfies the relevant air quality objectives. It also considers the impact of the construction and demolition phases and concludes that providing mitigation measures are put in place the impact will be negligible. I agree with these conclusions, however the Report does not consider the development in the context of "Air Quality Neutral" as defined in the London Plan (GLA 2016).

**Energy:** The Energy Strategy prepared by Waterstone Design Building Services Consultants Ltd, as the Air quality Report, makes no reference to the requirement to demonstrate that the development will be "Air Quality Neutral".

**Environmental Impact:** The EIA prepared by Greengage (December 2017) considers the requirement for the development to be Air Quality Neutral and recommends Emission standards for both the Combined Heat & Power unit as well as the gas fired boilers (Paras 7.70 and 7.71). As long as these requirements are complied with I would concur that the development is Air Quality Neutral.

**Contaminated land:** The Design & Access Statement recognises that the site has been occupied by light industrial businesses such as coal merchants, masons and a saw mill. All of these uses carry a risk of residual ground contamination and yet I can find no reference to any other investigation being carried out in this regard. A land contamination condition is required should permission be forthcoming.

**Noise:** There are two transportation noise sources in the area, namely the railway and station, and also the A21 Tweedy Road. No objections are raised subject to condition.

**Lighting:** The application does not include any details of boundary or car park lighting and therefore I would recommend that a suitable Condition be imposed in respect of window specifications and sound proofing.

#### *Highways:*

The site is located in an area with high PTAL rate of 6a (on a scale of 0 - 6b, where 6b is the most accessible). The new building doesn't follow the footprint of the existing building line.

The new building encroaches onto footway; this area needs to be stopped up. The applicant should be aware that the costs of stopping up process would be at their expense.

**Vehicular access-** A single vehicle crossover will be retained to provide access to two undercroft parking spaces for commercial use.

The site plan indicates four on street (Sherman Road) disabled bays, two car club bays and a Drop Off zone which is unacceptable as this would narrow the running width of Sherman Road further causing road congestion and be a contributory cause of road traffic accidents as well as having other direct or indirect effects on other issues such as the use of public transport, business and environment.

**Public Transport-** The number of trips by bus/ trains is not included within the TA. The mode share of residents that would travel by bus/ train and the trip calculations should be allocated and the expected demand for bus and train travel with regard to the potential impact on the public transport's network capacity should be discussed.

**Car parking-** two disabled bays for commercial element of development will be provided and none for the residential units; this is unsatisfactory.

The applicant has no justification as to not provide parking spaces. The car ownership in Bromley town ward is 1.00 per household which translates to a minimum of 215 car parking spaces. However as the development is large number of studio/1 bed units and is in a good public transport accessibility area, Highways is prepared to accept 100 car parking spaces.

The Proposed Draft Local Plan Chapter 4, Getting Around (Transport and Accessibility) states the following for residential parking standards:  
Bromley Residential Parking Standards (per unit)

| Bromley Residential Parking Standards (per unit) |                     |                   |
|--|---------------------|-------------------|
| PTAL   | 1-2 bed             | 3 bed             |
| 0-2*   | Minimum of 1        | Minimum of 1.5    |
| 2*-6a  | 0.7 (min) – 1 (max) | 1 (min) 1.5 (max) |

These standards reflect the factors in the National Planning Policy Framework (NPPF) which encourage local planning authorities to develop their own standards.

Cycle parking- London plan would be adhere to. This is satisfactory.

Walking- The TA provides no detail assessment of the key walking routes to the site, which are crucial. Sherman Road is constrained and therefore consideration should be given to the number of people expected to use the footway to ensure that there are no capacity or safety issues.

Servicing/ Refuse collection will be undertaken from Sherman Road, which is unacceptable as this would narrow the carriageway creating congestion on Sherman Road.

Highway Oversailing- It is proposed the development provides balconies which will oversail the highway along Sherman Road by up to 1.5m from a height of 5m above the footway. This is acceptable in principle subject to appropriate indemnity insurance and licence.

In summary, the development comprises 215 residential units and 350sqm of commercial floorspace; with only 2 disabled bays.

An increase in parking demand in an area where a few spaces are available would generate considerable pressure to find spaces with a significant risk of illegal or unsuitable parking and on-street manoeuvring. This would cause inconvenience and in some locations, risk to traffic and pedestrian safety

Furthermore, the drop-off zone for deliveries and disabled bays would narrow the carriageway further making it more difficult for other road users. This would be inconvenient and could cause disturbance to neighbouring residents.

Following the receipt of the Highways Comments, a Technical Highways Note was received in response. The Highways Officer makes the subsequent comments:

The site is located in an area with high PTAL rate of 6a (on a scale of 0 - 6b, where 6b is the most accessible). The new building doesn't follow the footprint of the existing building line.

The new building encroaches onto footway; this area needs to be stopped up. The applicant should be aware that the costs of stopping up process would be at his expense.

No additional information has been provided just reiterating the previous points in their original TA. Therefore I offer the following:

Vehicular access- A single vehicle crossover will be retained to provide access to two undercroft parking space for commercial use.

The site plan indicates four on street (Sherman Road) disabled bays, two car club bays and a Drop Off zone which is unacceptable. As this would narrow the running width of Sherman Road further causing road congestion and be a contributory cause of road traffic accidents as well as having other direct or indirect effects on other issues such as the use of public transport, business and environment. Moreover the "Drop Off Zone" is located in front of off-street parking (undercroft) space which would interfere with movement of the parked car and causing additional problem with the congestion and further risk to pedestrian safety.

The applicant states that "any obstruction would be temporary and likely just once per week" this is not correct; as large building with 215 units will have much more frequent servicing than once a week visit by refuse vehicles.

Car parking- two disabled bays for commercial element of development will be provided and none for the residential units; this is unsatisfactory.

The applicant has no justification as to not provide parking spaces. The car ownership in Bromley town ward is 1.00 per household which translates to a minimum of 215 car parking spaces. However as the development is large number of studio/1 bed units and in a good public transport accessibility area I am prepared to accept 100 car parking spaces.

The Proposed Draft Local Plan Chapter 4, Getting Around (Transport and Accessibility) states the following for residential parking standards:

|  |
|--|
| Bromley Residential Parking Standards (per unit) |
|--|

|       |                     |                   |
|-------|---------------------|-------------------|
| PTAL  | 1-2 bed             | 3 bed             |
| 0-2*  | Minimum of 1        | Minimum of 1.5    |
| 2*-6a | 0.7 (min) – 1 (max) | 1 (min) 1.5 (max) |

These standards reflect the factors in the National Planning Policy Framework (NPPF) which encourage local planning authorities to develop their own standards.

Again the applicant hasn't provided any justification for car free development apart from stating the site is in a good PTAL area. The applicant must note that LB Bromley is the Highway Authority and TfL is one of the consultees.

Furthermore the loss of revenue to the Council as a result of the existing Pay & Display parking bays to car club and disabled bays must be addressed.

Cycle parking- London plan would be adhered to. This is satisfactory.

Highway Oversailing- It is proposed the development provides balconies which will oversail the highway along Sherman Road by up to 1.5m from a height of 5m above the footway. This is acceptable in principle subject to appropriate indemnity insurance and licence.

In summary, an increase in parking demand in an area where a few spaces are available would generate considerable pressure to find spaces with a significant risk of illegal or unsuitable parking and on-street manoeuvring. This would cause inconvenience and in some locations, risk to traffic and pedestrian safety

Furthermore, the drop-off zone for deliveries and disabled bays would narrow the carriageway further making it more difficult for other road users. This would be inconvenient and could cause disturbance to neighbouring residents.

Please also bear in mind that there is another application for 10A Sherman Road (18/00399/OUT) which entails Proposed outline application for the demolition of 10A Sherman Road and redevelopment with a mixed-use, 10-storey, scheme comprising 6no one bed, 3no two bed flats and B1 commercial space. If both applications receive planning consents this would reduce the width of Sherman Road for a minimum length of 37.0m causing road congestion and inconvenience to other road users.

Further comments relating to the loss of revenue were also received which stated that £47,400 highways contribution would be required given the loss of income per annum for the loss of the three bays over 10 years.

*Transport for London:*

Location

The A21 Tweedy Road is located approximately 60 metres to the south, which forms part of the Transport for London Road Network (TLRN). Access is currently achieved from Sherman Road, a borough road, which connects with the A21.

The site has a Public Transport Accessibility Level (PTAL) of 6a, on a scale of 0 to 6b where 6b is the most accessible. Up to 18 bus services can be accessed from Bromley North Station or stops on Tweedy Road within a short walking distance. Bromley North Station provides access to National Rail services to Grove Park at a frequency of 3 trains per hour, although it is envisaged that this frequency could increase marginally in the future.

### Trip Generation and Transport Impact

The trip generation assessment is considered to be acceptable. It is not anticipated that the development trips will have a significant impact on the local transport network.

### Car Parking

No standard (non-Blue Badge) car parking spaces are proposed on-site, which is strongly supported. It is proposed to provide four on-street disabled bays on Sherman Road for the residential use. This will be facilitated by the conversion of three on-street car parking bays, with one additional space created. For the commercial use two on-site disabled bays will be provided, which accords with Draft London Plan 2017 standards.

Two on-street car club bays are proposed together with a drop off bay which will be used for deliveries. This will also serve as a drop-off facility for disabled residents and taxis.

London Plan policy 8.3 requires 10 per cent of new housing to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Furthermore, the Housing SPG (November 2012) states that each wheelchair accessible dwelling should have an associated accessible parking space, this would equate to a disabled parking requirement of 22 spaces.

Based on Draft London Plan 2017, residential developments should aspire to provide at least one disabled parking bay per dwelling for 3 per cent of dwellings from the outset (6 spaces in this instance), with a Car Park Design and Management Plan provided to demonstrate how the remaining bays (to accommodate an overall total provision of one per dwelling for ten percent of dwellings) can be provided in the future, should demand arise.

Although the development does not strictly meet London Plan/ Draft London Plan standards for disabled space provision, there are mitigating circumstances including the limited availability of on-site and on-street space, the provision of two on-street car club spaces, the disabled resident's drop-off bay, proximity to a variety of town centre services and step free access to numerous bus services. Bearing this in mind TfL would not object to the application on these grounds.

For the residential uses 20% of spaces should have active electric vehicle charging facilities, with passive provision for the remaining spaces. For the commercial uses both of the disabled parking spaces should have electric charging spaces from the outset. The on-street drop off bay should also include active charging facilities.

Both the disabled and electric vehicle spaces should be secured by planning condition and this should also ensure that the commercial bays are solely used by disabled users.

TfL welcomes that all new residents will be offered a minimum of 3 years car club membership and residents will be prevented from applying for car parking permits in the surrounding controlled parking zone (CPZ) through the s106 agreement.

The proposals include the provision of 316 cycle spaces at ground floor level for the two uses. In addition 40 cycle parking spaces are provided for Bromley North Station at ground floor. Although the parking for the residential and commercial uses complies with London Plan 2016 standards it does not meet Draft London Plan 2017 standards, which would require a total of 354 long stay spaces and 6 short stay spaces to be provided. The applicant should aspire to provide all cycle parking in accordance with Draft London Plan 2017 standards.

All cycle parking spaces should be easily accessible from adjacent cycle routes and appropriate signage should be provided. TfL would advise that shower and locker facilities are also provided for members of staff wishing to cycle to work.

All cycle parking facilities should be secured by condition.

#### Pedestrian Environment

A new public square is proposed between the southern boundary of the building and the retail units within the station. This will provide an area of hard and soft landscaping and will serve as the office entrance and an 'out of hours' gated entrance into the station. This is supported in principle by TfL.

The proposal also includes upgrades to the public realm at the southwestern frontage of the station. Although this does not fall within the TfL highway ownership boundary, the area is adjacent to TfL bus stops and it is requested that further consultation is undertaken with TfL in relation to the details of the proposals to ensure they do not impede access to the stops or the operation of the bus stands.

#### Travel Planning

A Draft Travel Plan has been submitted with the application for the residential use. The full Travel Plan should be secured, delivered, monitored and funded through the Section 106 agreement.

#### Deliveries and Servicing

An Outline Delivery and Servicing Plan (DSP) has been submitted within the application. The DSP should be secured by condition with the full DSP submitted and agreed prior to first occupation of the development.

## Construction Access

An Outline Construction Logistics Plan (CLP) has been submitted with the application. The full CLP should be secured by condition and submitted and agreed prior to commencement of development. In particular, the CLP will need to consider how the adjacent station/ station users will be protected during construction, so Network Rail will need to be a consultee when drafting/ approving the final CLP.

## Transport Mitigation Summary

In summary, the following mitigation measures are required to ensure full compliance with the London Plan:

- Three years car club membership for all residents secured through S106.
- Residents prevented from applying for parking permits in the surrounding CPZ through S106.
- The development should aspire to meet Draft London Plan 2017 cycle parking standards.
- Further discussions required with TfL in relation to public realm improvements to southwest of station.
- Travel Plan to be secured, monitored, reviewed, and enforced through the s106.
- Delivery and Servicing Management Plan and Construction Logistics Plan to be secured by condition.
- Mayoral CIL at a rate of £35 per sqm

Amended TFL comments were received in response to the amended plans which states:

The site lies away from the Transport for London Road Network (TLRN) and other TfL assets. The nearest part of the TLRN is the A21 Tweedy Road, around 100m from the site. The site lies within Bromley town centre and, as such, has a very high public transport accessibility level (PTAL) of 6a, on a scale of 0 to 6.

Due to the relatively small size of the development in terms of numbers of new homes and commercial floorspace, coupled with the town centre location with a wide range of public transport options, there is unlikely to be a significant adverse impact on the capacity of public transport, or more specifically on TfL assets and services. However, the application proposes public realm improvements in front of the station, directly adjacent to the TLRN and TfL bus stops/shelters. As such, we would expect that there is a requirement within any subsequent planning permission for the developer to consult TfL on the detail of these proposals, with TfL having the right of approval/refusal where TfL assets are affected. More generally however, the principle of improving the public realm 'off-site', and improving access to Bromley North station, is supported. The four bus stop shelters in front of the station would benefit from being replaced by new shelters, potentially with 'Countdown' sign/s, as part of the public realm works, as would a

map 'refresh' of the existing Legible London sign, so we would welcome the Council's support in seeking s106 funding to allow this, should planning permission be granted.

We support the 'car free' nature of the proposals, bar Blue Badge (BB) spaces, although we question how the provision of BB spaces on-street can be managed in such a way as to be dedicated to the development - this is a matter for the Council as the Highway Authority for Sherman Road and operator of the on-street parking scheme. The nature of the on-site commercial spaces should be clarified, as the transport statement says they are BB spaces, whereas the planning statement does not. More fundamentally, the application form only states 4 BB spaces and two car club spaces, which contradicts both the planning statement and the transport assessment. If they are not BB spaces, this would be contrary to London Plan policy (the current London Plan would allow only one non-BB space, and the draft new London Plan encourages 'car free' office development in such locations). Whilst the total number of residential BB parking bays falls short of the standard set out in Policy T6.1 of the draft London Plan, this is acceptable in this instance given the limited space available either on-site or on-street and the site's very proximity to public transport and town centre facilities. Electric vehicle charging should be provided for at least one of the on-street BB spaces and one of the car club spaces. Residents should be prevented from applying for on-street parking permits within any subsequent s106 agreement. Initial free car club membership should be provided for three years, attached to the residential unit given that they will be rented.

Cycle parking numbers (316) accords with London Plan standards - although again there are discrepancies between the planning statement, ground floor plan and transport assessment that should be clarified (316 is stated in the transport assessment). Draft London Plan standards, with a higher requirement for one bed residential units, would require a minimum of 352 spaces, plus 6 spaces for the commercial element i.e. a minimum total of 358 spaces, with around 6 short stay spaces, so the applicant should investigate how this can be met. Access to the cycle stores from Sherman Road for both residents and users of the commercial floorspace should be clarified, and demonstrated to be easy to accomplish with a range of bikes in line with TfL cycle design guidance, as it's not clear from the ground floor plan. Also, the ground floor plan mentions 'removable cycle hoops' and 'de-mountable racks' for 'future plant access', so this should be explained e.g. is this for temporary, strictly limited time periods? The provision of additional short stay cycle parking for the station is supported.

The site lies directly adjacent to Bromley North national rail station, so it would be expected that Network Rail is closely involved in terms of asset protection and maintenance of train operations/passenger safety. Finally, a construction logistics plan, deliveries and servicing plan and a travel plan should be required to be submitted to the council for approval at the appropriate time, secured through the s106 agreement.

It was later confirmed by the Applicant that the discrepancy is in the TA which identifies the 2 on site spaces as blue badge. The planning statement and

application forms are correct. In relation to cycle spaces we are proposing 360 spaces as contained in the revisions.

*Conservation Officer:*

The site is situated just outside the Bromley Town Centre Conservation Area and adjacent to Bromley North Station which is a Grade II listed building. Bromley College is also within 400 metres of the site and is a Grade I listed building. Therefore the following policies would be applicable from a conservation perspective: BE8 Statutory Listed Buildings, BE13 Development Adjacent to a Conservation Area. (Draft Policies 38 & 42). Section 66 of the Act also places a statutory duty on the Council to have special regard to the desirability of preserving the setting of listed buildings.

**Impact on Conservation Area**

The proposal would be significantly taller than anything within the northern part of the conservation area, which is generally low rise and is the historic core of Bromley. Given the high rise nature of the proposal it would be visible from many vantage points within the conservation area. The most significant views from the CA would be north from East Street, eastwards from North Street and within the immediate vicinity of Bromley North station. Further views along Tweedy Road from the junction with Widmore Road would also be impacted but at a longer distance. I find that the scale of the proposal would dominate views out of the CA from East Street, North Street and Tweedy Road (in front of the station), causing harm to the setting of the CA through its dominant presence.

**Impact on Listed Buildings**

The applicant has tested the impact of the proposal on both Bromley College and Bromley North Station although not the Old Town Hall. The impact on the setting of Bromley College is tested in View Z and it clearly shows no impact. View N shows the relationship between the listed Clock House on Tweedy Road and the proposal building although the distance between the 2 buildings is a mitigating factor.

The most obvious impact however is that on the adjacent Bromley North Station. A number of views have been tested and in particular View L (from North Street) and View A (from East Street) clearly show that the scale of the proposal would dwarf Bromley North Station, and from some views would be a direct backdrop, disrupting the attractive roof profile of the listed building. Whilst the proposed building may be high concept and carefully designed, I feel its sheer size would cause significant harm to the setting of the station. I would assess this harm as being "less than substantial" and therefore para 134 of the NPPF would apply. This would mean that applicant should be demonstrating that the public benefit of the scheme would outweigh this harm. It is for others to determine the public benefits overall but it has been suggested that there would be a heritage benefit through an improved forecourt to the station. This area was only recently repaved and is a generally functional space so I do not feel that the benefit would be sufficient to outweigh the harm and only very limited weight should be given to it.

## Local Plan

The former site A did note this location as possibly being suitable for a taller building, although the current draft local plan site named "Land adjacent to Bromley North Station" in Appendix 10 does not make any reference to tall buildings. It does however state that proposals should "Respect and enhance the setting of the Grade II Bromley North Station building". This proposal, for the above reasons, fails to achieve this.

In conclusion: The proposal would be harmful to the setting of the listed building and the conservation area, through its over dominant height and overbearing presence. The proposal is therefore contrary to BE8 and BE13. Whilst noting that the Housing Site Allocation is 525 units, I am concerned that no overall masterplan is provided to demonstrate how this quantity is to be provided whilst still achieving site policy aims. This proposal therefore appears piecemeal and cannot be said to represent orderly development of the site.

### *Historic England:*

The development site sits within the Northern Gateway; an area identified in the Area Action Plan for Bromley Town Centre (adopted October 2010) as potentially suitable for taller buildings and high density development (Spatial Strategy, Para. 3.2.3, and Diagram 3.2), a policy which English Heritage (as we were previously called) raised concerns about at draft stage.

Whilst the development site itself contains no designated heritage assets, it is located in close proximity to the Bromley Town Centre Conservation Area which contains a number of listed buildings, the closest being the Grade II listed Bromley North Station. Therefore high density development in this location has the potential to affect the setting of various designated heritage assets.

As you will note, Historic England has consistently raised concern about the scale of the proposed development which we consider would visually compete with the modest market town character of the Conservation Area, particularly along East Street towards the Grade II listed Bromley North Station.

This impact has been fully assessed as part of the submitted wireline and rendered townscape appraisal (see Section 6 of the Townscape Visual and Heritage Assessment, KM Heritage, 2017, and Section 7.6 of the Design and Access Statement, Be Living Ltd).

The appraisal demonstrates that the proposed tower would dominate in views along East Street (View 20: East Street, and View A - East Side of East Street), creating a stark contrast to the prevailing three storey scale along this edge of the Conservation Area. The tower would also block the silhouette and significantly detract from the architecturally considered roof of the Grade II listed Bromley North Station, reducing its civic presence and landmark status (View 22: Tweedy Road opposite Bromley North Station, and View L - North Street). We recognise that the Northpoint tower block, located to the north of the development site already

presents a moderate visual impact in these views. However, at 23 storeys, the proposed tower would significantly increase this impact.

Elsewhere within the Conservation Area, the study indicates that visual impact along the historic High Street would be limited. However, View C (Townscape Appraisal) indicates that the tower would break the roofline in important views of the Market Square, affecting the historic character in this focal part of the Conservation Area.

We are pleased to see that the submitted appraisal assesses the impact of the development in views from the Grade I listed Bromley College, and Grade II\* Church of St Peter and St Paul in response to our initial concerns. On the basis of the assessment, it appears extremely unlikely that the proposed tower would significantly affect either asset.

### Historic England's Position

On the basis of the submitted information, we maintain our position that the proposed tall building would cause harm to the Bromley Town Centre Conservation by visually competing with its modest market town character, as particularly evident in views along East Street. We also consider that the development would harm the setting of the Grade II listed Bromley North Station by diminishing its civic presence and landmark status along the streetscape.

In determining this application, your Council should consider whether the harm we have identified has been clearly and convincingly justified in accordance with Paragraph 132 of the National Planning Policy Framework (NPPF), and appropriately balanced by the delivery of public benefits (Para 134, NPPF).

As previously indicated, we would strongly encourage the delivery of heritage benefits (which could contribute to the wider public benefits of the scheme) as part of any approvals for this site. Specifically, enhancements to the public realm around Bromley North Station and light touch conservation to its fabric would be welcomed.

### Recommendation

We would urge your Council to address the above advice, and determine the application in accordance with local and national planning policy, and in consultation with your Council's Conservation Officer.

Historic England were re-consulted on the application following amended plans however they state their original comments remain valid.

### *Tree Officer*

The site is free from any tree constraints. The trees surrounding the site that have been included within the tree survey hold no retention value. Due to the nature of the scheme, it is acknowledged that landscaping opportunities are limited.

No objections are made to the scheme.

*Network Rail:*

Network Rail have provided comments in respect of asset protection, including a number of suggested conditions. No objections have been raised. Network Rail also provided a letter of support to the scheme given their interests in respect of the land ownership.

*Arqiva (Telecommunications):*

This proposal has the obvious potential to interfere with electronic communications services and we are pleased to see the Telecommunications Impact Assessment (the Assessment) which considers the issues of interference with television reception and wireless fixed links.

Arqiva owns and operates the terrestrial television broadcast network, which relies on fixed links. These are not addressed as such in the Assessment, but we can confirm that the location of the development proposed is not one that should result in any interference with the transmission of the radio and terrestrial broadcast networks that we operate. That said, this does not mean that the development will not cause any problems with viewer reception. This is a separate matter that does not generally concern us, but which is addressed in the Assessment.

The systems used by other operators such as the Mobile Network Operators do include direct line of sight dish links, or wireless fixed links, which are licensed and so registered with OFCOM. The Assessment indicates that OFCOM has been approached and so consideration of this matter is in hand.

*London City Airport -*

I have assessed this building from an aerodrome safeguarding perspective. Based on the information provided London City Airport would have no safeguarding objection to it.

*GLA Stage 1 -*

Principle of development: A high density residential-led Build to Rent development within this highly accessible site in a town centre and opportunity area is strongly supported, in accordance with London Plan Policies 2.13, 2.15 and 3.3 and Policies SD1, SD6, H1 and H13 of the draft London Plan. Notwithstanding this, the applicant must demonstrate that a comprehensive approach is followed and that a stand-alone development on this site would not compromise the overall development objectives for the wider Bromley North Station site.

Affordable housing: 21% affordable housing comprising 43 discount market rent (DMR) units is wholly unacceptable. The applicant must confirm the affordability of the DMR units to demonstrate compliance with the definitions set out in Policy H7 of the draft London Plan. Early and late stage review mechanisms must be secured in accordance with Policy H6 of the draft London Plan and the Mayor's Affordable

Housing and Viability SPG. Build to rent units must be secured by covenant for a minimum 15 year period, with appropriate clawback mechanisms.

Design and heritage: The proposed undersized units are wholly unacceptable and must be redesigned to ensure full compliance with minimum London Plan standards which apply to all self-contained residential schemes. The scale, height and architectural quality of the development is supported and would not harm the setting of listed buildings and would preserve and enhance the character and appearance of the adjacent conservation area.

Climate change: Further information has been requested in relation to overheating, cooling demand, the proposed communal heat network and energy centre and the potential to incorporate additional energy efficiency measures.

Transport: The applicant must increase the cycle parking provision to meet the standards in the draft London Plan.

### 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*

- 2.13 Opportunity areas
- 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
- 4.2 Offices
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.4a Electricity and gas supply
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 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
- 7.7 Location and design of tall buildings
- 7.8 Heritage assets and archaeology
- 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

Shaping Neighbourhoods: Play and Informal Recreation (2012)

Accessible London: Achieving an Inclusive Environment (2014)

The Control of Dust and Emissions during Construction and Demolition (2014)

Sustainable Design and Construction (2014)

Housing (March 2016)

Homes for Londoners - Affordable Housing and Viability (2017)

## *Unitary Development Plan*

BE1 Design of New Development

BE8 Statutory Listed Buildings  
BE13 Development Adjacent to a Conservation Area  
BE17 High Buildings and the Skyline  
BE18 The Skyline  
C1 Community Facilities  
EMP2 Office development  
EMP3 Conversion or redevelopment of Offices  
EMP5 Development outside Business Areas  
H1 Housing Supply  
H2 and H3 Affordable housing  
H7 Housing Density and Design  
H9 Side Space  
IMP1 Planning Obligations  
T1 Transport Demand  
T2 Assessment of Transport Effects  
T3 Parking  
T6 Pedestrians  
T7 Cyclists  
T17 Servicing of Premises  
T18 Road Safety

Planning Obligations SPD  
Affordable Housing SPD

*Bromley Town Centre Area Action Plan (AAP)*

BTC5: Office Development  
BTC8: Sustainable Design and Construction  
BTC11: Drainage  
BTC12: Water and Sewage Infrastructure Capacity  
BTC13: Combined Heat and Power  
BTC14: Recycling  
BTC16: Noise  
BTC17: Design Quality  
BTC18: Public Realm  
BTC19 Building Height  
BTC22: Public Transport  
BTC24: Walking and Cycling  
BTC25: Parking  
BTC31 Developer Contributions  
BTC32: Public Realm Improvements  
IA2: Business Improvement Areas

*Emerging Local Plan*

1 Housing Supply  
2 Provision of Affordable Housing  
4 Housing Design  
8 Side Space  
20 Community Facilities

30 Parking  
31 Relieving Congestion  
32 Road Safety  
33 Access for All  
37 General Design of Development  
38 Statutory Listed Buildings  
42 Development Adjacent to a Conservation Area  
47 Tall and Large Buildings  
48 Skyline  
84 Business Improvement Areas  
90 Bromley Town Centre Opportunity Area  
116 Sustainable Urban Drainage Systems (SUDS)  
119 Noise Pollution  
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 relevant planning history relating to 6-10 Sherman Road is as follows:

83/01820/OUT: Permission refused for a detached five and a half storey block of offices including semi-basement and ground floor car parking;

84/01596/OUT: Permission refused for a four storey office block with car parking on ground floor;

85/00591/FUL: Permission refused for demolition of existing buildings and erection of 3 storey office block with parking under at ground level;

85/01090/OUT: Permission Granted for erection of 3 storey block comprising ground floor parking area with offices above;

85/02858/DET: Permission granted for part details in relation to outline permission 85/01090;

86/01798/FUL and 86/02880/FUL: Permission refused at Car Care site for three storey office unit and car parking;

86/03475/FUL: Permission granted for three storey office building;

05/01601/FULL3: Permission granted for Change of use of ground floor from office to estate agency and alterations to front elevation;

The Council issued a Screening Opinion dated 9th February 2010 pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) (Regulations 1999) in relation to the Redevelopment of Bromley North Station, 6-10 Sherman Road, 63-67 Tweedy

Road, car parks/ bus terminal and car repair workshops (in Station Road), comprising retention of existing station booking hall building from retail/ food and drink uses, new station booking hall building , replacement bus terminal, 500 dwellings with 650 car parking spaces, replacement 200 space station car park, 3000sqm retail/ commercial/ community uses, with public square and pedestrian routes, in buildings between 5 and 13 storeys high. The Screening Opinion confirmed that the development would not generate the need for an Environmental Impact Assessment.

A request for a formal scoping opinion regarding the information to be provided in the Environmental Statement (under Regulation 10 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 was received in relation to the Redevelopment of Bromley North Station, 6-10 Sherman Road, 63-67 Tweedy Road, car parks/bus terminal and car repair workshops (in Station Road), comprising retention of existing station booking hall building from retail/food and drink uses, new station booking hall building, replacement bus terminal, 500 dwellings with 650 car parking spaces including replacement 200 space station car park, 3000sqm retail/ commercial/community uses, with public square and pedestrian routes, in buildings between 5 and 13 storeys high. The Scoping opinion confirmed that the development would not generate the need for an Environmental Impact Assessment.

DC/17/04730/EIA: The Council issued a screening opinion dated 2nd November 2017 pursuant to Regulation 5 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in respect of an application for the redevelopment of the site with a 21 storey building to provide approximately 203 residential units and around 4,400sqft of commercial floorspace. The Screening Opinion confirmed that, due to its scale and massing, the visual impact of the development and its impact on surrounding development would be major factors which would generate the need for an Environmental Impact Assessment.

*Relevant planning history relating to adjacent garage unit (10a):*

12/02227/FULL1: Permission granted for change of use from light industrial (B1) to tyre fitting and retailing (sui generis);

13/02881/VAR: approval for variation of condition 1 of 12/02227 to enable ancillary MOT testing and no other car servicing.

### Considerations

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

- Principle and Housing Supply
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Sustainability
- Trees

- Other
- CIL
- S106

### Principle and Housing Supply

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) provides that the determination of a planning application must be made in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 requires that in dealing with a planning application, a 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.

For a development which affects a listed building or its setting, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, imposes a general duty on the Local Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission. In respect to buildings or other land in conservation areas section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, imposes a general duty on the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In respect of development proposed outside a conservation area which would affect its setting or views into or out of the area, the desirability of preserving or enhancing the conservation area would also be a material consideration.

The National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The London Plan Policy 3.3 requires the Borough to make provision for at least 641 additional dwelling completions per year 2015-2025. The current proposal could represent a good contribution to the Council's required Housing Land Supply in a location adjacent to Bromley Town Centre.

The site is in the north of Bromley Metropolitan Town Centre, and forms part of the Bromley Town Centre Opportunity Area. London Plan Policy 2.13 seeks to promote the town centre's strategic role in the borough and realise its capacity for sustainable growth. The London Plan identifies the Opportunity Area as having indicative capacity for 2,500 new homes and 2,000 additional jobs.

The London Plan seeks mixed and balanced communities in accordance with Policy 3.9, which states that communities should be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment. Policies 3.11 and 3.12 confirm that Boroughs should maximise affordable housing provision, where 60% of provision should be for social housing (comprising social and affordable rent) and 40% should be for intermediate provision where priority should be accorded to the provision of affordable family housing.

Within the Bromley Town Centre Area Action Plan (BTCAAP), diagram 3.2 Spatial Strategy identifies the following for the overall site:

- (i) Key area for change;
- (ii) Possible location for a tall building;
- (iii) Potential for new improved public spaces;
- (iv) Possible interchange location;
- (v) Possible future guided public transport route;
- (vi) General traffic routes and access to car parking.

Diagram 4.1 Key Diagram identifies the following for the overall site:

- (i) Opportunity Site;
- (ii) Possible location for a tall building;
- (iii) New/improved public spaces.

The application site formed part of an Opportunity Site within the BTCAAP (Opportunity Site A). The Plan identified the overall site as capable of providing around 250 residential units, ancillary food and drink uses (A3/A4/A5) and 1000sqm of community uses. Paragraphs 5.2.1 - 5.2.6 of the Plan relate specifically to the site in addition to Policy OSA Bromley North Station. The policy and supporting text sets out in detail what was envisaged to be provided on the overall site. However, the Opportunity Site A designation was quashed in December 2011 following a High Court judgement. The Judgement focussed on the lack of reasoning of the DPD Inspector when he accepted that the overall site could be developed for 250 homes, contrary to viability information submitted to the Examination that specified a figure of 400 homes may be more viable.

The site is now allocated within the Draft Local Plan as part of the wider Site 2. The policy states that the site is capable through redevelopment of providing a mixed use including 525 residential units, 2000sqm of office accommodation, space for community use, 230sqm café/retail, transport interchange and parking. The policy goes further to state that proposals will be expected to provide a sensitive and effective transition between the adjoining low rise residential areas and the higher density town centre, respect and enhance the setting of the Grade II Listed Bromley North Station and allow for the long term aspirations for improved rail connectivity to central and east London.

The wider Site 2 allocation follows the same boundary as the previously allocated Site A, encompassing an area of 3ha either side of the Bromley North to Grove

Park railway line. As such, the requirements of the draft allocation to provide the quantity of development assigned is envisaged to encompass the wider site, and not solely the area of the site to the east of the railway line. It is noted that this application is proposing a significant quantity of the residential allocation, 42% on approximately 6.7% of the site area, without any identification as to how it is envisaged that this development would sit within the context of the wider site should it be developed to its intended capacity. It is also noted that the land to the east of the railway is not wholly the subject of this application, with the adjoining unit at 10A not proposed for development within this application. Officers are concerned as to the impacts of the development of this site as a stand-alone form, without sufficient evidence to allay fears that it would not impact detrimentally upon the rest of the site coming forward. This is specifically in respect of the land at 10A Sherman Road and other uses on the western side of the site, particularly along the train line whereby this proposal could be a barrier to any future proposals. Whilst considered on its own merits, it is noted that a separate application has been submitted by the landowner at 10A Sherman Road, immediately adjacent to this site. It is clear that the two schemes do not appear to be mutually compatible in view of the very close proximity between 6-10 Sherman Road, 10A Sherman Road and residential dwellings at Northpoint House. This further evidences the Council's concerns in this regard and emphasises the importance for the Applicant to consider a more comprehensive and coherent approach to this part of the site to prevent piecemeal development which may ultimately be harmful to the wider site delivery.

Notwithstanding the above concerns, UDP Policy H1 requires the Borough to make provision for at least 11,450 additional dwellings over the plan period acknowledging a requirement to make the most efficient use of sites in accordance with the density/location matrix. As a brownfield site with some vacant buildings, subject to being able to demonstrate that the site is no longer required for its current use, an increased housing provision could make a valuable contribution to the Boroughs housing supply. However, it is necessary to demonstrate that an appropriate density can be achieved having regard to the context of the surroundings, standard of accommodation to be provided and detailed design considerations. It is also noted that 120 units are included in the 2017 Five Year Housing Land Supply Paper for Land adjacent to Bromley North Station. Appendix One of the Paper includes reference to the Sherman Road element of the overall site in relation to the 120 units. As such it is envisaged that this element of the site would come forward at an early stage of the wider site allocation. However at 120 units this was projected as being for a significantly reduced number of residential units than 219 units as submitted.

Under NPPF Section 5, it is national policy to boost significantly the supply of housing. This is reflected in the London Plan (2016), Policy 3.3. Therefore, the benefit of additional housing provision is an important policy consideration to be considered in assessing this application. The emerging draft London Plan (2017) shows an increase in the housing numbers target for Bromley Borough, this is however subject to objections from the Council and is of limited weight at this early stage of its preparation. The Council's 2017 Five Year Housing Land Supply Paper shows that there is a Five Year Housing Land Supply in the Borough.

The application site is also being taken forward as a Business Improvement Area (BIA) in the Draft Local Plan. Draft Policy 84 precludes the loss of B1(a) office floorspace within BIAs and will resist proposals which compromise the primary function of the BIA. Policies EMP3 and EMP5 of the UDP also preclude the conversion or redevelopment of offices for other uses where it would lead to a local shortage of office floor space or loss of employment. It is understood that there is 596sqm of existing office floor space and it is proposed that the development will encompass 161sqm of flexible Class B1/D1 floor space including meeting room space (solely B1 use). The proposal also involves the loss of 446 sqm of Class B8 floorspace at 10 Sherman Road which was subject to a recent change of use application from warehouse to office (08/02195/FULL2 and 11/01478/EXTEND), however does not appear to have been implemented. The applicant has not addressed the requirements of UDP Policy EMP5 or Draft Policy 83 and has therefore not provided sufficient evidence to justify the loss of non-designated employment floorspace at this site. In particular, there is no record of the site being marketed for the prescribed minimum period of time and no discussion on the capability of the site to retain the current quantum of Class B8 floorspace or of a suitable alternative employment generating use. With regard to paragraph C of Draft Policy 83, the applicants contend that the site is capable of accommodating a mixed use scheme. They have not however demonstrated why the site cannot re-provide a "similar quantum" of employment generating floorspace to that which is proposed to be lost at 10 Sherman Road. A recent application was permitted for 8 Sherman Road (13/01141/FULL2) for a change of use from office to foreign language school, however again there is no evidence that this has been implemented.

The proposed meeting room, the only space providing solely B1 floor space measures approximately 40sqm with 121sqm given over to a flexible B1/D1 use. The proposal involves the redevelopment of 596 sqm of office floorspace in the Bromley North BIA for non-office purposes. Whilst UDP Policy EMP3 applies generally to any proposal relating to existing office floorspace, where the proposal site is located in a BIA, it must also be considered alongside Draft Policy 84. The Borough has three BIAs, which are recognised as the primary locations for office development and afforded the highest level of protection, including the application of an Article 4 Direction, to help facilitate forecast office floorspace need over the lifetime of the Draft Local Plan.

It is noted that the London Plan assigns Bromley Town Centre the Office Guideline 'B', which acknowledges that office re-provision in the town centre could be achieved through mixed use schemes. This is reflected in the Draft Local Plan's allocation of the site for mixed use purposes, prescribing 525 dwellings and an additional 2,000 sqm of office floorspace in Site 2. The Council could consider a wider mix of uses on the subject site, provided that the BIA's primary function as a key destination for office based business is not compromised. However, this proposal which would result a net loss in Class B1a capacity is unacceptable in principle. The Applicant has not provided any marketing information or clarification as to potential loss of employment in order to meet the requirements of policy for the loss of office space.

Justification as to the lack of employment floor space by the Applicant is noted whereby it is stated that in order to provide the number of affordable units proposed, they are unable to allocate space for commercial use to the extent that is required for a commensurate provision. Whilst the increased provision of affordable units is welcomed through the submission of the amended plans, there is no mechanism in policy for the provision of affordable units over the re-provision of commercial floor space and the viability constraints of re-providing the employment use are unknown and not addressed through the Applicant's FVA. Further to this, the site's draft location within a Business Improvement Area in the Draft Local Plan and the adopted office floor space policies carry significant weight and Officers do not consider the reasoning for the lack of provision adequately overcomes the concerns as raised. In the absence of any masterplan type or overall vision for the redevelopment of the wider site 2, it is unknown whether the re-provision of the proposed office loss herewith could be accounted for on another part of the site.

### Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). This site is considered to be in a 'central' setting and has a PTAL rating of 6a giving an indicative density range of 35-405 dwellings per hectare / 650-1100 habitable rooms per hectare (dependent on the unit size mix). The London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces. UDP Policy H7 also includes a density/location matrix which supports a density of 650-1100 habitable rooms / 240-435 units per hectare for locations such as this provided the site is well designed, providing a high quality living environment for future occupiers whilst respecting the spatial characteristics of the surrounding area.

Development should comply with the density ranges set out in table 4.2 of the UDP and table 3.2 of the London Plan and in the interests of creating mixed and balanced communities development should provide a mix of housing types and sizes. The Council's Supplementary Planning Guidance No1 - General Design and No.2 - Residential Design Guidance have similar design objectives to these policies and the NPPF. Policies 3.3 and 3.4 of the London Plan seek to increase the supply of housing and optimise the potential of sites, whilst policy 3.5 seeks to protect and enhance the quality of London's residential environment.

The density matrix is not to be applied mechanistically, and Policy 3.4 and 3.5 of the London Plan, as well as Draft Policy 4 of the Local Plan and Policy BTC2 of the BTCAAP, require a balance between optimising density with a consideration of the local context and character. The scheme proposes 219 homes of the 525 homes allocated for Site 2, which represents 42% of the total. This is to be developed on 0.2Ha of the total site area of 3Ha, which is 6.7% of the total area. The scale of the development within those parts of the Site 2 closest to existing residential areas

will need to relate sensitively to the existing scale, and is therefore likely to be lower than other parts of Site 2.

As set out above, the housing density of the development would equate to 1095 units per hectare and approximately 2740 habitable rooms. The proposed development density would sit significantly above the UDP and London Plan ranges however this is not necessarily determinative given the central town centre location. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity. Whilst the principle of the redevelopment of the site for higher density housing provision may be supported in principle subject to an assessment of all other matters, Officers are concerned as to the manifestation of density in built form proposed and the impacts of this upon the character of the wider area, including adjacent listed buildings and conservation area, and the residential amenities of neighbouring properties, both of which will be discussed in more detail further within the report. There are concerns about the overall scale and massing of the development given the context of the Northern Gateway/North Village Character Areas, Bromley North Station and the suburban residential neighbourhoods in close proximity to the site, and these are a direct result of an excessively dense scheme

Whilst matters of scale and design are to be discussed further within the report, it is not considered that the site would be suitable for such a high density scheme as that proposed within this application and consideration should be given to the sensitive locality in which it sits.

### 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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport

networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

London Plan Policy 7.1 requires developments to be designed so that the layout, tenure and mix of uses interface with the surrounding land and improve people's access to infrastructure, commercial services and public transport. The design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood.

Policy 7.4 requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

Policy 7.6 states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape and should incorporate the highest quality materials and design appropriate to its context.

Policy BE1 requires that new development is of a high standard of design and layout. It should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas and should respect the amenity of the occupiers of neighbouring buildings.

The Bromley Town Centre Action Plan (AAP) identifies sites which, in accordance with policy BTC19 'Building Height', may be considered suitable for the development of tall buildings. These locations have been carefully identified through a thorough process of urban design and townscape analysis which considered the environmental impacts of a tall building, their impacts on listed buildings and the town centre conservation area, impact on key views and integration in to the surrounding area. As previously discussed, current Policy BTC19 within the AAP Building Height specifies that there may be potential for the development of taller buildings in locations identified on the Key Diagram subject to design and environmental considerations, impact on listed buildings and the Bromley Town Centre Conservation Area, impact on views of the Keston Ridge and integration with the surrounding area. Appendix 5 Opportunity Area Design Principles sets out that there is potential for taller buildings on the central eastern part of the site next to the railway (responding to the existing 10 storey residential building east of the Opportunity Site), as such there is some policy support for the siting of a tall building on this part of the site.

Another relevant consideration would be the relationship of the proposal to the wider townscape; UDP Policy BE17 and London Plan Policy 7.7 are of particular relevance. Policy BE17 states that proposals for buildings which significantly

exceed the general height of buildings will be required to provide a design of outstanding architectural quality that will enhance the skyline and a complete and well-designed setting, including hard and soft landscaping, so that development will interact and contribute positively to its surroundings at street level. The London Plan, at policy 7.7 says that tall and large buildings should be part of a plan-led approach to developing an area and sets out a list of criteria which proposals for tall or large buildings will be expected to meet and which should be clearly demonstrated through the carrying out of an urban design analysis. Taller buildings should only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building. Among other considerations, taller buildings should relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm, particularly at street level; and incorporate the highest standards of architecture and materials.

The CABE/English Heritage Guidance on Tall Buildings (2007) sets out criteria for the evaluation of tall building proposals, including relationship to context, the effect on the historic context, architectural quality and credibility of design. The guidance advises that to be acceptable, any new tall building should be in an appropriate location, be of excellent design quality in its own right and should enhance the qualities of its immediate location and wider setting. In accordance with Historic England's Advice Note 4 on Tall buildings, the principles established within the Design and Access Statement will need to satisfactorily demonstrate high quality in urban design and architecture, as well as respond to and take full account of the evaluation of heritage assets. A key theme running through these policies and guidance is that new tall buildings should respond to their physical context, respecting and complementing the form, proportion, layout and scale of adjacent development.

### Layout

The proposals include a new small public square, accommodating the out of hours entrance to Bromley North and new cycle parking for the train station. Commercial uses front onto this new public square and along Sherman Road, with a flexible B1/D1 unit, a communal meeting facility, the on-site management service and two non-residential parking spaces in an undercroft. There are two entrances to the buildings with a commercially focussed entrance from the new public square, and a residential entrance on Sherman Road. There is secure resident access to the cycle store proposed between 10 and 10A Sherman Road, as well as to cycle stands along the northern edge of the site. It is unclear whether the secure access wraps around the whole building, with two entrances/exits.

The residential properties are aligned on a north-west to south-east orientation, and accessed from a single core, with large communal corridors. There are small communal amenity spaces on the ground, first, second and third floors, with a large communal amenity space and roof terrace on the 17th floor. There is also a roof terrace on the 4th floor.

Diagram 2.3 of the BTCAAP identifies the frontage along Sherman Road for the length of the site as a 'key active frontage location'. Draft policy for Site 2 in

Bromley's Draft Local Plan also notes that the allocation is suitable for mixed-use development. The proposal locates flexible B1 and D1 space at ground floor, activating most of the frontage onto Sherman Road, as well as fronting onto a new public square. This forms a positive relationship with the other non-residential uses on Sherman Road, and provides a transition from the residential properties further to the north-west and the commercial uses of the town centre. Officers do have concerns however about the function of this new square given its small size, and this concern is deepened by the lack of definition of what the proposed ground floor flexible commercial/community uses are in terms of their use, opening hours, and customer base which is undefined.

Whilst forming a relatively low proportion of the Sherman Road frontage, Officers have serious concerns about the inactive frontage from the undercroft parking area and the sub-station. The undercroft in particular will likely be unpleasant, attract antisocial behaviour, and collect litter. This is contrary to Standard 10 of the London Housing SPG, which requires active frontages to be maximised, and also contrary to Bromley's General Design Principles, which requires pedestrian routes to have 'built frontages that are active and occupied'. Further to this, the lack of prominence of the residential access is problematic due to its small size, and that the building façade is flat along Sherman Road, with no stepping of the building form away from the street. Given this entrance is serving a large number of properties, it must be read clearly from the street. The proposed design is contrary to Standard 8 of the London Housing SPG, which states that 'all main entrances to...communal entrance lobbies should be visible, clearly identifiable, and directly accessible from the public realm'.

The function and use of the route around the building between the two secure access gates is unclear in the submitted application material, and it is not clear whether residents can go between each entrance or if this is blocked off by the protruding bicycle store. The inactive and opaque glazing along the length of the northern and western façade is also concerning. Whilst this may be contradicted by the requirements of Secured by Design, the bicycle store lacks visibility as a result of its location and the materials, which fails to promote cycling sufficiently. The access route along the northern façade to the bike store is also very constrained in its layout, and will not allow for larger bicycles such as cargo bikes. The location of the bike store does not promote ease of use and therefore fails to promote cycling - this is a particularly important consideration given the nature of the scheme as being Build to Rent, so likely to attract residents who use low-costs transport such as cycles, and that the scheme is car free. This is contrary to London Plan Policy 6.9, which requires 'secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3 and the guidance set out in the London Cycle Design Standards.'

In terms of the internal layout, Officers are concerned about the ease of access and use of the refuse lobby for residents, with 4 doors to move through before you reach the lobby. This is contrary to London Housing SPG Standard 22 which states that 'communal refuse and recycling containers, communal bin enclosures and refuse and recycling stores should be easily accessible to all residents'. More focus has been afforded to the refuse store, and to providing 2 parking spaces for the commercial uses, over consideration of the bike store. Officers would question the

relative prioritisation of these different uses. Given the number of units being sought on the site, these arrangements need to be convincingly demonstrated to work with one another, and not be compromised by the different pressures on their use.

### Building scale and massing

The proposed building sits to the north-east of Bromley North station, which is roughly equivalent to 3 storeys in height. Along the Sherman Road frontage of the station is a parade of 6, single storey, shops. Further to the north-east of the Site is Northpoint, which is a 10-storey block of serviced apartments. Beyond this the scale of buildings and character turns to 2-3 storey suburban housing. Opposite the site is a 5-storey residential care home, a 5-storey office block (Acorn Group) and a 3-storey equivalent Royal Mail delivery office. The Site is within the Northern Gateway Character Area, and adjacent to the historic 'North Village' Character Area, as identified in the BTCAAP.

The building is stepped in height away from Bromley North station, with 17 storeys at the south fronting the new public square, stepping up to 22 storeys and then to a maximum of 23 storeys. A portion of the building steps down to 4 storeys in the north, fronting Sherman Road and facing the adjacent building at 10A Sherman Road.

Policy 7.4 of the London Plan requires development to have 'regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass' and Policy 7.7 reiterates this need in the context of considering the appropriateness of tall buildings. Draft Policy 37 of the Local Plan also notes that buildings need to be 'imaginative to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas'. With regards to tall buildings, Draft Policy 47 of the Local Plan adds that buildings 'need to be of the highest architectural design quality and materials and appropriate to their location and historic context'. The suitability for a tall building on 6-10 Sherman Road is illustrated in Diagram 4.3, and Policy BTC19 of the BTCAAP notes that proposals need to be tested against CABE/Historic England guidance on tall buildings. The Character Area Guidelines for the Northern Gateway note that development should consider 'key frontages addressing the street while also responding to the context of the North Village and listed buildings'. North Village is characterised by its low scale buildings, and narrow fine grained frontages. The historic importance of North Village is clearly recognised in the BTCAAP, and new development needs to be sensitively designed in response to this context.

The principle of establishing a tall, gateway building on this Site is supported by Policy within the AAP. A proposal on this site needs to effectively mediate between the different character areas of Bromley, particularly addressing the interface with the historic North Village, and the residential properties surrounding the station. The principle of a taller building beyond the Conservation Area is also established on Sherman Road with the presence of Northpoint, though this building owing to its appearance and the way it addresses the street is detrimental to the townscape.

Considering the proposal in relation to the wider townscape, there is an absence of an analysis of the development compared to the surrounding building heights in the area, and more strategically in Bromley. The proposed building stands at 72m. This is taller than the current tallest building in Bromley: the Westmoreland Car Park development, at 67.49m. This is further exaggerated by the proposed buildings location on higher ground, as illustrated on page 98 of the DAS. In terms of establishing a gateway building, and a landmark in the townscape, the relative height of the proposed building in relation to the natural topography of the site, makes it overly dominant.

The building is a standalone tall building which places even greater need for the building to be of outstanding architectural quality, as it will by its nature be more isolated, and less contextual given the character of the surrounding area. On this basis, the proposals are contrary to the requirements of Policy BE17 of the UDP for buildings to be of outstanding architectural quality and to enhance the skyline. It also contrary to London Plan Policy 2.18, Housing SPG Standard 1 and the guidance from CABE/Historic England, as it does not satisfactorily relate to the natural topography of Bromley.

At a Site level, we have concerns about the proposed massing in relation to the existing context. Given the Site is part of a wider draft allocation, there is no consideration given to how building heights on 6-10 Sherman Road will relate to future development of Site 2.

The townscape appraisal submitted with the Design and Access Statement confirms that the building is not visible from many of the important historic locations of the town centre, but it highlights the slab-like appearance of the building when viewed from side-on such as from Kentish Way, Tweedy Road, and Station Road. Despite some modest stepping in the building form, there is not sufficient relief and it appears overly dominant and imposing on the skyline. This is contrary to UDP policy BE17 and draft Policy 42 and 47 of the Local Plan, which require development to enhance the skyline and the character of the surrounding area.

It is particularly telling from the approach to massing illustrated on pages 47-48 in the submitted DAS, that the massing has not evolved from first principles in a design-led process. Diagram 2 jumps immediately to fitting a pre-conceived quantum of development on the site, and then works backwards to justify this quantum by breaking down the massing. Appearance is covered in detail below, but as a general concern, the design fails to relate the massing with the materials, relying on modest contrasts in material, and brick detailing, to attempt to break down the bulk of the building.

An intention is set out in the DAS to reflect the predominant roof line of the 1 storey shopping parade along Sherman Road, however this is not achieved in the proposed design. The building, as viewed along Sherman Road and from Station Road, is currently a flat wall, with very little articulation or relief, and the way the building meets the ground, compared to the sky, offers little variation beyond the stepped building height. Policy suggests that a cue should be taken from the adjacent residential apartment block, Northpoint. Very modest attempts have been made to do so, and establish a "base" to the building. This "base" is 12 storeys

high and any relationship to Northpoint is unlikely to be perceived as it is intended to be achieved through a change in materials rather than any more significant architectural approach.

Redevelopment of this site offers an opportunity to screen Northpoint from what is a key view towards Bromley North Station, and the massing should creatively respond to this opportunity. The design does not make use of the shape of the site to create a stepped building form along Sherman Road, neither in elevation or in plan. The attempt to break down the building into 4 vertical elements is also not successful, and the relationship between the 23-storey and 4-storey portion of the building is poorly thought out. The vertical metal strip terminates in the undercroft, with little made of this dramatic variation in building height, and an opportunity missed to relate a more intimate, lower scale element of the building, with the street.

### Appearance

The proposed building is to be clad in brick, with metal panelling, metal window details, metal balustrades and glazed balconies. The brick palette is made up of two contrasting brick colours - a lighter brick up to the 12th floor, and then a darker brown brick up to 23rd floor. A brief study of local character is set out in the submitted Design and Access Statement, with the use of brown bricks taking reference from the adjacent station building.

The materials attempt to delineate vertically between 4 separate elements of the building, through a strip of metal panelling. There is also an attempt to create a more horizontal emphasis up to 12th storey through brick detailing, with a more vertical emphasis from the 12th to 23rd storey.

Policy BTC17 of the BTCAAP notes that 'Where gap sites or buildings, which make no positive contribution to the character or appearance of the area, their replacement should be a stimulus to imaginative, high quality design, and be seen as an opportunity to enhance the area.' The policy goes on to note that 'It is important that new buildings should not directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well established character and appearance of its own.'

As noted under the commentary above, the design makes little attempt to relate the materials with significant variations to the massing, and the building does not effectively address the street. As a result the building reads as a single slab-like block - particularly when viewed from side-on, and is neither slender nor elegant in appearance. Whilst the reference to the local materials is understandable, the proposal for a tall building on this site is not contextual by its very nature. As such, the design could draw on the intention of Policy BTC17 of the BTCAAP and emphasise itself as a landmark building through striking and innovative use of materials, truly establishing the building as a gateway at Bromley North. This is contrary to the requirements of Policy 7.7 of the London Plan and Draft Policy 47 of the Local Plan for a tall building to be of the highest architectural quality.

The design also fails to achieve any meaningful articulation and relief on the facades, beyond the modest stepping of the building heights, and the balconies appear rather stuck-on, lacking integration into the structural form of the building. The window reveals are very shallow, and not readable at higher levels. This adds to the flat appearance of the building from Station Road and Sherman Road.

### Heritage and Conservation Area Impact

As noted, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on local planning authorities to have special regard to the desirability of preserving listed buildings and their settings. Section 72 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. These statutory provisions are considered to amount to a strong presumption against granting permission for any development which would cause harm to the setting of a listed building or the character or appearance of a conservation area, even if the harm is limited or less than substantial. That statutory presumption may, however, be outweighed by material planning considerations, provided they are strong enough to do so.

Paragraph 196 of the NPPF advises that where a proposed development will result in less than substantial harm, this harm should be weighed against the public benefits of the proposal. Paragraph 195 of the NPPF advises that where there is substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Policy BE8, BE13 and Draft Policies 38 and 42 of the UDP and Draft Local Plan and Policy BTC17 of the Action Plan are pertinent in the assessment of the development's impact upon the Conservation Area and Statutory Listed Buildings.

The site is situated just outside the Bromley Town Centre Conservation Area and adjacent to Bromley North Station which is a Grade II listed building. Bromley College is also within 400 metres of the site and is a Grade I listed building. The Applicant has submitted a wireline and rendered townscape appraisal (see Section 6 of the Townscape Visual and Heritage Assessment, KM Heritage, 2017, and Section 7.6 of the Design and Access Statement, Be Living Ltd) in order for Officers to assess the impacts of the development upon the townscape and historic assets.

The development site sits within the Northern Gateway; an area identified in the Area Action Plan for Bromley Town Centre (adopted October 2010) as potentially suitable for taller buildings and high density development (Spatial Strategy, Para. 3.2.3, and Diagram 3.2). Therefore, given the proximity of the tall building to the designated heritage assets, it is considered that any high density development in this location has the potential to affect the setting of various designated heritage assets, the degree of harm of which therefore is required to be assessed.

Townscape and visual effect including impact on heritage has been scoped into the environmental statement. During construction, the Applicant states that the proposed development will have a negligible impact on the setting of the heritage

assets and on townscape character given the temporary nature of construction works. The Applicant has provided evidence as to why they consider the impact upon the townscape and heritage assets during operation is acceptable, concluding that 'the listed station does not rely on a low surrounding urban scale in order for its special interest to be preserved: it is a powerful architectural presence with strong landmark qualities and is - not least by being an operational railway station - a focus and destination'. The Applicant also states that 'There will be an undoubted improvement in the quality of the townscape in and around the Site over the present situation. The setting of heritage assets, close to and further away from the Site will be altered but in a positive way. The proposed height of the development does not equate to harm - it represents change that will have the most significant effect on the listed Bromley North Station and the northern part of the Bromley Town Centre Conservation Area. Both here and elsewhere, the scale of the Proposed Development will alter the backdrop or foreground of heritage assets that are already perceived in a varied urban context'. The Applicant considers that in their view the proposals cannot reasonably be considered to cause harm to the listed building. The effects of the proposed development during construction and operation is summarised in table 4.2 of the Applicant's ES however it is acknowledged that the magnitude of effect ranges from adverse, minor and negligible with regard to the construction phase, reducing to neutral and beneficial with mitigation and adverse, minor and negligible with regard to the operational phase, also reducing to neutral and beneficial with mitigation. It is noted that those views of which there is considered to be an adverse impact are within close proximity to the site, including from Tweedy Road, East Street and Kentish Way. It is somewhat confusing as to how the mitigation at the development stage reduces the impact in these cases to neutral/beneficial, given that no mitigation other than good design is proposed during the operational stages of the design.

Mitigation is proposed for both the construction phase, by way of hoardings, management of construction traffic and other measures, as well as within the operational phase by way of design, no further on-going monitoring or mitigation is required once the Proposed Development is completed. There is not considered to be any residual impacts should the mitigation be put in place.

Comments have been received from Historic England who state that they consider the development would visually compete with the modest market town character of the Conservation Area, particularly along East Street towards the Grade II listed Bromley North Station which officers agree with. The appraisal demonstrates that the proposed tower would dominate in views along East Street (View 20: East Street, and View A - East Side of East Street), creating a stark contrast to the prevailing three storey scale along this edge of the Conservation Area. Comments in this regard have also been received from the Councils Conservation Officer who notes the proposal would be significantly taller than anything within the northern part of the conservation area, which is generally low rise and is the historic core of Bromley. Given the high rise nature of the proposal the building would be visible from many vantage points within the conservation area. The most significant views from the Conservation Area would be north from East Street, eastwards from North Street and within the immediate vicinity of Bromley North station. Further views along Tweedy Road from the junction with Widmore Road would also be impacted

but at a longer distance. The Officer considers that that the scale of the proposal would dominate views out of the Conservation Area from East Street, North Street and Tweedy Road (in front of the station), causing harm to the setting of the Conservation Area through its dominant presence. Whilst Northpoint block has some harmful impacts upon the Conservation Area, this is not of the scale or massing of the proposal and as such the harm in this instance is considered far more detrimental. Further to this, it is a flaw of the scheme that the Applicant has not taken the opportunity for the development to screen Northpoint from what is a key view towards Bromley North Station, which in itself is detrimental to the townscape.

Elsewhere within the Conservation Area, the study indicates that visual impact along the historic High Street would be limited. However, View C (Townscape Appraisal) indicates that the tower would break the roofline in important views of the Market Square, affecting the historic character in this focal part of the Conservation Area. It is both the Council's and Historic England's opinion that the proposed tall building would cause harm to the Bromley Town Centre Conservation Area by visually competing with its modest market town character, as particularly evident in views along East Street.

Whilst it is appreciated that there is some policy support for a tall building within this location as noted in the AAP, the overall scale and massing of the 23 storey building is considered detrimental to the wider historic townscape, and is of such a height that it punctuates important views within the immediate locale which ultimately is considered to detrimentally impact upon the character of the area.

### Impact on Listed Buildings

The applicant has tested the impact of the proposal on both Bromley College and Bromley North Station although not the Old Town Hall. The impact on the setting of Bromley College is tested in View Z and it clearly shows no impact. View N shows the relationship between the listed Clock House on Tweedy Road and the proposed building although the distance between the 2 buildings is a mitigating factor.

The Conservation Officer indicates that the building which is clearly most impacted as a result of the proposal is the Bromley North Station which is Grade II listed. A number of views have been tested and in particular View L ( from North Street) and View A ( from East Street) which clearly show that the scale of the proposal would dwarf Bromley North Station, and from some views would be a direct backdrop, disrupting the attractive roof profile of the listed building. Historic England add to this, stating they consider that the development would harm the setting of the Grade II listed Bromley North Station by diminishing its civic presence and landmark status along the streetscape. It is considered by the Conservation Officer that despite its design, the sheer size would cause significant harm to the setting of the station which is assessed as being "less than substantial" and therefore paragraph 196 of the NPPF would apply which allows for the harm to be weighed against public benefit. Some public benefits are proposed by the Applicant, most notably an improved forecourt to the station which is welcomed by Historic England. However, this area was only recently repaved and is a generally

functional space therefore this alone is not considered significant enough to outweigh the harm in this regard. Officers also note the public benefit that would arise from bringing forward the allocated site for residential development, however as previously discussed, the quantum of residential development does not reflect that which it is identified for within the 2017 five year housing land supply statement, nor is it proportionate in terms of land allocated in respect of the draft local plan. There is little justification for this amount of residential development to be located within this part of the site, and as such the public benefit in this regard is not considered to outweigh the harm to the protected heritage assets.

In conclusion, Officers do not agree with the ES that the development would not have a detrimental impact upon the environment in respect of townscape and heritage impacts, and the proposal is found to be contrary to Policy BE8 and BE13 of the Unitary Development Plan.

### Housing Matters

#### *Unit Size Mix:*

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms. The majority provision at 1 and 2 beds would respond well to the size of the site and location in a town centre setting. In response to this, the applicant proposes 59% 1 bed (129 units), 32% 2 bed (70 units) and 9% 3 bed (20 units). The three bedroom properties are located from the 1st to the 15th floor and 18th to the 21st floor, the adequacy of this layout in response to the needs of the future occupiers, likely to be families, will be considered further within the report.

#### *Affordable Housing:*

Affordable housing will be sought on sites capable of providing 11 dwellings or more. The London Plan, at policy 3.8, states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought on schemes having regard to current and future requirements at local and regional levels and the London Plan's target of an average of at least 17,000 more affordable homes per year in London. Development proposals are required to create mixed and balanced communities with the size and type of affordable housing being determined by the specific circumstances of individual sites.

The development is considered liable for the provision of affordable housing on site as set out in the Policy H2 and contributions by way of planning obligations under Policy IMP1. Policy H2 requires 35% affordable housing to be provided however approximately half of the site is owned by Network Rail, with the remaining part of the site owned by Prime Place. In such instances, a bespoke affordable housing

threshold would need to be determined for this scheme. As such, the public land contribution must be calculated and appropriately apportioned as part of a single, bespoke, site-wide threshold at a calculated point between 35% and 50% as laid out in the 'Homes for Londoners' Mayoral SPD. The Council and GLA together consider that 43% would be the maximum required level in this case and as such, should Members permit the application a review mechanism to this effect will be secured via the section 106 agreement.

In this case, the Applicant is proposing that the development comes forward as a Build to Rent scheme and a proportion of the Build to Rent units would be provided at London Living Rent (LLR) levels. Whilst the Council do not have any current policies to take into account this tenure, LLR is now recognised as an affordable product in its own right and has clear support within The Mayor's 2017 Housing and Viability SPG.

The applicant proposes 43 units (14.9% by habitable room) at LLR following the submission of amended plans. The viability information has been scrutinised by an independent consultant on behalf of the Council which indicated that the provision of UDP minimum target of 35% affordable housing is not achievable. The viability status of the scheme is acknowledged and Officers have accepted that the minimum target of 35% affordable housing cannot be achieved with this scheme and that a lower amount of affordable housing can be accepted due to viability considerations. However, Officers are of the opinion, on the basis of the viability information seen, that a minimum quantum of 14.9% of the residential development should be provided as on-site affordable housing in the form of London Living Rent units. The S106 Agreement would include review mechanisms in accordance with the Mayor's Affordable Housing and Viability SPG (2017) (with a cap of 43% quantum of affordable provision) to allow any uplift in affordable housing to be provided on site or a contribution to be made as appropriate. On the basis of achieving this, the scheme would be in compliance with adopted and emerging affordable housing policy.

Should permission be forthcoming, a covenant must be applied to the proposed Build to Rent units in accordance with the Mayor's Affordable Housing and Viability SPG, and Policy 3.8 of the London Plan. The covenant must be for a minimum of 15 years and must be secured in the Section 106 agreement. In addition, the intermediate LLR affordable homes must be secured in perpetuity via Section 106. Furthermore, the Section 106 must also secure the inclusion of a clawback mechanism (to recoup affordable housing contributions in the event of the covenant being broken and units being sold as open market sale). Other provisions, including unified ownership and management, length of tenancy and certainty over rent levels, will also be secured.

#### *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. Furthermore, the Minor Alterations at paragraph 3.48 state that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. As set out in approved document part M of the Building Regulations - Volume 1: Dwellings, to comply with requirement M4 (2), step free access must be provided. Generally this will require a lift where a dwelling is accessed above or below the entrance storey.

In accordance with the Technical Housing Standards, the minimum gross internal areas specified for new dwellings will not be adequate for wheelchair housing (Category 3 homes in Part M), where additional area is required to accommodate increased circulation and functionality to meet the needs of wheelchair users.

The proposed units all comply with the space standards set out in the Technical Housing Standards and the proposed wheelchair adaptable units (32 in total, 15% provision) will have an internal area in excess of the minimum floor space standards.

Following the submission of amended plans, the remaining units are considered to meet the minimum housing standard.

All units must benefit from private amenity space which must comply with the requirements set out in the Mayor's Housing SPG. Only "in exceptional circumstances where site constraints make it impossible to provide private open space for all dwellings, then a proportion of dwellings may instead be provided with additional floorspace equivalent to the area of the private open space requirement" (Para.2.3.32 Housing SPG). This must be added to the minimum GIA. Further to this, the Mayor's Play and Informal Recreation SPG notes the importance of doorstep play space which is defined as a landscaped space including engaging play features for young children under 5 that are close to their homes, and places for carers to sit and talk.

Based on the expected child occupancy of the development, the London Plan requires a minimum 149.7 square metres of play space for the development. Each unit would be provided with both private and communal amenity space however it is acknowledged that this is to varying levels of acceptability. Winter Gardens are proposed to the units facing the railway line at first floor level, whilst the premise of winter gardens is considered acceptable in principle, the amenity spaces measure less than the required 5sqm as per the SPG (approximately 4.2sqm). Further to this, balconies to the front and rear of the development measure less than 5sqm on most other floors however it is acknowledged that this is primarily to one bedroom units. No justification has been put forward by the Applicant as to the inadequacy of the private amenity areas, however Officers do note the extent of the communal

amenity areas on the fourth and seventeenth floors as well as internal children's play space with the first three levels, which will be accessible to all residents. Whilst this does go some way in alleviating concerns in this regard, the quality of this space is subject to further assessment.

Internal children's play space is provided within floors 1-3 and provides 34sqm of space accessed from the internal corridor. Whilst the provision of dedicated floor space for this purpose is welcomed, it is acknowledged that the space will suffer from any sense of outlook or adequate access to sunlight given its internal setting with opaque windows to the north-east elevation. This is the case to all three of the dedicated play space areas which is regrettable and which would not create a positive or welcoming space for families to use. Concern is also raised as to the proximity of these areas to the neighbouring residential dwellings and possible noise and nuisance impacts. Further to this, the external amenity area of the fourth floor measures 182sqm and is to provide 'external child play space' and 'garden' area, the layout of these areas are unknown but could be covered by condition should permission be forthcoming. Of most concern to Officers in respect of the communal fourth floor area, is the lack of defensible space between the communal area and habitable room window to unit 04.A.07. The success of the space would be subject to the strict management of the area to prevent any undue noise and disturbance to the adjacent units. The layout of the space will also be required to be conditioned to ensure sufficient mitigation is proposed to alleviate any undue impacts upon the habitable room and the unit at 04.A.06. Further amenity space is provided at level 17 by way of an internal 'clubhouse' and external 'roof terrace' measuring 318sqm in total. Again, the provision of this space is welcomed however concern is raised as to the access arrangements which pass directly in front of units 17.A.05 and 17.A.01 at a corridor width of 1.5m. Officers consider that whilst the access arrangements to the communal space will cause some noise and nuisance impacts to adjacent properties given the confined entranceway, this can be considered a 'buyer beware' situation and not a cogent reason to refuse the application. Officers are also aware of potential issues regarding wind climate through providing amenity space at higher levels. Through the submission of additional information to supplement the ES at the Reg 25 stage it has been clarified that 2.5m screening is proposed around the perimeter of both the 17th and 4th floors which will create a suitable climate.

As noted, a number of the private balconies fail to meet the minimum 5sqm requirement for outdoor amenity space. However, in this case weight is given to the provision of a number of large communal areas provided within the development, including the clubhouse and outside seating areas. In the balance the terraces are only marginally below the requirement outlined above and when taking into account the level of shared space this is considered to be on balance acceptable.

With regard to the internal cores of the buildings, the circulation space is provided with natural light as per standard 14 of the London Housing SPG (2017) which is found to be acceptable. Standard 12 states each core should be accessible to generally no more than eight units on each floor however in this case on 14 of the floors within the proposed building between 11 to 12 units would share the same

core on each floor, which does not accord with the ratios set out in the Mayor's Housing SPG.

However, the Mayor's Affordable Housing and Viability SPG establishes the principle for an appropriate degree of flexibility to be provided to Build to Rent schemes on this specific standard, providing this can be justified based on higher levels of on-site management standards being secured as part of a comprehensive, professionally managed Build to Rent offer. As such, whilst a greater degree of flexibility may be provided in this regard, the applicant must provide further detail of the on-site management arrangements should permission be forthcoming.

In terms of natural light provision, it is noted that the majority of the units are single aspect, of most concern to Officers are those with a north-west orientation. The Applicant has submitted a daylight/sunlight assessment as part of the ES and whilst this is not required to consider the impact on future occupants' amenity no separate document to this effect has been submitted. The GLA within their Stage 1 comments states that whilst the majority of the units within the scheme would be single aspect, these would be east and west facing and would enjoy generally good levels of daylighting, with larger dual aspect units provided at the northern and southern ends of the building. In view of the site constraints and the high density nature of the proposal, GLA officers are satisfied that the number of single aspect units has been minimised however, notwithstanding this, the number of single aspect units within the scheme reinforces the need for all units to meet or exceed minimum space standards. It is noted that those units which fall below the minimum room size standards are to the south of the development and as such concerns in this regard are therefore mitigated by the orientation. Officers consider that the units most impacted in this regard are those to the lower floors facing the railway line whereby the residential quality is further compromised as a result of some of the units having undersized private amenity area. However, whilst there are a number of single aspect units, none of these are truly northward facing and as such the level of daylight/sunlight is considered on balance, to be acceptable. The implications on residential amenity as a result of the single aspect units are considered to be further mitigated by the access of future occupiers to the communal amenity areas.

The GLA in the Stage 1 response states that although Bromley North Station is a terminating station, the proximity of the railway to the north of the site presents potential issues for residential quality in terms of noise and vibration - particularly for single aspect units which Officers agree with. The applicant has undertaken a noise assessment which demonstrates that noise impacts can be satisfactorily mitigated through acoustic design measures to ensure that the development would meet British Standards. Comments from the Council's Environmental Health Officer in this regard note that there are two transportation noise sources in the area, namely the railway and station, and also the A21 Tweedy Road. The Officer states that subject to conditions requiring details of glazing/ventilation to be submitted whereby no development shall be occupied until the soundproofing details are fully agreed to. No objections are raised subject to condition and the impact in this regard is considered to be acceptable.

## Impact on Neighbouring Amenities

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

### *Daylight/sunlight*

The building is proposed at 23 storeys in height and of a width in excess of 50m. The buildings most impacted as a result of its siting would be those within the immediate locale including the residential/commercial units opposite the site to the south-east, unit 10A which currently operates as a car garage to the north, Northpoint flats to the north and the users of Bromley North Station to the west. Given the overall size and scale of the proposal, the development will also be appreciable from surrounding roads including Station Road, Glebe Road, Florence Road and Babbacombe Road to the west and Palace Grove, Palace Road and the resulting part of Sherman Road to the east and north. The building will also be viewed from a number of viewpoints within the town centre and further afield as evidenced within the submitted Townscape assessment.

A daylight/sunlight assessment has been submitted within the environmental statement which considers the impact of the development upon neighbouring owner/occupiers. It is clear within this submission that there are a number of residential units significantly impacted as a result of the development. Of the 29 buildings surveyed, 25% do not meet the required 27% vertical sky component which the BRE guidelines suggest is a reasonable level of daylight amenity. The properties most impacted are those sited on Sherman Road, Station Road and Palace Grove.

When comparing the No Skyline (NSL) for existing buildings against that proposed following development, BRE guidelines state that if the no-sky line moves so that the area of the existing room which does receive direct skylight is reduced to less than 0.8 times its former value, then this will be noticeable to the occupants, and more of the room will appear poorly lit. 12% of existing residential rooms assessed do not meet the 80% requirement in this regard. The properties most impacted are those sited on Palace Grove and Sherman Road.

Annual probable sunlight hours (APSH) is a measure of sunlight that a given window may expect over a year period. The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. North facing windows may receive sunlight on only a handful of occasions in a year, and windows facing eastwards or westwards will only receive sunlight for some of the day. Therefore, BRE guidance states that only windows with an orientation within 90 degrees of south need be assessed. 97% of rooms assessed with the relevant existing residential properties surrounding the Site benefit from at least 25% total APSH (baseline), with at least 5% APSH in winter months.

One property within North Court does not meet the baseline sun on the ground figure and as such does not achieve at least two hours of sunlight to at least 50% of the external amenity area on the 21st March.

The most impacted properties are considered as follows:

3 Sherman Road - The property has 19 windows and 11 rooms looking over the site. Only one room meets the BRE recommendations for VSC but all 11 rooms meet the NSL assessment. When the absolute retained levels of NSL are considered with the Proposed Development in place, all but two rooms retain in excess of 90% of their area receiving sky view with the Proposed Development in place. One of the other rooms retains in excess of 73% of its area receiving sky view and the other in excess of 88% of its area. While there will be a noticeable change in daylight potential to the windows in this property, the daylight amenity internal to the rooms is stated as being reasonably good.

1 Sherman Road - This property contains 64 windows serving 25 rooms that overlook the development site. 14 of the windows meet the BRE recommendations in respect of the VSC analysis and 13 of the rooms meet the recommendations in respect of the NSL analysis. 41 of the 64 windows are found to have major negative effects in terms of VSC which 12 do not meet NSL levels. This is the property with the most immediate and direct outlook over the site and also hosts a number of single aspect north facing windows to 10 units. The Applicant has assessed the impact of a 10 storey building in this case on 1 Sherman Road and found no material difference in terms of the classification of the impacts to the property by comparison to position for the Proposed Development, albeit there is inevitably some reduction in terms of the relative change experienced by individual windows and rooms. The Applicant states therefore that that the height of the Proposed Development is not the principal factor behind the loss of daylight to this property, and that larger scale daylight effects to this property are to be expected if a tall building is to be implemented on the Site.

Northpoint - There are 102 windows serving 87 rooms in this property that face over the Site. 64 of the windows will meet the BRE Guidelines recommendations and 78 of the rooms will meet the recommendations in relation to NSL. The daylight/sunlight assessment within the ES states that windows in this property generally have very high levels of existing daylight potential, typically recording existing levels of VSC in excess of 30% VSC, which is noticeably in excess of the suggested 27% VSC threshold in the BRE. The majority of the windows retain well in excess of 20% VSC in absolute terms with the Proposed Development in place. Those which do not meet the 20% level all retain in excess of 18% VSC which is considered an acceptable level within an urban location. The NSL analysis shows a very high rate of compliance with the BRE guidance across this property, with 90% of the rooms meeting the typical recommendations. There are nine rooms where reductions occur beyond the BRE and these are all of a minor extent with no relative change exceeding 26.2%.

With regard to sunlight, there are 224 rooms surrounding the Site which are relevant for the sunlight amenity assessment, and there are a number of properties

which will experience negligible effects from the proposed development. The properties most impacted are considered to be:

Northpoint - 49 of the 87 rooms in this property meet the typical BRE recommendations for APSH. The 38 rooms that do not meet the BRE reflect relative changes of a major negative extent. The Applicant considers that the existing levels of sunlight in the baseline situation for this property are very high, with most windows recording over 10% APSH in winter and over 40% APSH annually. As such, a higher degree of relative change to some of the windows in this property is likely to occur due to the comparison to these high existing levels when a building of any height is considered. It is also noted that the vast amount of rooms impacted are bedrooms which are considered less important than living spaces for the purposes of this assessment with 10 living rooms impacted. Again, it is considered by the Applicant that given the sites designation for a tall building, an impact upon surrounding properties is expected.

With regard to overshadowing the quantitative sun on ground assessment confirms that any overshadowing effects to surrounding amenity areas will be negligible. The analysis shows that whilst the Proposed Development will cast longer shadows than any of the existing surrounding buildings, they will move fairly quickly over the surrounding area, with no prolonged effects on sensitive receptors.

The report within the Environmental Statement also considers the impact on daylight and sunlight to existing residential receptors during the demolition and construction phase. During demolition and construction the level of effect in relation to daylight, sunlight and overshadowing to surrounding properties would be less than the final built out development, as the extent of the permanent development increases throughout the construction phase. As the scheme nears completion, the impacts will gradually adjust to those of the completed development.

Overall, the daylight effect of the implementation of the Proposed Development on the surrounding properties is considered by the Environmental Statement to be generally minor to moderate adverse, long term and local in nature with an isolated major adverse effect in respect of 1 Sherman Road. Overall, the sunlight effect to the surrounding properties is considered to be minor adverse, long term and local in nature with an isolated moderate adverse effect in respect of 1 Sherman Road. The overshadowing effect of the construction of the Proposed Development is negligible adverse, long term and local in nature. Cumulatively, there are no relevant consented schemes that would influence the daylight, sunlight and overshadowing effected detailed in the report. The Applicant confirms there is no appropriate mitigation in respect of the demolition and construction phase or operational phase as such the residual effect of the Proposed Development remains the same as that of the completed development and can be considered harmful to the environment.

It is clear that the development will cause significant impacts on nearby properties, most specifically 1 and 3 Sherman Road and the Northpoint development to the north. These properties currently have existing high levels of sunlight given the relatively low rise nature of the surrounding land uses and as such it can be considered that any development of a larger nature than that which exists will

cause some detrimental impact. In this case, the proposed 23 storey building, at the width and massing proposed, will give rise to considerable loss of daylight and in some cases, sunlight. This must be weighed however in the balance with the allocation of the site to provide 120 units which will inevitably require a much more dense form of development than that which currently exists. It was noted within the Applicant's evidence that a 10 storey building would have a similar impact in terms of loss of daylight than the proposal, and as such should the site be developed for any type of 'tall building' as per the allocation, this will inevitably cause an impact upon the surrounding properties. Whilst it is appreciated that the scale of the building has not been justified as per the wider Site 2 draft allocation, in that it is not robustly evidenced that a building of this size and scale is appropriate given the absence of a wider site masterplan, it is envisaged that the eastern part of the site (including 10A) will come forward to provide a larger quantity of housing which will result in taller building heights. Further to this, it is the clear direction of the GLA for higher density development to be located around key transport nodes and a degree of flexibility to allow for this to occur is considered acceptable. On balance, Officers consider that whilst the impact of the development upon daylight/sunlight of neighbouring residents is significant, it is clear that should the site come forward as a development opportunity as forecast in the five year housing land supply, this impact must be accepted. As such Officers consider that on balance, the impact in this regard must be accepted.

#### *Overlooking/ loss of privacy and overbearing impacts*

It is clear that there will be a greater perceived level of overlooking as a result of the numerous windows and balconies proposed for the full height and width of the proposed development. That which is most impacted is likely to be the properties opposite the development and Northpoint Flats to the north. The development is sited approximately 14m from 1 Sherman Road and 13m from 3 Sherman Road where the building height is reduced to 4 storeys. At the closest point, the proposed building is sited 15m from Northpoint however the development is reduced to 4 storeys to the north to mitigate issues of perceived and actual overlooking. Windows within the northern elevation up to the fourth floor are obscurely glazed to prevent privacy impacts. It is the case that there will be some mutual overlooking from the fourth floor outside amenity area, however this is a communal space with transient people movements, unlikely to be used significantly throughout the day. Subject to appropriate management of the space to prevent night time use, the distances between Northpoint (which is angled away from the development site) and the proposal is considered to be acceptable. The building steps away from Northpoint at fourth storey level between 0-10m which is considered acceptable to prevent any harmful privacy impacts.

With regard to the properties at 1-3 Sherman Road, whilst there will be some visual impact occurring by virtue of the siting of a tall building within 13-14m of habitable room windows, weight is given to the sites location within a central, town centre location close to a transport hub where high density development is encouraged and relationships between buildings such as this are not uncommon. Furthermore, as previously stated, the site is allocated with 10A for a development of 120 units which inevitably will involve a higher density development than that which exists, as such a level of visual intrusion is likely to occur even if the site was developed

within the outlined parameters of the housing supply document. On balance, whilst the development will cause some perceived loss of privacy and visual intrusion, this is not considered so severe within its setting to warrant a stand-alone ground of refusal.

Officers do note however that the proposed application for a 10 storey development at 10A Sherman Road would cause significant overbearing impacts resulting from development of the adjacent land at this scale, particularly to the outdoor amenity space at fourth floor level. Whilst the applications are to be considered on their own merits, the conflict between the two sites in terms of amenity evidences the requirement for the site to be brought forward as a whole as part of a more comprehensive, holistic development. The siting of a 23 storey block on land at 6-10 Sherman Road, without including the site at 10A would result in a parcel of land with little development opportunity given the constraints of its siting, therefore prejudicing the wider site allocation.

### Wind and Microclimate

There will be a resultant impact upon the microclimate of the locale by the development of a tall building. The submission contains an assessment chapter in the ES which assesses the likely significant effects of the construction and operational phases of the Proposed Development in terms of the local wind environment. The chapter also describes the legislative and policy framework, the assessment methodology; the baseline conditions at the Site and surroundings; the likely significant environmental effects; the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed. The study area modelled for the analysis includes the Site and the surrounding existing, permitted and proposed properties likely to be affected by the Proposed Development. In order to assess the 'worst case scenario' the model excludes both soft and hard landscaping.

The results show that at the construction phase the result would progressively vary with wind speeds likely to increase during period of demolition as the site will become relatively free of obstructions and wind is likely to gather speed in open areas. As construction develops, the potential effects during various stages of construction will vary and may be of lesser magnitude than those that will be experienced once the Proposed Development has been completed. Any undesirable wind conditions during construction are temporary and the areas within the immediate vicinity of the Site will not be open to the public. Once the development is operational, it is stated that wind speeds will tend to increase in some areas especially areas in close proximity to the Site.

The results indicate that most areas remain suitable for sitting and standing with some exceptions where winds tend to accelerate. In particular wind conditions along Sherman Road for the stretch of the Site and extending north. The report states whilst this is a noticeable increase in wind speeds in these areas, particularly during the windiest periods of the year, wind conditions remain suitable for pedestrian strolling and general pedestrian circulation, although not for pedestrian standing (i.e. for people accessing buildings). It is further stated that at

balcony and roof top level the results show occurrences of exceedance of the comfort criteria for standing and sitting particularly at the roof top of the building, therefore these areas are not suitable for people accessing them without appropriate safety equipment; it is noted that it was considered within the addendum that the balconies can be safely access with mitigation which is to be conditioned to be submitted should permission be forthcoming. With regard to pedestrian safety the only location where the criterion for safety is exceeded is in the north-west corner of the existing Northpoint building. This area does not appear to be intended for frequent pedestrian use, however mitigation will be required if the area is accessed by people.

The report concludes that mitigation will be required which includes tree planting, recessed entrances, restricted maintenance to roof top level, perimeter screening to the outside terrace areas and wind mitigation to the balconies. The mitigation to the south facing balconies is not outlined and as such this would be subject to condition for details to be submitted should permission be forthcoming. Furthermore, conditions are also required that a further mitigation study should be submitted prior to occupation to optimise the wind comfort levels in respect of the 17th floor amenity area, testing options for landscaping in order to mitigate any undue wind impacts. The effect on the development without mitigation would be negligible to minor negative significance in respect of pedestrian comfort and negligible significance for all receptors except 1 receptor where the impact will be of minor to moderate significance. With the mitigation, the effects are expected to be negligible to minor adverse which subject to conditions, is considered acceptable in accordance with London Plan Policies 7.6 and 7.7 and UDP policy BE17. The combined effects of the proposed development with other development schemes is considered acceptable.

### Noise and vibration

Noise and vibration is not considered in the Environmental Statement which due to the absence of a scoping opinion has not been agreed by the Council. Whilst it is surprising that noise and vibration has been scoped out in its entirety given the sites location along a main arterial route and adjacent to the train station, it is not a statutory requirement of the Applicant to apply for a formal opinion, although it is considered best practice.

The site lies between Sherman Road and the Bromley North Branch Railway Line, approximately 55 metres to the north-east of the busy, arterial A21 road. The rail line carries three passenger trains per hour in each direction, during the day, connecting to Grove Park. The site is influenced by sound arising from road traffic in the area, particularly the A21, with occasional acoustic contributions arising from slow-moving rail traffic entering and exiting the railway station. Where the analysis indicates that noise may be a determining factor, mitigation measures have been proposed to ensure satisfactory living conditions are capable of being met. It is stated that the residential development can be brought forward with compliant internal noise levels subject to the use of thermally insulated façade treatments to the development. The external amenity spaces will broadly achieve the external amenity requirements however it is noted that the balcony spaces on the south western facade and lower floors of the south-eastern and north-western facades

are predicted to marginally exceed the desirable <55dB daytime criterion for external amenity spaces. Therefore, whilst the inclusion of glazed balustrades will improve these conditions to "marginal compliance" a further assessment of noise levels should be undertaken at the detailed design stage which will be subject to conditions should permission be forthcoming to assess further mitigation in this regard. It was concluded that subject to conditions, noise does not present a constraint to residential development on the site.

Whilst the impact of the development upon surrounding land uses has not been considered, it is not considered likely, given the two raised areas of amenity space with 2.7m boundary treatment, that the development would cause any appreciable impact in this regard however should permission be forthcoming a condition will be required for an updated acoustic assessment to be submitted which should outline any required mitigation. With regard to noise impacts from development and construction, this is considered to be temporary in nature and as such acceptable subject to conditions as set out within the construction management plan. No objections are raised by the Council's Environmental Health Officer.

With regard to vibration impacts, no assessment of construction vibration has been submitted with the Applicant stating that 'construction noise and vibration effects will be governed by appropriate planning conditions, which will govern times, noise limits and vibration limits. The Construction Environmental Management Plan (CEMP); to be prepared by the principle contractor, post-planning, will be derived in accordance with these limiting criteria and will describe the specific techniques and phasing that will be employed within the demolition and construction phases of the Proposed Development'. It is also stated that given the type and frequency of the vibration of the train line, no assessment of this has been made. Officers are happy that these can be covered by stringent conditions should permission be forthcoming.

### Socio-Economic Impacts

The submission contains an assessment chapter in the ES which was replaced within the submission of the ES Reg 25 response (addendum) which assesses the likely significant effects of the operational phases of the Proposed Development in terms of the wider socio-economics at the local, Borough, Regional and National level.

The operational and development phases of the application are considered to create a moderate positive impact over the long term. With regard to the expenditure of the additional residents during the operational phase, this is considered to have a major positive impact. The scheme is considered to have negligible impacts upon healthcare, education and community facilities given that it is considered there is a surplus of vacancies within the set criteria to account for the increase in population. It is stated that the development will be designed in accordance with the principles of 'Secure by Design' and is considered within the report to improve the connectivity and activity of the space, which Officers concur with. The proposed development is considered to have a minor positive impact on the local area. With regard to open and play space, negligible impacts are proposed given sufficient areas of open space within the locale.

It is concluded that the provision of 219 new homes to the area comprising a mix of unit sizes is considered to have a long-term moderate positive impact upon housing therefore no mitigation is required. Mitigation is also not required in respect of employment and economy, healthcare, local education, community facilities, crime or open space as a result of either minor/major positive or negligible impacts.

With regard to cumulative impacts, it is considered unlikely that the Proposed Development would generate any cumulative impacts that would warrant mitigation with regard to those aspects identified above that result in a Positive impact.

Amended information was submitted in May 2018 which included a revised socio-economic chapter. The findings of the chapter remain as per the original submission however dental practices were taken into consideration when assessing healthcare impact, in line with the Reg 25 requirement.

Officers consider that whilst the impacts on economic and employment benefits seem overly positive as assessed in the ES, on balance the impact of the scheme upon socio-economic factors is considered to be acceptable.

### 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. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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

The scheme is car free in nature with four blue badge car parking spaces proposed on-street within the red line boundary. The works are facilitated by the conversion of three on-street car parking bays with one additional bay created. For the commercial use two on-site disabled bays will be provided with a further two on-street car club bays and a drop-off bay which will be used for deliveries which will also serve as a drop-off bay which will be used as a drop-off facility for disabled residents and taxis. Two under-croft spaces are proposed for commercial vehicles. In total, 3 car spaces are lost and 7 are to be created in various functions leading to an additional four on-street with an additional two spaces within an internal under-croft area. A minimum of 3 years car club membership for all residents will be provided and secured through section 106 agreement should permission be forthcoming.

The site is located in an area with high PTAL rate of 6a (on a scale of 0 - 6b, where 6b is the most accessible).

With regard to vehicular access, a single vehicle crossover will be retained to provide access to two under-croft parking space for commercial use. The access and on-street parking bays is considered unacceptable by the Council's Highways Officer given that he considers this to narrow the running width of Sherman Road to an unacceptable degree, this is further exacerbated by the servicing/ refuse collection which is proposed to be undertaken from Sherman Road. The narrowing of the road is considered to cause road congestion and be a contributory cause of road traffic accidents as well as having other direct or indirect effects on other issues such as the use of public transport, business and the environment.

Following the receipt of the Highways Officers initial comments, a transport statement was submitted by the Applicant to address the outstanding highways issues. With regard to the narrowing of Sherman Road, the Applicant states that as existing some of the bays on the northern side of the road overlap with those on the southern side with the application increasing this cross-over by 13.4m. They further note that the delivery bay will not be within constant use and will be prohibited for long term parking through the TRO. They also state that Sherman Road is not a through route for large vehicles. The highways officer does not agree with this as he states that a building with 219 units will be serviced frequently by refuse vehicles and as such the extent of the reduced width of the road is still considered to cause unacceptable congestion and highways safety impacts.

With regard to public transport, the number of trips by bus/trains was found not to have been included within the TA which the Officer found unacceptable. The Applicant's submitted highways note following the Highways Officers initial comments clarified the bus/train trips and no further concern in this regard was found. TfL also reviewed the trip generation information and concluded that the proposed development will not have a significant impact on the local transport network.

In respect of car parking, the applicant has not provided justification for the non-provision of parking. The car ownership in Bromley town ward is 1.00 per household which translates to a minimum of 219 car parking spaces. However as the development is large number of studio/1 bed units and in a good public transport accessibility area, the highways team are prepared to accept 100 car parking spaces. The Proposed Draft Local Plan Chapter 4, Getting Around (Transport and Accessibility) states the following for residential parking standards:

| Bromley Residential Parking Standards (per unit) |                     |                   |
|--|---------------------|-------------------|
| PTAL   | 1-2 bed             | 3 bed             |
| 0-2*   | Minimum of 1        | Minimum of 1.5    |
| 2*-6a  | 0.7 (min) – 1 (max) | 1 (min) 1.5 (max) |

The Applicant within the Highways Note states that they do not consider the draft local plan parking standards are in conformity to the current of draft London Plan. They state that parking for 100 vehicles in a controlled parking zone and within a town centre would undermine walking, cycling and public transport contrary to Policy 30 on the London Plan. The Highways Officer in his initial comments stated that the standards reflect the factors in the National Planning Policy Framework (NPPF) which encourage local planning authorities to develop their own standards, and as such should be given weight despite not being strictly in conformity with the London Plan requirements or TfL's comments which support the car free approach. As such, the Officer considers that the lack of parking spaces would allow for an increase in parking demand in an area where a few on-street spaces are available and would generate considerable pressure to find spaces with a significant risk of illegal or unsuitable parking and on-street manoeuvring. This would cause inconvenience and in some locations, risk to traffic and pedestrian safety.

Although the development does not strictly meet London Plan/ Draft London Plan standards for disabled space provision, TfL consider there to be mitigating circumstances including the limited availability of on-site and on-street space, the provision of two on-street car club spaces, the disabled resident's drop-off bay, proximity to a variety of town centre services and step free access to numerous bus services. Bearing this in mind TfL would not object to the application on these grounds.

For the residential uses 20% of spaces should have active electric vehicle charging facilities, with passive provision for the remaining spaces. For the commercial uses both of the disabled parking spaces should have electric charging spaces from the outset. The on-street drop off bay should also include active charging facilities which will be secured by condition should permission be forthcoming.

No objections are made to the level of cycle parking which is considered to meet the London Plan standards.

The development proposes balconies which will over sail the highway along Sherman Road by up to 1.5m from a height of 5m above the footway. This is acceptable in principle subject to appropriate indemnity insurance and licence. The new building also encroaches onto the footway; this area needs to be stopped up. The applicant should be aware that the costs of stopping up process would be at his expense.

Comments have been received from TfL in respect of the new public realm improvements proposed for the south-western frontage of Bromley North Station. TfL states that whilst this does not fall within the TfL highway ownership boundary, the area is adjacent to TfL bus stops and it is requested that further consultation in undertaken with TfL in relation to the details of the proposals to ensure they do not impede access to the stops or the operation of the bus stands. Should permission be forthcoming, a condition to this effect will be required.

A Draft Travel Plan, outline delivery and servicing plan and draft construction management plan has been submitted with the application for the development. The documents should be secured, delivered, monitored, updated where

necessary and funded through the Section 106 agreement and/or condition should permission be forthcoming.

In conclusion, the lack of parking spaces provided and proposed location of the on-street delivery and car parking space is considered to inconvenience and in some locations cause a risk to traffic and pedestrian safety which is considered contrary to Policy T18 and T3 of the Unitary Development plan and Draft Policy 30, 31 and 32 of the Draft Local Plan.

### 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.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

An energy assessment has been provided with the application. The report concludes that the proposal incorporates the Be Lean, Be Clean, Be Green methodology. In terms of Be Lean, the application proposes a high performance building fabric, high levels of air tightness, energy efficient lighting, provision of energy efficient appliances etc. With regard to Be Clean, a CHP providing low carbon heating, hot water and electricity are being provided. PV panels are also incorporated at roof top level to fulfil the Be Green requirement. The scheme is not considered to be carbon neutral despite the above practises, and as such a carbon off-setting sum is required to be paid should permission be forthcoming in respect of the residential units totalling £220, 536.

Following the submission of a revised Energy Strategy, the Council's Policy Officer is satisfied with the findings subject to the contribution which will be secured through a future section 106 agreement.

### Air Quality

Policy 7.14 of the London Plan aims to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs) and where development is likely to be used by large numbers of those particularly vulnerable to poor air quality, such as children or older people) such as by design solutions, buffer zones or steps to promote greater use of sustainable transport modes through travel plans.

Air Quality was scoped in to the Environment Statement and a chapter on Air Quality has been submitted with the application. The report states that an assessment of the potential impacts during the construction phase have been carried out. This has shown that during the construction phase the proposed development will release dust and PM10 (particle pollution) during site activities. The precise behaviour of the dust, its residence time in the atmosphere, and the distance it may travel before being deposited would depend upon a number of factors. These include wind direction and strength, local topography and the presence of intervening structures (buildings, etc.) that may intercept dust before it reaches sensitive locations. Furthermore, dust would be naturally suppressed by rainfall. It is considered that the risk to dust soiling and human health during demolition and construction to be medium however during earthworks and trackout, the impact is considered to be low.

In respect of operational phase impacts, the proposed development includes land uses sensitive to long and short term pollutant concentration exposure and as such has the potential to introduce new receptors into an area of poor quality. With regard to NO<sub>2</sub> concentrations, future occupants of the site would not be exposed to NO<sub>2</sub> concentrations above the relevant air quality objectives therefore the impact of the Proposed Development with regards new exposure to this pollutant is considered to be negligible. Future occupants of the Site would not be exposed to PM10 concentrations above the relevant air quality objectives therefore the impact of the Proposed Development with regards new exposure to this pollutant is considered to be negligible. The impacts of the proposed energy centre are not considered significant.

It is considered that through good site practice and the implementation of suitable mitigation measures (including community consultation, erection of site notices with contact details, recording of all dust and air quality complaints and taking of appropriate measures, site monitoring etc.) the impact of the dust and PM10 may be effectively mitigated and the resultant impacts considered negligible. The potential for exposure of future development occupants over the objectives was assessed using the ADMS-Roads dispersion model. This indicated that concentrations of NO<sub>2</sub> and PM10 are likely to be below the relevant objectives at the development location. The impact of the development with regards new exposure to local air quality is therefore considered by the author to be negligible.

In terms of residual impacts including all development within 200m, the impacts are not considered to be significant when incorporating the outlined mitigation methods. The impacts would be described as negligible. The development itself is considered to be air quality neutral, and when considered cumulatively with committed developments within 350m of the boundary, is predicted to be negligible as each development should have suitable mitigation measures. The impact of operational traffic emissions on local air quality is anticipated to be negligible and consequently the cumulative effects are also predicted to be negligible. In conclusion therefore, concerns are not raised in respect of the Air Quality arising from the proposed development during construction and once completed.

No objections to the findings are made by the Council's Environmental Health Officer.

### Flooding and Drainage

Policy 5.13 of the London Plan states that Development should 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 run-off is managed as close to its source as possible. Drainage should be designed and implemented in ways that deliver other policy objectives of this Plan, including water use efficiency and quality, biodiversity, amenity and recreation.

A water resources chapter has been scoped out on the basis that there are unlikely to be any significant impacts associated with flood risk and drainage. However, no consideration has been given to other potential impacts on surface water resources during either construction or operation such as: discharge of demolition and construction site runoff during earthmoving and general works, and any accidental spillages or contamination of that runoff; and increase in potable water demand during operation of the scheme. The provision of information on contamination of run-off during demolition and construction should be provided and/or form part of the construction management plan (CMP) and can be conditioned as necessary.

The site is located within Flood Zone 1 on the Environment Agency's Flood Map for planning. The submitted FRA demonstrates that the proposed development will not be unduly at risk from flooding. No specific mitigation measures are warranted. An assessment of the proposed drainage system has been undertaken and design parameters for the detailed design set out to ensure surface water flooding does not provide a hazard to person or property.

Comments have been made from the GLA within their Stage 1 comments which state that the applicant's drainage strategy would achieve a run-off rate of 5 litres per second for a 1 in 100 year storm event, through the provision of a below ground water attenuation tank. Whilst this approach is generally acceptable, the potential for above ground Sustainable Urban Drainage Systems (e.g. green roofs) must be fully explored in accordance with the drainage hierarchy before the proposed development can be considered compliant with London Plan Policy 5.13 and Policy S113 of the draft London Plan.

Comments have been received from the Council's Drainage Officer who raises no objection to the submitted FRA and recommends conditions for compliance with the document. A condition is also proposed which requires the Applicant to consider the use of SUDS as requested.

### Pollution and Contamination

The phase 1 contamination assessment has been submitted and its findings are summarised above. Given the site's historical development, there is potential for contamination within the ground and groundwater from both on and off-site sources. The potential risks to identified receptors are considered to be generally low to medium. It is recommended that ground investigation is undertaken to

quantify the risks and to provide geotechnical and geo-environmental information to inform further assessment of hazards present. The Council's Environmental Health Officer recommends a standard contamination condition to assess this further including the submission of a contaminated land assessment and remedial strategy to be submitted for consideration.

The site is also located adjacent to an Air Quality Management Area and air quality, contamination and odour abatement conditions would be necessary to mitigate impacts of the development if it was considered acceptable in all other respects.

### Electronic and Airspace Interference

The impacts from the development upon digital terrestrial and satellite television reception were not scoped in to the environmental statement by the Applicant however a Telecommunications Impact Assessment was submitted in support of the application. The report concludes that a consultation response from Ofcom had not been received at the point of finalising the report and as such it is unknown whether the proposed development would have any negative impacts upon wireless fixed links. With regard to terrestrial television services, the proposed development is within the coverage area for the Crystal Palace television transmitter. A site survey was undertaken on 28 November 2017 to confirm the relevant transmitter and record the signal quality. Television services with stable image and audio quality were received at all survey locations. The signal strength was variable but generally defined as good or very good. If an impact were to occur this would most likely be in the shadow zone within 500 m of the proposed development. Specifically, homes on Palace Grove, Palace Road and Park Road to the east of the proposed development could be affected. The report notes that a post-construction television reception survey should be considered to be conditioned however it is possible that no detrimental effects will occur in practise; should permission be forthcoming this would occur. Mitigation options are likely to be available in the event that an adverse impact occurs in respect of satellite television services.

Comments have been received from Arqiva who owns and operates the terrestrial television broadcast network, which relies on fixed links. These are not addressed as such in the Assessment, but it was confirmed that the location of the development proposed is not one that should result in any interference with the transmission of the radio and terrestrial broadcast networks that they operate.

With regard to impacts upon airspace, comments have been received from London City Airport who would have no safeguarding objection to the application. Neither Biggin Hill Airport nor the Civil Aviation Authority has commented on the application.

### Archaeology

The application site lies in an area of archaeological interest. The NPPF (Section 16) and the London Plan (Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process.

Paragraph 189 of the NPPF says that applicants should be required to submit appropriate desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development.

The NPPF accords great weight to the conservation of designated heritage assets and also non-designated heritage assets of equivalent interest. Heritage assets of local or regional significance may also be considered worthy of conservation. If archaeological safeguards do prove necessary, these could involve design measures to preserve remains in situ or where that is not feasible archaeological investigation prior to development. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss... Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The applicant submitted a desk based Archaeological Assessment (DBA). The findings of the report are summarised above. Comments were received from Historic England who state that they do not consider that the application falls within the GLAAS Charter and as such have no comments to make.

### Trees and Ecology

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. The NPPF addresses ecology in Section 15. Paragraph 175 of the NPPF states that opportunities to incorporate biodiversity in and around developments should be encouraged.

UDP Policies NE2, NE3 and NE5 seek to protect wildlife features and protected species requiring development proposals to incorporate appropriate mitigation where damage may occur. Policy NE7 requires proposals for new development to take particular account of existing trees and landscape features on the site and adjoining land.

It is also entirely appropriate for a development of this nature and scale to enhance opportunities for ecology and biodiversity as part of a detailed landscaping scheme (for example through the inclusion of bird/bat boxes, log piles etc.).

During the survey, two category C and two category U trees were recorded within or adjacent to the proposed development site which could potentially be impacted by the proposed development. It is proposed to remove all four trees.

Through consultation, Network Rail has objected to original proposals for small scale tree planting on the grounds that it would overly conflict their future site operation and as such hard landscaping is instead proposed.

Comments have been received from the Council's Tree Officer who states that the site is free from any tree constraints. The trees surrounding the site that have been included within the tree survey hold no retention value. Due to the nature of the scheme, it is acknowledged that landscaping opportunities are limited and no objections are raised to the application.

An ecological appraisal was submitted and concluded that there was negligible and low potential for various species including badgers, roosting bats, great crested newts and reptiles. Moderate potential was found for nesting birds with confirmed presence of feral pigeon. The site has the potential to support Biodiversity Action Plan Species. It is considered that the scale and nature of the proposals will not give rise to any negative impacts upon any sites designated for nature conservation. Subject to appropriate conditions ensuring compliance with the recommendations of the report, Officers consider the impact on ecology to be acceptable.

### 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 (paragraph 56) 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) 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.

The applicant has agreed in principle to pay the following amounts:

Health: £287,547  
Education: £ 383,642.13  
Highways: £47,400  
Carbon Off-setting: £220,536

The scheme would also be subject to Mayoral CIL.

In accordance with Policy BTC31 of the Bromley Town Centre Area Action Plan(Adopted October 2010) all development coming forward in the town centre will be required to make a significant contribution towards the necessary, planned improvements for the town centre which includes planned improvements to the public transport infrastructure for this region of the town centre. It is considered that a high quality enhancement of the public realm in the town centre would provide benefit to the development and its future residents and it is crucial that projects achieve the necessary quality threshold required for the town centre. Furthermore it is also considered that a high quality enhancement of the connectivity and accessibility of the site would be of benefit to the development and its future residents.

The Council has planned a programme of improvements for the Bromley North Station area which will enhance its role as a major transport interchange and create a Northern Gateway into the town centre. A major element of these proposals will consist of the implementation of significant improvements to the bus interchange and improved pedestrian links to the town centre at a cost of £4m, these are as laid out in the Draft Allocation for Site 2. All development coming forward in this area will have an impact on the use of this infrastructure and therefore, be required to contribute to the costs of these improvements.

Given the location of the site within the Bromley Town Centre boundary, the Council requested from the Applicant a Town Centre contribution of £760,000. This is based on the fact that as stated in the Draft Local Plan, the Council has a site allocation of 525 units for the whole of Site 2 - The Land Adjacent to Bromley North Station, with a specific allocation of 100 units on the applicant's site along with the site at 10A. The applicant is therefore required to contribute 19% of the total cost of £4,000,000 which is derived from feasibility studies undertaken by the Town Centre team, for the proposed bus stands which is £760,000. There is no standard formula for the calculation of this contribution and the amount is decided on a case by case basis having regard to various factors including the use, scale and impact of the development and how this may be mitigated by contributions to current or proposed Town Centre Improvement projects

The Applicant states that they have also costed the provision of bus stands and this has been accounted for as part of a wider proposed development for the allocation site. As such, it is the applicant's view that a financial contribution should not be required in respect of this application. The applicant will however be contributing towards the cost of new paving to the front of the station. They have costed this as £125,000 which has been taken into account in the viability appraisal. The applicant states that it is considered that the requested contribution of £760,000 in respect of Town Centre works would fail to meet the Regulation 122

tests of being necessary to make the development acceptable in planning terms, or fair or reasonable in relation to the proposed development.

Officers consider that the request for the town centre contribution is reasonable and necessary, directly relating to the draft site allocation requirements as laid out within the Draft Local Plan whereby it states the land is part of the wider Site 2 draft allocated whereby redevelopment is envisaged for a mixed use including 525 residential units, 2000sqm of office accommodation, space for community use, 230sqm café/retail, transport interchange and parking. It would be for all development coming forward within this area to contribute towards the transport infrastructure and other identified redevelopment requirements. By not agreeing to meet these contributions, the proposal is considered contrary to Policies IMP1 of the UDP, BTC31 of the AAP and Draft Policy 1. Officers do not consider that the Applicants offer of £125,000 is reasonable or justified and do not agree that the works to the station forecourt are of priority within this area given that they have recently been upgraded and are functional.

Should the Applicant have agreed to pay the contribution, Officers would have apportioned the moneys as per the S106 priorities as laid out in the London Plan Policy 8.2.

### Environmental Impact Assessment Conclusions

The ES considers the environmental impacts of the development in terms of the following technical topics: Construction methodology, townscape and visual effects including heritage, daylight, sunlight and overshadowing, wind, air quality, socio-economic, cumulative impacts and residual Impacts.

The developer has submitted additional information and points of clarification, which included Additional Environmental Information (April 2018), Environmental Statement Addendum (May 2018) and Response to Reg 25 and Environmental Statement Addendum Response (June 2018) pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This information has been taken into account in the determination of the planning application.

As required, third party representations have been taken into account and where points have been raised they have been worked into the substance of the report where appropriate. The methodology for the assessment of the ES is accepted.

Chapters 9 and 10 of the ES set out cumulative effects and the residual effects of the scheme. Adverse combined cumulative effects have not been identified considering surrounding development and socio-economic impacts. With regard to cumulative impacts, for the majority of impact areas, where the Proposed Development has the potential to generate environmental impacts, a range of mitigation measures have been recommended to address any significant negative impacts that may occur during both the construction and operation phases. The exception to this is an isolated major adverse residual daylight effect identified for a receptor to the northwest of the Site. Further analysis has shown that this level of impact would be anticipated for any tall building at the Site, even one just 30m in

height and Officers consider the impact in this regard is considered, on balance, to be acceptable.

Of most concern to Officers however is the impact of the development upon the townscape and heritage assets as set out in chapter 4.0. Whilst the chapter concludes that the impacts are neutral, commentary based on third party representations and Officers opinion in regard to the design, scale and layout of the proposal consider that the development unduly impacts upon the adjacent heritage assets and as such would cause harm to the wider environment contrary to local, regional and national policy.

### Conclusion

In conclusion, the scheme is considered \_excessively dense, and justification has not been provided to support the excessive quantum of development within a constrained portion of the wider site allocation. As a result of the excessive density the building is considered overly dominant in scale from a strategic townscape level and also at a site-level in terms of the relationship with adjacent buildings. The development is considered to visually compete with the modest market town character of the Conservation Area and the scale of the proposal would dominate views out of the Conservation Area and would harm the setting of the Grade II listed Bromley North Station by diminishing its civic presence and landmark status along the streetscape. There is little relief or articulation achieved through the massing of the building and the relationship between the proposed materials and the massing is poorly considered. The absence of articulation and relief and lack of variation in material makes the building look plain leading to the buildings reading as a slab-like block thereby exacerbating the harm.

With regard to layout, the role and function of the new public square in relation to the activities of the station and the new uses proposed at ground floor have not been considered fully. The residential entrance lacks prominence on Sherman Road and there is inactive frontage from the undercroft and sub-station. The access arrangement around the perimeter of the building has also not been fully considered and the access to the bike store is physically constrained; in essence the proposed arrangement of the bike store, refuse store and commercial parking is unsatisfactory. On balance, the design and layout of the proposal is considered contrary to Policies BE1, BE8, BE13 and BE17 of the Unitary Development Plan, Policies BTC2 and BTC32 of the AAP, Draft Policy 4, 37, 38, 42 and 47 of the Local Plan, Policies 3.4,3.5,6.9 ,7.4,7.7 ,7.6 and 2.18 of the London Plan and the Mayor's Housing SPG and paragraph 196 of the NPPF whereby it is considered that there is no public benefit to outweigh the harm to the heritage assets.

As well as the concerns as laid out in respect of the design, scale and massing of the proposal, the development is considered contrary to policies EMP3 and EMP5 of the Unitary Development Plan and Draft Policies 83 and 84 of the Draft Local Plan in that there has been insufficient justification for the loss of B1 and B8 floor space as a result of the proposal. The Applicant has not provided any marketing information or clarification as to potential loss of employment in order to meet the requirements of policy for the loss of office space and non-designated employment uses.

Officers are further concerned as to the impacts of the development of this site as a stand-alone form of development. Without information to suggest the contrary, the proposal is considered to jeopardise the deliverability of both the wider Draft Site 2 allocation, contrary to Policies 1, 30, 31 and 32 of the Draft Local Plan.

Additionally, the application is considered to provide insufficient parking and would jeopardise highways safety as a result of being car-free in nature (with the exception of blue badge parking) and narrowing the Sherman Road highway causing unacceptable congestion and highways safety impacts. The lack of parking spaces provided and the proposed location of the on-street delivery and car parking spaces is considered to inconvenience and in some locations cause a risk to traffic and pedestrian safety which is considered contrary to Policy T18 and T3 of the Unitary Development plan and Draft Policy 30, 31 and 32 of the Draft Local Plan.

Finally, there is a strong policy requirement for the Applicant to provide a town centre contribution as a result of its siting within the Bromley Town Centre boundary. The sum of £760,000 is well justified based on the principles of the redevelopment of the Draft Site 2 and it is not considered that the Applicant has demonstrated any cogent reasons as to why they should not be required to contribute this obligation. As such, without sound justified reasoning, the proposal is considered contrary to IMP1, BTC31 and Draft Policy 1.

Under NPPF Section 6, it is national policy to boost significantly the supply of housing. This is reflected in the London Plan (2016), Policy 3.3. Therefore, the benefit of additional housing provision is an important policy consideration to be considered in assessing this application.

In spite of the benefits of housing provision and taking into account the policies and material planning considerations set out above the harm caused by this specific proposal is such that on balance the application should be refused.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

**RECOMMENDATION: APPLICATION BE REFUSED - SUBJECT TO ANY DIRECTION FROM THE MAYOR OF LONDON**

**The reasons for refusal are:**

- 1 The proposed development is considered lacking justification for its excessive density which contributes to its overly dominant scale from a strategic townscape level and also at a site-level resulting in a proposal which visually competes with the modest market town character and harms the setting of the Conservation Area and Grade II listed Bromley North Station by diminishing its civic presence and landmark status along the streetscape. The building is considered of poor design with little relief or articulation achieved through the massing of the building resulting in a slab-like block thereby exacerbating the harm. The layout of the wider**

public realm, entrances along Sherman Road and the inactive frontages are not fully considered and allow for an unsatisfactory layout in respect of bike store, refuse storey and commercial parking. The proposal is thereby considered contrary to Policies BE1, BE8, BE13 and BE17 of the Unitary Development Plan, Policies BTC2 and BTC32 of the AAP, Draft Policy 4, 37, 38, 42 and 47 of the Local Plan, Policies 3.4, 3.5, 6.9, 7.4, 7.7, 7.6 and 2.18 of the London Plan and the Mayor's Housing SPG and paragraph 196 of the NPPF whereby it is considered that there is no public benefit to outweigh the harm to the heritage assets.

- 2 The proposal would, in the absence of sufficient marketing information to demonstrate the contrary, result in the loss of employment floor space and non-designated employment floor space being contrary to Policies EMP3 and EMP5 of the Unitary Development Plan (2006) and Draft Policies 83 and 84 of the Draft Local Plan.
- 3 The proposal, by reason of insufficient parking spaces and the proposed location of the on-street delivery and car parking spaces is considered to inconvenience and in some locations cause a risk to traffic and pedestrian safety which is considered contrary to Policy T18 and T3 of the Unitary Development plan and Draft Policy 30, 31 and 32 of the Draft Local Plan.
- 4 The application fails to provide the required town centre contribution which is considered relevant and necessary in order to make the development acceptable, and without reasoned justification for the lack of agreement is considered contrary to Policies IMP1 of the Unitary Development Plan, BTC31 of the Bromley Town Centre Area Action Plan and Draft Policy 1 of the Draft Local Plan
- 5 In the absence of information to suggest otherwise, the stand-alone nature of the development is considered to jeopardise the deliverability of the wider draft allocation by virtue of its size, scale and design contrary to Draft Policies 1, 30, 31 and 32 of the Draft Local Plan.