

Application No : 18/00443/FULL1

**Ward:
Kelsey And Eden Park**

**Address : GlaxoSmithKline, Langley Court,
South Eden Park Road, Beckenham**

Objections: Yes

OS Grid Ref: E: 537785 N: 167886

**Applicant : CALA Management Limited, DV4
Beckenham Trustee No. 1 Limited**

Description of Development:

Redevelopment of the site to provide 280 residential units (Use Class C3), a Use Class C2 care home for the frail elderly, retention of the sports pavilion, retention of the spine road, provision of open space and associated works.

Key designations:

Metropolitan Open Land
Site of Importance for Nature Conservation
Biggin Hill/London City safeguarding
Green Chain
Smoke Control Multiple

Proposal

Planning permission is sought for residential units and a care home on land between Langley Park and Langley Waterside developments and South Eden Park Road, previously occupied by GlaxoSmithKline as a research and development facility.

The proposed care home will be located on land along the northern and part of the western boundary with residential units in the central, southern and eastern parts of the site.

There is an existing area of Metropolitan Open Land (MOL) which accommodates a sports field and a pavilion previously used as a sports clubhouse along the remainder of the western boundary. The application seeks to retain this land for Class D2 Use.

Outline planning permission was previously granted in 2014 under ref 12/00976/OUT for a mixed use scheme providing residential development, a Class D1 use (medical centre) and a Class D2 use (outdoor sports), retention of the pavilion and associated infrastructure works (the full description of development is in the Planning History section of this report). Under application ref 14/03706/DET, permission was granted for reserved matters and several conditions relating to Phase 2 of the development.

This phase relates to the internal infrastructure layout of the site and includes a north/south spinal road, an attenuation pond and children's play area adjacent to the southern boundary, a new footpath/cycleway along the eastern boundary of the open

space, car parking for an existing leisure pavilion, a cricket score hut, works to the River Beck and new footbridges over the river and a neighbourhood car park adjoining Creswell Drive (for Langley Waterside residents and visitors). The approved works have been completed.

None of the residential or Class D1 and D2 development has been carried out.

The current application proposes residential use of the site for 280 units as follows:

- 119 flats on part of the western boundary with the MOL and along the southern and part of the south-eastern boundary,
- 161 houses that will occupy the majority of the eastern, southern and central part of the site with some along the western boundary with the MOL,
- A care home providing 100 units for the frail elderly,
- Retention of the existing sports pavilion, and
- Retention of the spine road and provision of open space and associated works.
- A total proposed floor area of 44820 sqm (Gross external area) is proposed.

Following comments from the Greater London Authority and internal and external consultees, the applicant has submitted revised plans and documents during the course of the application with a significant submission of revised plans and documents in August 2018. The main changes are as follows;

- Removal of flats over garages and relocation to the southern apartment Block 1.
- Houses in the side roads/mews redesigned to increase surveillance.
- Car parking ratio reduced from 1.7 to 1.6 spaces per unit (from 555 to 470 spaces).
- Revised Landscaping proposals
- Scope and location of PV panels provided.
- Land and slab level drawings provided.
- Additional sections provided.
- Elevations show lift overruns on the roof of southern apartment blocks.
- Amendments to affordable rent wheelchair units to meet South East London Housing Partnership standards.
- An addendum to the Air Quality Assessment.
- Additional and addendum Remediation reports and information.
- Amendments to the Arboricultural Impact Assessment.
- Additional and addendum reports for Site Wide Energy Statement.
- Revisions to the Transport Assessment and additional highways reports.
- Operational Management for the Care Home.
- Revised Flood Risk Assessment.
- Additional Noise Technical Note.
- Play Space Strategy.

Each element of the development is described in more detail below.

The **residential element** of the proposed development comprises the following:

Mix and Tenure

- A total of 280 residential units will be provided on the site - the mix and tenure of units is set out in the table below:

Tenure	Unit type	Quantity
Market	1 bedroom flat	28
	2 bedroom flat	17
	3 bedroom flat	4
	2 bedroom houses	7
	3 bedroom houses	53
	4 bedroom houses	48
	5 bedroom houses	4
	Total	161 (57.7% by unit)
Affordable housing	1 bedroom flat	31
	2 bedroom flat	69
	3 bedroom flat	10
	3 bedroom houses	9
	Total	119 (42.5% by unit)

- The overall dwelling mix % of all unit types is in the table below:

1 bedroom units	21%
2 bedroom units	33.2%
3 bedroom units	27.1%
4 bedroom units	17.1%
5 bedroom units	1.5%

- A total of 1188 habitable rooms will be provided for all tenures
- A Schedule of Accommodation has been provided
- Taking a proportionate approach to density, the floorspace for the care home has been discounted for the purposes of this calculation. On this basis, the proposed density for the residential development only will be 193 habitable rooms per hectare and 45.7 units per hectare.

Affordable housing provision

- A total of 119 units (415 habitable rooms) of affordable housing will be provided which equates to 42.5% affordable units and 35% of habitable rooms.
- 62.6% of affordable units will be social rent tenure and 37.3% will be intermediate (shared ownership) tenure.
- 70.4% of the affordable units will be 2 or 3 bedrooms.

- The affordable housing is largely located in the north-west part of the site with affordable rent and shared ownership flats and houses provided plus intermediate units and one affordable rent unit in Block 1 of the southern apartments and 1 affordable house on plot 84.

Wheelchair provision

- 10% of dwellings (total 28 units) are to be provided split between market and affordable units
- 16 market units are designed to meet Building Regulations Part M4(3)(2a) adaptable wheelchair user dwellings and
- 12 affordable rent units are designed to be accessible (a home readily useable by a wheelchair at the point of completion) to South East London Housing Partnership wheelchair standards.

Building heights and house types and appearance

- Proposed buildings will range in height from 2 to 5 storeys. The taller 4 and 5 storey buildings provide flats known as the southern flats with 4 storey buildings also providing flats in the NW corner of the residential part of the site.
- The lowest height of the proposed houses will be 2 storey with some 2 storeys with rooms in the roof and some 3 storey 'town' houses.
- The proposed roof styles include full hip, half- hip and the use of gables. There are feature roof treatments at more prominent points of the site.
- The house types include terraces, semi-detached and detached houses interspersed across the site to provide a variety of buildings in the street scenes.
- The appearance of the building is primarily traditional incorporating the use of a variety of brick colours and light render with detailing including contrasting banding and soldier courses. Roofs will be slate or tile finish.
- The southern flats will be more contemporary in design with extensive use of glass and brick at lower levels with a flat roof and a glass and brick set back top floor. There will be integral balconies for each unit and part of the ground floor is a brick that encloses the proposed internal parking bays.

The **care home element** will provide accommodation for people in need of care including day care, respite care and longer term care support, including those with Alzheimer's and related dementia. This building will be located on the northernmost part of the site. This development comprises the following:

- The building will be a 3 storey H' shaped building with car parking around the south and east corner of the part of the site.
- A total of 100 care suites will be provided which can accommodate up to 105 residents, including some couples.
- There will be 46 x 1 bedroom suites, 30 studio suites and 24 dementia suites.
- On the ground floor there is a large communal area in the centre of the building which provides a restaurant, reception area, private dining room, a lounge/bar, a family room, a cosy corner, an activity room/village hall, a cinema and a café plus ancillary support services such as kitchens, plant rooms staff rooms, laundry and some studio suites and one bedroom suites.

- On the first floor there is a communal bistro and library, hair salon, therapy room and dining/activity room. There are 12 dedicated dementia suites plus a mixture of studio and one bedroom suites.
- On the second floor there is a dining/activity room and a quiet room. There are 12 dedicated dementia suites plus a mixture of studio and one bedroom suites.
- The upper floor units do not have private amenity space for all of the flats but each floor has an outdoor terrace area with access for residents. On the ground floor there are terraces adjacent to most of the flats and larger communal outdoor amenity spaces including the garden area.
- Car parking for 50 cars and 1 minibus is shown on the large forecourt area and 10 cycle parking spaces for staff and visitors.
- A refuse bin store and buggy parking store is provided adjacent to the southern boundary of the care home site.

Site wide elements

Vehicle and pedestrian access

The primary access to the site will be from South Eden Park Road via the Bucknall Way roundabout. The applicant advises that the development will not be gated.

An existing T-junction access to South Eden Park Road will provide exit-only access for the residential and care home part of the site and entry and exit access to the Pavilion car park.

An existing neighbourhood car park is located adjacent to the southern boundary of the site and will provide a gated emergency access to and from the site via Creswell Drive. This car park is for residents and visitors of Langley Waterside only and will not be used for general access by residents of the proposed development. This space is fenced off from the development site but there will be gated provision for emergency services vehicles only which has been agreed with the London Fire Brigade.

Internal vehicle movement will be via a central north-south spine road with lanes radiating west and east to serve the groups of houses and flats.

Pedestrians can enter the developed part of the site via the road access points and there are 3 dedicated pedestrian access points shown via bridges over the River Beck from the cycleway/footpath that runs along the eastern edge of the playing field.

Car Parking

A total of 470 car parking spaces will be provided across the site. This equates to an average allocation of 1.6 spaces per unit. A detailed Parking Summary has been submitted which shows the parking arrangements as follows:

- For the northern flats, 66 parking spaces in the form of open court parking are provided; this includes 14 dedicated spaces for wheelchair accessible units. The ratio of parking spaces to units is 0.84 spaces per unit.

- For the southern apartments 81 spaces in the form of undercroft parking spaces in Block 1 and open court parking are provided; this includes 5 dedicated spaces for wheelchair accessible units. The ratio of parking spaces to units is 1 space per unit
- For the 9 affordable houses and all of the market houses, 301 spaces in the form of curtilage parking spaces and garages, open court parking and on-street parking spaces; this includes 5 dedicated spaces for wheelchair accessible units. The ratio of parking spaces to units is 2.5 spaces per unit. Most of the houses have a single garage with a single parking space in front. There are a few larger units with a double garage and 2 additional car parking spaces.
- A total of 24 visitor parking spaces will be provided across the site.
- A total of 46 disabled parking spaces will be provided.
- The Transport Assessment (TA) advises that active and passive electric vehicle charging points (EVCP) will be provided in line with the London Plan standards.
- A Car Park Design and Management Plan has been submitted.
- Service and Delivery Plans have been submitted for the residential element and the care home.

Cycle Parking

A total of 531 long stay cycle parking spaces and 7 short stay spaces are proposed for the site. For houses, the garages are slightly longer to accommodate 2 cycles and internal cycle racks will be provided in each garage. Properties without a garage will be provided with a shed or cycle store located in the rear gardens with gate access to the garden.

For the flats, the submitted plans show 7 dedicated cycle parking stores adjacent to the relevant flat blocks. These are shown to be covered and secure.

For the care home, 10 spaces are shown on the south and west elevations

Car Club

The TA and the Car Club Technical Note advises that a car club parking space will be provided on the site with first residents offered 2 years free membership.

Refuse and servicing

The number of bins for the flats has been calculated on the basis of 1x1100 litre bin for every 6 units plus 1x240 litre bin for paper and one for glass per 6 units and 1x240 litre bin for food waste per 20 units. The plans show that the correct number of bins can be provided within covered storage areas with the exception of 1 recyclable waste bin.

Refuse and recycling bins will be stored in the rear gardens of each house.

Submitted plans show swept path analysis to demonstrate that refuse vehicles can access all of the collection points. The applicant advises that the road layout can accommodate servicing vehicles.

Trees and landscaping

The applicant advises that 34 of the 121 individual trees and 6 of the 24 groups of trees will need to be removed to facilitate development and allow working space for removal of redundant ducting along part of the eastern boundary.

The majority of the trees to be removed at Category 'C' or 'U' but 17 trees or groups are category 'B' and one is a Category 'A' tree.

The applicant has submitted landscaping and planting plans that show replacement tree planting and a detailed landscaping plan for the site.

A separate landscaping plan is shown for the care home.

Retention of existing sports pavilion, spine road and provision of open space and associated works

The application site also includes land and buildings to the west of the primary development site which is designated Metropolitan Open Land. The pavilion building was previously used by Glaxo as part of its staff sports facility which was associated with the adjacent playing field and recreation area.

Under ref 12/00976 planning permission was granted for the use of the pavilion for unrestricted Class D2 use subject to a clause in the S106 legal agreement requiring the submission of a management plan to prevent these areas from inappropriate use. The applicant expects the requirement for a management plan to form part of the S106 Agreement for this application.

Seventy car parking spaces have been approved under the above permission and the road and spaces in this car park have been laid out for use by the pavilion only.

On the southern part of the site a new lake has been created and a play area has been laid out under the 2012 planning permission. The lake is primarily an attenuation feature and forms part of the sustainable surface water drainage system for the site but also forms part of the landscape setting for the site. The play area was identified in the previously approved Play Strategy as part of the provision for play space for 0-5yrs. The intention is for both of these features to remain.

Summary of documents submitted by the applicant in support of the application

Planning Statement (Applicant Submission)

This statement seeks to describe the site and surrounding area and sets out the applicant's case in support of the proposal explaining how it addresses the development plan policy requirements.

Design and Access Statement (including supplementary addendum) (Applicant Submission)

This statement sets out the applicant's assessment of the site and surrounding area and the rationale for all elements of the proposal having regard to relevant development plan policies. The statement confirms the amount of development proposed, parking strategy, refuse and sustainability strategy. The statement discusses the approach to access, landscaping and appearance of the development.

Affordable Housing Statement (Applicant Submission)

This statement confirms that of the 280 dwellings proposed, a total of 119 units (415 habitable rooms) of affordable housing which equates to 42.5% affordable units and 35% of habitable rooms of affordable housing will be provided which meets the London Plan requirements.

For the affordable housing 62.6% of units will be social rent tenure and 37.3% will be intermediate tenure which meets the requirements of the London Plan.

70.4% of the affordable units will be 2 or 3 bedrooms which meets the current housing demand requirements.

The affordable housing is largely located in the north-west part of the site plus 32 intermediate units and 1 affordable rent unit in Block 1 of the southern apartments. Plot 84 is an house offering wheelchair accessible affordable rented accommodation. Whilst there is a concentration of affordable housing in the NW part of the site, this is more acceptable to registered providers from a management point of view. The provision of units in other parts of the site is welcomed.

Specific Care Home related documents

- Care Home Needs Assessment

This document considers the national context and issues for the care home sector, including definition of a care home, the position of the proposed care home at Langley Court in the local market, an assessment of the need for general elderly care in the borough and local demand and supply analysis of elderly care.

- The report concludes that there is unmet need for 1,204 market standard bed spaces in the borough. The proposed development, if approved, would fill 11% of the unmet need.
- There is a significant unmet need for specialist dementia units.
- There is an existing undersupply of bed spaces within the borough which is likely to increase given the scale of changes to demography over the coming decades.

- Care Home Operational Management Plan

This document sets out policy content and examples of existing Signature (the applicant and prospective operator) developments that operate as Class C2 uses. The Operational Management Plan lists criteria under which the property will operate in terms of identification of appropriate residents (in need of care), the range of personal, nursing and communal facilities that will be available to residents (minimum and maximum care packages) and controls over occupation.

Highways related documents

- Revised Transport Assessment (Applicant Submission)

This statement sets out the policy requirements in respect of transport and highway impact, identifies the baseline conditions in respect of public transport, accessibility and traffic surveys and then assesses the impact of the proposal. The report covers access, parking standards, traffic generation and measures to promote sustainable transport modes. The assessment concludes that the site is well connected providing good access to public transport and local facilities. Car and cycle parking will be provided in accordance with the London Plan and a residential travel plan will be secured.

- Parking demand for Care Home – additional data received 8.10.2018 (Applicant Submission)

The applicant has provided further information to justify the proposed levels of car parking for the care home.

- Car Park Management Plan (for residential and care home element) (Applicant Submission)

This document sets out measures to better manage the car parking provision that is needed by residents efficiently and to minimise highways safety issues that may arise from car parking.

- Car Club Technical Note (Applicant Submission)

This document sets out details of access to a car club vehicle on the site. In summary, a dedicated car club parking space will be provided and first residents will be offered 2 years free membership.

- Construction Logistics Plan (Applicant Submission)

This Plan sets out details relating to the management of construction vehicles and deliveries throughout the duration of the construction activities. The document sets out the road route for delivery and construction vehicles and advises that there will be no deliveries before 10am or after 4pm.

A revised document has been submitted to assess the impact of the traffic movements associated with the movement of 'cut and fill' material on construction related movements to and from the site.

- Delivery And Servicing Plan - Care Home (Applicant Submission)

This document sets out the requirements of the care home for delivery of goods and provision of services and describes management measures to minimise transport effects on the local highways network.

- Delivery And Servicing Plan – Residential (Applicant Submission)

This document sets out measures to minimise the impact of freight movements that is needed by residents/occupiers and facilitate sustainable freight travel to and from the proposed site.

- Framework Travel Plan (Applicant Submission)

The Draft Travel Plan uses the current Department for Transport guidelines to develop a Travel Plan pyramid to ensure all aspects required for the formulation of a Travel Plan are addressed to encourage sustainable modes for a development. The pyramid sets out details about the delivery of the Travel Plan for the site in relation to location, physical aspects of the development, site travel co-ordinator, services and facilities and awareness raising, marketing and information.

- Site-Wide Energy related documents (Applicant Submission)

A Sustainability and Energy Statement dated 10.10.2017 was submitted that relates to the whole development. The submitted document was assessed by the Greater London Authority as part of the Stage 1 comments on the proposal and found that the proposal follows the energy hierarchy but further information is needed on the 'be lean' and 'be clean' elements. For the 'be green' part the applicant must review the proposed PV panels to maximise coverage. Since then numerous additional studies and information have been submitted and the following are now the formal submitted documents:

- Sustainability and Energy Statement dated 10.10.2017
- Addendum to Sustainability and Energy Statement by RSK dated 25.10.2018 which presents amendments to the energy strategy principally through the inclusion of communal heating in the residential apartment blocks, additional CHP plant in the care home and optimised PV provision.
- Energy Statement for the Care Home and Energy Statement Addendum for Care Home dated Oct 2018 which includes detailed data and modelling to meet BRUKL 'Be Lean' and 'Be Clean' and 'Be Green' standards.
- Overheating Assessment for the residential elements (April 2018 ref P18-23 Issue 1)

Drainage and Flood Risk documents

- Revised Flood Risk Assessment and River Buffer Zone Plan (Applicant Submission)

A revised Flood Risk Assessment (June 2018) reviews the historic flood risk assessment and drainage strategy work previously undertaken to satisfy planning conditions associated with the consented planning permission under ref 12/00976/OUT. The revised document assesses the proposal against up to date flood modelling data provided by the Environment Agency.

Part of the drainage strategy for the site has been approved and implemented under conditions 15 and 18 of permission 12/00976/OUT.

For surface water the report advises that the infrastructure associated with regional and area controls has been installed mainly under the areas of public realm. To manage the additional capacity for this scheme, the consented drainage design can be adapted without compromising the original drainage strategy. It is anticipated that additional area control will be in the form of permeable paving in the lanes, roads and mews courtyards with additional buried attenuation storage. The source control required will follow the principles of the original consented drainage scheme.

For foul water drainage the applicant advises that Thames Water have confirmed that the foul water drainage infrastructure can accommodate the predicted foul water flows from the new scheme. Extension and alterations to the foul water system have approval in principle from Thames Water.

The report advises that the development will not cause flooding on site or pose a risk of flooding to adjacent land or land downstream. It is anticipated that the Local Planning Authority will require the above to be substantiated through the imposition of a planning condition. Any condition imposed by the LPA regarding foul water drainage should take into account the views of Thames Water.

Arboricultural Impact Assessment: Stage 1 and 2 Report Rev 4 including Tree Constraints Plan and Tree Removal and Protection Plan

This report includes a detailed survey of existing trees on site and identifies trees to be removed and considers the acceptability of the loss of these trees. Tree protection measures and construction methods are identified. The report concludes that a limited number of trees are to be removed but replacement planting will mitigate the impact of this.

The AIA identifies the removal of 34 of the existing 121 individual trees and 6 of the 24 groups of trees on the site. The majority of these trees are along the eastern boundary and will need to be removed to allow working space for the removal of redundant ducting along this boundary.

The AIA show the removal of most of the trees along the south-eastern boundary, adjacent to St Martins Lane, with the exception of 6 trees, numbered 104, 105, 106,

111, 115 and 117. In addition the group of trees at the rear of houses in Spinney Close are shown to be retained.

Other trees to be removed are where the proposed trees will be within the gardens of dwellings and are likely to become over dominant or are located on the footprint of buildings or roads. These trees to be removed are mostly located in the centre of the site and their removal has been previously agreed under the 2014 application.

Replacement planting for removed trees is shown on the submitted landscape design and planting plans which show the planting of a substantial number of additional trees of heavy standard and semi-mature size and primarily native species.

Ecology related reports (Applicant Submission)

This application is supported by 3 ecology related reports which are summarised below:

- Primary Ecological Appraisal (March 2017)

This report assesses the ecological value of the site and its potential for protected animal species and important vegetation communities and the impact on these and the need for further surveys. Much of the site has been cleared and landscaping and infrastructure works for a previously approved housing development have been completed.

The site was assessed for the suitability of the site for badgers, great crested newts, water voles, white-clawed crayfish, bats, 4 species of common reptiles and breeding birds.

The report concludes:

- The site is within 2km of 3 statutory sites and are far enough away to be unaffected by the development.
- The site is 1km from four non-statutory designated sites of borough interest.
- The site is a designated Sites of Borough Interest (SBI).
- Eighty note-worthy species of birds, mammals, invertebrates, plants and reptiles have been found within 1km of the site over an extended period of time.
- In terms of protected species listed, the report concludes that:
 - Badgers do not occupy historical setts but report suggests monitoring of old setts throughout the season.
 - Great Crested Newts – very unlikely to be present
 - Water Vole – site unsuitable
 - Crayfish - site unsuitable
 - Bats – important foraging and commuter corridor but no evidence of bats in the buildings (if works undertaken to building a repeat survey will be needed). Construction Management Plans should be mindful of any bats roosting in trees and removal of any mature trees should be subject to a survey before felling.

- Common reptiles – suitable for slow worms and common lizard so reptile surveys are needed before any suitable habitat is removed.
- Breeding birds – optimal habitat for nesting birds so removal of any vegetation should be outside of breeding season or checked for nest in the breeding season.
- Stag beetles – removal of suitable habitat should be by hand and new areas for stag beetles should be created.
- The plans show the development will not encroach on the SBI but houses are very close and within the root protection area of some trees so a full arboricultural impact assessment is recommended.
- Survey for invasive species is recommended during the appropriate season.
- Reptile survey is recommended prior to any work along the eastern boundary
- The Reptile Survey (dated 23.6.2017)

This field work was carried out between April and June 2017 and no reptiles were found during the survey visits and no mitigation works on the site are required.

- Ecological Management Plan (dated October 2017)

This site-wide EMP includes details of habitat creation and enhancements for protected species and long term habitat management measures including pond creation and planting, hedgerow, shrub and tree planting, grassland planting and planting of native species.

Other technical reports

Air Quality Assessment (Applicant Submission)

The report by RSK dated January 2018 identifies that the development would have the potential to cause air quality impacts during construction and operational phases. During construction this would be due to dust emissions and particulate matter emissions. Appropriate mitigation has been offered for dust management. Consequently the report concludes that, subject to the implementation of recommended mitigation measures and a Dust Management Plan during construction, the impact would not be significant.

Dispersion modelling was undertaken to predict the effects of the post construction operation of the site and existing and increased traffic on the network. Exceedances of the air quality standard are predicted on residential receptors close to the junction of South Eden Park Road, Stone Park Avenue, Wickham Lane and Hayes Lanes in the absence of mitigation. To reduce the extent of the operational phase effects on local air quality, mitigation measures such as electric vehicle charging points, implementation of a Travel Plan and associated sustainable measures is recommended to reduce road traffic generated by the development.

The report further recommends the use of a combined heat and power plant for the care home to further reduce the impact of the operation of the site on air quality emissions.

The report concludes that if an appropriate range of mitigation measures are implemented and the plant selected for use has a similar air quality to those modelled in the assessment, it is considered that the impacts of the proposed development on local air quality will have been reduced, making the residual impacts more acceptable.

- Letter dated 20.6.2018 from RSK

The previous report omitted reference to the London Plan requirement for the development to be air quality neutral and this letter and additional data makes submits additional information in this respect.

- Air Quality Addendum

This report considers the impact on air quality of a centralised energy generating plant for the care home.

Archaeological Desk Based Assessment (Applicant Submission)

Planning permission was granted for redevelopment of the site under reference 12/00976/OUT. Condition 37 required the submission of an archaeological record of the historic lodge and Condition 38 required the submission of a programme of archaeological works. Both of these conditions have been discharged. Works to the site to implement Phase 2 of the development to layout the site infrastructure have been carried out.

The current report updates the previous submissions and advises that the current report will only refer to any potential assets that could be found at levels below the implemented infrastructure by 1m. The only other archaeological potential relates to the undeveloped areas from additional drainage and highway works.

The report recommends that an archaeological watching brief is completed and secured by condition.

Noise Assessment (Applicant Submission)

A report by RSK dated November 2017 deals with the impact of existing external noise sources on the future residents of the proposed development. An additional Technical Note dated 17.1.2018 considers the impacts from car movements and refuse collection relating to the southern apartments on nearby existing residents adjoining the SE corner of the site.

The report conclusions are as follows:

- Predicted levels at the boundary of the residential properties are not considered significant and can be dealt with by standard specification double glazing system (providing a sound reduction of 28dB Rw) to meet recommended internal day and night ambient noise levels. The glazing will need a similar specification for ventilation.

- The facades at the care home will need a higher specification of attenuation to reduce external to internal noise by a maximum of 30 dB(A).
- The impact of additional traffic flow on existing receptors reveals that, due to the relatively low level of increased traffic movements, the impact in terms of noise emissions is considered to be negligible.
- Mitigation measures to minimise the impact of construction site activities have been recommended in the report.
- Predicted noise levels for the most sensitive receptor outside the site in the SE corner is below daytime and night time ambient noise levels and as such would be imperceptible. There will be higher noise levels in this location for single event activity that may be audible but for very short periods of time and do not contribute to the existing ambient noise or result in significant impact.

Play Space Strategy (Applicant Submission)

This document sets out the requirement of the development to make provision for play space for under 5's, 5-11 years and 12+ years in light of the anticipated child yield of 164 children. The report identified the total play space needed and how this will be provided around the site.

Site Assessment and Remediation (Applicant Submission)

The site is a former pharmaceutical research and production facility that was decommissioned in 2011. A planning application for the redevelopment of the site was approved in 2014 and was accompanied by reports investigating the contamination of the site (dated June 2010 and June 2011). Remedial works were carried out in 2014 and 2015 and the contamination agents advised that the site was suitable for residential development with the exception of the provision of a 300mm clean cover imported into soft landscaped areas.

The NHBC reviewed the submitted documents and works and recommended further investigation and assessment. Investigations were carried out in Feb 2017 and the report submitted with this application is the outcome of the findings and provides details of a remediation strategy for the next phase of construction works.

For the residential element of the site, RSK submitted a report entitled Site Assessment and Remediation Strategy and a covering letter dated 13.8.2018. The report and letter summarises previous site assessments, assesses findings and developments of conceptual site model, recommendations of foundation design and development of a remediation strategy.

The report comments on foundation design which is not discussed in detail here. Regarding contamination on the site, the current report finds that the reprofiled soils were largely free of contamination but found low level of concentrations of asbestos and elevated concentrations of copper.

The report recommends discussion with the Local Authority and NHBC to confirm the requirements for a capping layer to deal with the copper and asbestos and, initially, recommends a cap of 600mm in private gardens and 450mm in communal and soft landscaped areas. In addition a coloured marking layer will be placed at the

base of the capping level to denote the intersection between the clean and impacted materials.

Prior to the placement of capping material a further visual assessment will be carried out to confirm the absence of contamination.

Other remediation measures include the use of soils and aggregates from known sources, a piling risk assessment and Materials Management Plan (to ensure that re-use of material already on the site is safe) and this report has been sent to regulatory authorities for their comment and approval.

For the care home part of the site, a report by Applied Geology entitled Report on Ground Investigation at Langley Court, Beckenham dated February 2018 was submitted for consideration on 26.10.2018. This report concludes that:

- There is some non-hazardous material in the made ground which is fairly common and will be excavated out when we do our reduced level dig and disposed of at a licensed tip.
- The material presents no risk to controlled waters and the only other requirement in the RSK reports was for a 450mm capping layer to soft landscaped areas which we will install.
- In terms of vehicle movements to cover the above works, the impact assessment has been included in the revised Construction Logistics Plan submitted by RSK .
- Update to Remediation Strategy

The applicant has submitted a further letter advising that it is proposed to provide a 600mm clear capping to all gardens and soft open landscaping. This involves the removal of up to 600mm of existing soil in these areas and replacement with 'clean' material. Plan P112 shows details of the extent of cut and fill that is proposed across the site and this can be assessed against plan P111 which shows details of proposed levels across the site. A site section has also been submitted.

The plans and site section indicate that the levels will not be significantly different to the existing levels shown on the topographical plan.

Statement of Community Involvement (Applicant Submission)

The Statement advises that consultation included a meeting with the stakeholder group comprising representatives of the adjoining residents association, a meeting with the head of Unicorn School and a two-day public exhibition at the Old Dunstonians Rugby Football Club in St Dunstons Lane, Park Langley in November 2017. There were 86 visitors to the public exhibition and the report advises that the main concerns related to traffic movements on South Eden Park Road, the operation of the Bucknall Way roundabout and car parking. There were divided views about proposals for a gated development and the level and nature of the proposed affordable housing.

Townscape and Visual Impact Assessment

The report by RSK dated October 2017 describes the site and its townscape, landscape and visual context and identifies key visual viewpoints and sensitivity of visual receptors of the site. It goes on to consider the impact of demolition, construction works and the completed development on the identified receptors. The report finds that there are negative impacts during the demolition and construction phases will be minor or moderate adverse but will be temporary and short-term. Following construction there will be no adverse effects on townscape and or visual receptors within the study area.

Mitigation measures to minimise the impact of the development have been incorporated into the scheme and include careful placing and orientation of buildings away from sensitive boundaries, retention of open space, retention of existing trees and vegetation, where possible, and enhancement with the planting of new, native trees and landscaping throughout and particularly in the SE corner of the site where tree removal will be greatest.

To protect the habitat of the River Beck, a management and maintenance scheme is recommended to ensure longevity of the stock and to enhance biodiversity across the site.

Location

This 10.6 hectare site is situated directly east of South Eden Park Road (B230) and lies to the south of Beckenham town centre.

South Eden Park Road extends along the full length of the western boundary of the site and beyond this road is an area of dense tree vegetation and open landscaping known as Harvington Estate.

To the north of the site is Bucknall Way, which leads into Langley Park and a site known as Land At Junction With South Eden Park Road And Bucknall Way (Northern Land). Planning permission for the redevelopment of this site for residential purposes has recently been granted and the details are in the Planning History Section below.

To the east the site is bounded by residential development known as Langley Park and Langley Waterside. The land which both of these developments occupy was previously owned by GlaxoSmithKline (later known as Glaxo Wellcome). Planning permission was granted for Langley Park in 1997 and for Langley Waterside in 2001.

To the south is Creswell Drive with Unicorn Primary School beyond with associated fields and car parking. The school was provided as part of the Langley Waterside development site.

Vehicle access to the south is primarily via Bucknall Way to the north. There is a secondary access that forms a T-junction with South Eden Park Road. Pedestrian and cycle access can also be gained to the site along the southern boundary via a path that runs along the eastern side of the cricket pitch and pavilion building.

There is also a neighbourhood parking area on the southern boundary with access from Creswell Drive but there is no access to the site via this car park except for emergency vehicles.

The site comprises 3 primary elements, namely

- the land designated as Metropolitan Open Land (MOL) that accommodates playing fields, a pavilion and the associated car parking
- the land laid out in accordance with the approved reserved matters for Phase 2 of the planning permission 12/00976/OUT and comprises the internal principle road infrastructure, the attenuation pond and associated play area adjacent to the southern boundary
- the River Beck which is a Site of Importance for Nature Conservation which runs north to south through the centre of the site.

In terms of development constraints, the south-western part of the site is within Flood Zones 2 and 3. The site is within PTAL 1b (where 1 is the lowest and 6a is the highest). There are no statutory or locally listed buildings on the site and it is not in a conservation area. A strip of land along the eastern boundary is designated Urban Open Space.

Consultations

Comments from Local Residents

Nearby properties were notified and 20 representations have been received objecting to the proposal. Six letters of support have been received including one from Club Langley and 3 letters supporting the proposal in principle but concerned about some of the issues raised by other residents. The comments in support and objection are summarised below:

Objection

- increased congestion around Chinese garage roundabout, South Eden Park Road/Creswell Drive junction and South Eden Park Road/Hawksbrook Lane junction.
- extra traffic from care home and proposed family houses will adversely impact local junctions to South Eden Park Road and be a safety hazard.
- impact on local infrastructure of more units than previously approved.
- scheme is not architecturally inspiring.
- proportion of affordable housing and potential social problems.
- inadequate landscape screening in the south east corner to prevent overlooking to adjoining properties – should be more larger trees.
- council can secure financial benefits from S106 contributions, extra Council Tax and new social housing so it is in their benefit to approve the development, regardless of whether it meets the requirement of planning policy.
- development does not meet density and design criteria in UDP Policy H7.
- developer is manipulating the density calculations by using different PTAL levels to calculate housing density and car parking provision.

- density does not reflect local density for neighbouring developments.
- car parking exceeds maximum parking in the London Plan with no mitigation measures to reduce the effect of increased traffic on local infrastructure.
- the TA should take account of other permitted development on land in close proximity to the site, including a new primary school on the Langley Schools site.
- provision of affordable housing in a private development will result in residents on low incomes having to pay for maintenance costs and upkeep of infrastructure on the site.
- risk of flooding from inadequate surface water drainage arrangements.
- failure to comply with requirements to improve air quality by reducing use of cars and limiting car parking spaces.
- comments at initial consultation regarding retention of semi-rural feel of open space and density to match existing development has been ignored.
- footpath provided along the eastern boundary of the MOL is not visible or overlooked nor is it well lit and is a risk to user safety.
- The provision of a bandstand will generate unacceptable noise pollution.
- local schools cannot be expanded to take extra children
- insufficient capacity at local doctors surgeries.
- loss of doctors surgery to provide a care home makes no sense.
- Antisocial behaviour from the site and the users of the new retail unit at the Chinese Garage will stretch the resources of the police.
- Increase pavement width south of Cresswell Drive on western side of South Eden Park Road

Support

- will provide much needed housing in the borough on a site that has been vacant for too long.
- improvements to South Eden Park Road carriageway and provision of footpath in the Travel Plan are supported.
- development will provide extra customers for nearby shops.
- wider range of house/flats types will appeal to a wider range of buyers and downsizers.
- significant improvement in previous consented scheme with better layout and design for the units
- respects the setting of the Metropolitan Open Space and provides high quality landscaping and will offer community benefits and a valuable community asset in the borough with educational and employment opportunities

Comments from Consultees

Education, Care and Health Services

Recent London-wide data indicates that Bromley has the 3rd highest total number of care home bed spaces, and in proportion to the 65+ years population sits mid-way at 17th highest. LaingBuisson 2017 'care of older people: UK market report' suggests that the proportion of people residing in care homes who fund their own care is rising; for Greater London that increase was from 30% to 46% and for South-East

the increase was from 54% to 62% in the three years, 2014 to 2017. This is likely to be linked to the ongoing rise in value of home ownership for people aged over 65 years.

Against these facts, we note that the proposal:

- 'caters towards the increasing demand amongst care home residents for high quality services' [11.3] and that the scheme will 'target the top of the private fee paying market' [16.2, comprehensive planning need assessment 2017] . We assume that care home fees will be significantly higher than local authority ceiling rates and so it is unlikely that services will be engaged by adult social care for local authority funded clients. Therefore, this development will not address LBB's need to increase access to within borough care home placements. It logically follows then, that the suggested criteria for acceptance of 'whose admission has been first approved in writing by the council' [3.13, Care Home Operational Management Plan, May 2018] is misleading, implying either that the council will pay their planned top rates or is an approved council provider. If planning permission is granted, we would request that this line is removed (or significantly modified) from the Management Plan and any marketing materials.
- 'minimum care level will comprise one hour of care per day'[3.11, Care Home Operational Management Plan, May 2018] . We therefore assume that people will be accepted into the care home with care needs significantly below that of a local authority care needs assessment and will therefore be expected to live for a number of years at the care home. This means that their financial evaluation prior to admission is inadequate to ensure funding is sufficient for the duration of need... 'ensure that any self-funding residents have proof of funds to support themselves financially, normally for a minimum period of 2 years' [23.10, comprehensive planning need assessment 2017]. Therefore, the provider does not appear to adequately address the risks posed to LBB by self-funding residents who experience reduction in assets such that the local authority becomes responsible for funding their placement (wealth depletion). If planning permission is granted, we would request that the provider be required to inform *prospective* residents that if they are unable to pay the weekly fees, then the local authority will not fund above their published ceiling rate, so a move may be required to another care home. Additionally, we would request that the proof of funds required for customers with low care needs (below 2 hours of care per day and no night care needs) to be a minimum of five years rather than two years and that the provider be proactive in informing the local authority when service users' funds are beginning to dwindle.
- 'proposed facility to be secured via ... s106 agreement' [1.5, Care Home Operational Management Plan, May 2018]. While there are many reasons to approve applications via s106, it is unlikely that local authority funded care home customers will benefit from this new development.

Adult social care can see that this development has potential to support the growing number of older Bromley residents with high value assets, including through rising property values, giving them the means to choose a care home focused on the 'top

of the private fee paying market'. Our concern is that the model of admission will lead to people with very low care needs entering an institutional setting long before their needs require a 24/7 care staff presence. There is very low probability that there will be overlap between this customer base and those placed with local authority funds.

Highways and Transport

To support the application, the applicant has submitted numerous documents relating to highway and transport matters, as follows, and these have been summarized in the Proposals Section of the report.

- Revised Transport Assessment dated August 2018
- Parking demand for Care Home – additional data received by email dated 8.10.2018
- Framework Travel Plan
- Framework Construction Logistic Plan
- Car Club Technical Note
- Car Park Management Plan
- North Flats Parking Allocation Plan
- Construction Logistics Plan
- Delivery and Servicing Plan Care Home
- Delivery and Servicing Plan Residential

Comments regarding the acceptability of these documents have been variously received from the Council's Highways Officer and Transport for London in the GLA Stage 1 letter. The Highways comments have been attached to this report as an appendix.

Drainage

The submitted "Flood Risk Review & Technical Appraisal" Report No. 132969-01-(01) dated June 2018 carried out by RSK to examine the impact of the revised development proposals on the approved drainage strategy and its potential to cause flooding is acceptable.

The 15% increase in the impermeable area will be stored in the additional public realm space (permeable block paving and geocellular storage units).

The following condition is recommended:

The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, compliant with Drainage Strategy Report defined within RSK report No, 131863-03-(01), 131863-03 (Addendum) and the latest 132969-01-(01), an assessment of the hydrological and hydro geological context of the development including hydraulic modelling and drainage simulations, has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to

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

Reason: To reduce the impact of flooding both to and from the proposed development and third parties.

The Environment Agency raise no objection subject to the following conditions:

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures are implemented and secured by way of a planning condition on any planning permission.

1. The development permitted by this planning permission shall be carried out in accordance with the approved Strategic Landscape Masterplan (Drawing no. 661202/04/05 Rev 07) and River Buffer Zone plan Ref: 16284 S103 dated June 2018.
2. Finished floor levels will be a minimum of 300mm above the flood level which will arise from a 35% increase in flows due to climate change as stated within the approved Flood Risk Assessment (FRA) by RSK (dated June 2018, reference 132969-01-(01))

The approved outline permission 12/00976/OUT has a number of conditions that have yet to be discharged (Condition 39, 45 and 46) that address unsuspected or known contamination identified during groundworks and agreed remediation if required. We request that these conditions are updated to reflect the latest submission of information and included within the decision notice should permission for this development be granted.

Environmental Health

1. First response on 17.8.2018

Contamination: The RSK Environmental report (ref 278930-R01 Draft) gives details in Section 5 of the proposed Outline Remediation Strategy which deals with the elevated levels of asbestos and copper found in the last batch of samples. I agree with the proposals but note that the approval of NHBC has also been sought. The proposal includes adding a capping layer of 600mm in the domestic gardens, which is standard practice in such situations to ensure that future householders have no accidental contact with the contaminated soil. As an additional precaution a coloured marking layer (or membrane) is proposed at the base of the capping layer, which again is normal practice, however I would suggest that as an additional precaution future residents are made aware of this and that normal Permitted Development rights are withdrawn so that there is no uncontrolled development such as pools or extensions which would penetrate the marking layer and thus expose construction workers and residents to risk. I believe that in the past a condition has been imposed on similar sites (Bickley Point and Tiepigs Lane Hayes) but I would be happy to help draft a bespoke Condition if these are not accessible).

Noise: The Noise Assessment carried out by RSK Environmental (ref 296765-01) concludes that internal noise levels can be achieved to comply with all relevant

guidance, but that in the Care Home a higher specification of double glazing would be required. I would therefore recommend that the following Condition be imposed:

Before works commence a scheme of glazing and ventilation based on the recommendations of the Noise Impact Assessment prepared by RSK Environmental (report ref 296765-01) shall be submitted to and approved in writing by the Local Planning Authority.

The glazing and ventilation shall be installed in accordance with the approved scheme and shall be permanently maintained thereafter.

I also agree with the Conclusions of the Technical Note (RSK/296765-TN-01) that although "individual activities from the proposed development may be audible at existing receptors for extremely short periods of time, these events do not contribute to an increase in existing ambient noise or result in significant impact.

Air Quality: The Air Quality Assessment carried out by RSK Environmental considers the proposed development and refers back to previous Assessments carried out by other and up-dates the assessment with other local Permissions which have been granted in the interim. It is concluded that air quality on the site would be acceptable but that there would be a "significant effect on local air quality in the absence of mitigation". The Report then goes on in Section 7 to propose mitigation measures in both the construction phase as well as the operational phase. Whilst I concur with this in principle I am concerned that the Assessment makes no reference to the London Plan 2016 nor to the requirement to be Air Quality Neutral. I would be grateful if you could ask the applicant to provide an addendum to the Report to address this.

2. Second response on 23.9.2018

Air Quality: in principle I am happy with the response in the Addendum which has been submitted, but think there may be an error in page 3, para 3. My interpretation is that as the residential institution is estimated to generate 280kgNOx per annum, and this is less than the benchmark of 447kg/annum then the building is deemed to be air quality neutral and so no mitigation is necessary. Transport emissions are likely to exceed the benchmark by a considerable margin. It appears that in summarising Table 3 (Calculation of Transport Emissions) and Table 4 (Transport Benchmark Calculations) the para following Table 4 has added the NOx and the PM₁₀ values. I would be grateful if you could confirm that this was what was intended, although it does not change the overall exceedance. The range of mitigation measures are not specific and therefore I would recommend that approval is deferred so that the mitigation can be appraised when the work is complete. If you feel that a Condition is appropriate then I would suggest something like:

The Applicant shall submit to the LPA a scheme of mitigation and/or offsetting measures to enable the air quality neutral benchmark to be met from a transport emissions perspective, and the building shall not be occupied until written approval has been given by the LPA.

Contamination: The letter from RSK of 13 August 2018 together with drawing no P102/16284 give revised cut and fill proposals for the site. I am satisfied with these proposals.

3. A report entitled Report on Ground Investigation at Langley Court, Beckenham (Ref AG2760 – 17 – AD66 Version 1) which carries out investigative works to the land to be occupied by the care home has been received. The EHO advises that he agrees with the conclusions and recommendations of the report and recommends a condition that requires the development to be implemented in accordance with the Report on Ground Investigation at Langley Court, Beckenham (Ref AG2760 – 17 – AD66 Version 1) dated February 2018.

Thames Water

- Water Supply

Thames Water advise that with regard to surface water network infrastructure capacity, they would not have any objections to the planning application based on the information provided.

- Waste Comments

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

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

- Surface Water

The application indicates that surface waters will not be discharged to the public network and, as such, Thames Water has no objections, however approval should be sought from the Lead Local Flood Authority (LB Bromley).

Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

The Metropolitan Police Crime Prevention Design Adviser

I can confirm that I have at this time not met with the project architects or agents to discuss this development, and should my request for a Secured by Design condition be successful would request my contact details be passed on so a meeting can be arranged.

From my inspection of the proposal and the complexity of the development, I believe this development can achieve Secured by Design, but I have a number of concerns which I feel should be addressed regarding building and personal security,

undercroft parking area, defensive space for ground floor properties, cycle storage security, and clarification around visitor strategy, mail delivery, and the continued use of tested and accredited doors and windows.

I feel that should this application proceed, it should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design officers and the New Homes 2016 and Commercial 2015 guidance documents.

The adoption of these standards will help to reduce the opportunity for crime, creating a safer, more secure and sustainable environment, and a condition requiring the developer to engage with police and the local authority to achieve secured by design accreditation would greatly assist with the delivery of a safer development in line with national, regional and local planning policies.

Greater London Authority including Transport for London (summary)

London Plan and draft London Plan policies on older peoples' housing, housing, affordable housing, design, energy and transport are relevant to this application. The proposals do not fully comply with the London Plan and draft London Plan. The following changes, however, might lead to the application becoming compliant:

- Principle of development: The principle of the residential-led intensification of the site is strongly supported.
- Care home: A 100-bedroom care home is proposed, with 26 designated rooms for dementia-sufferers. GLA officers are content that the scheme represents a Use Class C2 residential nursing care home, as care is included in, and integral to, the base fee for residents and all meals are provided within communal facilities, with no cooking facilities within individual rooms. Should the applicant change the nature of the facility, however, a further assessment of use class will be required.
- Affordable housing: It is proposed to provide 35% affordable housing by habitable rooms, comprising 60% affordable rent and 40% shared ownership, which is strongly supported. To ensure that the scheme is Fast Track compliant, in accordance with London Plan Policy H6, any S106 must secured 35% as a minimum and the applicant must explore opportunities to further increase affordable housing supply through grant funding.
- Urban design: The scheme is dominated by surface car parking which significantly impacts the design and the success of the scheme more widely; this must be reduced. As most of the affordable units are provided within flats, whilst the market units are primarily detached or semi-detached homes, the applicant must ensure no difference in quality between the market and affordable units.
- Energy: The applicant has broadly followed the energy hierarchy; however, further information is required on the 'be lean' and 'be clean' elements of the hierarchy. Further, with regard to the 'be green' part of the hierarchy, the applicant must review the proposed PV panels to maximise coverage,
- Transport: The applicant must reduce car parking, as it exceeds London Plan and draft London Plan standards, with some units benefiting from 3 car parking spaces. Improvements to the junction of South Eden Park Road must be confirmed, an Outline Delivery and Servicing Plan must be provided and a CIL payment will be required.

Trees and Landscaping

The Council's Tree Officer advises that the Landscape Plan appears well informed and is an improvement to the original planting that was partially implemented prior to the construction phase. During my site meeting with the arboricultural consultant the revised planting scheme was discussed and agreed on. This later formed part of the pre-application advice response. I have reviewed the proposed schedule of tree planting for the street scene and residential gardens and consider the selection appropriate. The size specification will give a level of instant impact upon completion/occupation of the development.

Attention has been drawn to the south east corner of the site opposite the proposed block of flats. The retention of trees appears in line with previously agreed landscaping. Planting specifications can be requested under condition for new tree planting. I am satisfied that the development can proceed under conditional consent. It is noted that the boundary hedge is comprised of a native mix. The hedge species composition could focus on beech and hornbeam at this part of the site. Both beech and hornbeam retain leaves into late Winter.

A revised Arboricultural Method Statement (AMS) will need to be requested under condition. It is noted that tree protection has already been outlined as part of the Arboricultural Impact Assessment (AIA). Compliance with the AIA can be conditioned.

The following conditions are recommended in the event planning permission is granted:

1. Details of a revised planting plan shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.
2. The development shall be implemented in accordance with the details set out in the Arboricultural Impact Assessment (855108) dated January 2018, approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.
REASON: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.
3. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), an arboricultural method statement

(AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS:

- Location and installation of services/ utilities/ drainage.
- Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- Details of construction within the RPA or that may impact on the retained trees.
- A full specification for the installation of boundary treatment works.
- A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- Boundary treatments within the RPA
- Methodology and detailed assessment of root pruning
- Arboricultural supervision and inspection by a suitably qualified tree specialist
- Reporting of inspection and supervision
- Methods to improve the rooting environment for retained and proposed trees and landscaping

Informative:

The following British Standards should be referred to:

- a) BS: 3998:2010 Tree work – Recommendations
- b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

Since these initial comments the applicant has amended the AIA and associated tree and landscape plans to show that the trees shown to be retained along the SE boundary in the 2014 application will be retained in this application. In addition the position and number of semi-mature trees reflects the previous scheme. The Tree Officer finds this change acceptable.

Planning Considerations

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes the Bromley Unitary Development Plan (UDP) (2006) and the London Plan (March 2015). Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF), National Planning Policy Guidance

(NPPG) as well as other guidance and relevant legislation, must also be taken into account.

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

H1 Housing Supply
H2 Affordable Housing
H7 Housing Density and Design
T1 Transport Demand
T2 Assessment of Transport Effects
T3 Parking
T5 Access for People with Restricted Mobility
T6 Pedestrians
T7 Cyclists
T9 and T10 Public Transport
T15 Traffic Management
T18 Road Safety
BE1 Design of New Development
BE4 Public Realm
BE17 High Buildings
BE18 The Skyline
NE2 and NE3 Development and Nature Conservation Sites
NE7 Development and Trees
NE12 Landscape Quality and Character
G2 Metropolitan Open Land
G7 South East London Green Chain
L6 Playing Fields
ER7 Contaminated Land
IMP1 Planning Obligations

The following Supplementary Planning Documents (SPD) produced by the Council are relevant:

- Affordable Housing SPD
- Planning Obligations SPD
- SPG1 Good Design Principles
- SPG2 Residential Design Guidance

Bromley's Submission Draft Local Plan:

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances as set out in the NPPF paragraph 216.

The Plan was subject to Examination in December 2017 and the Inspectors report has been received. The Council has commenced consultation on the Draft Local Plan Main Modifications which closed on 10.8.2018.

Current Draft Policies relevant to this application include:

1. Housing supply
2. Provision of affordable housing
4. Housing design
30. Parking
31. Relieving congestion
32. Road safety
33. Access for all
37. General design of development
47. Tall and large buildings
48. Skyline
49. The Green Belt
50. Metropolitan Open Land
- 58 Outdoor Sport, Recreation and Play
- 70 Wildlife Features
- 72 Protected Species
73. Development and trees
77. Landscape quality and character
113. Waste management in new development
115. Reducing flood risk
116. Sustainable urban drainage systems
- 118 Contaminated Land
119. Noise pollution
120. Air quality
- 121 Ventilation and Odour Control
- 122 Light Pollution
123. Sustainable design and construction
124. Carbon dioxide reduction, decentralised energy networks and renewable energy

2. In strategic terms the most relevant London Plan 2015 policies include:

- Policy 1.1 Delivering the strategic vision and objectives for London
- Policy 2.6 Outer London: vision and strategy
- Policy 2.7 Outer London: economy
- Policy 2.8 Outer London: transport
- Policy 2.18 Green Infrastructure: The Multi-Functional Network of Green and Open Spaces
- Policy 3.1 Ensuring equal life chances for all
- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.13 Affordable housing thresholds
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.13 Parking
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.17 Metropolitan Open Land
Policy 7.19 Biodiversity and access to nature
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

The relevant London Plan SPG's are:

Providing for Children and Young People's Play and Informal Recreation (2012)
Accessible London: Achieving an Inclusive Environment (2014)
Sustainable Design and Construction (2014)
Housing (2016)
Energy Strategy
Draft SPG: Affordable Housing and Viability (2016)
Mayors Affordable Housing and Viability Supplementary Guidance SPG 2017

Please note that the Draft London Plan has been issued for consultation. The policies will be subject to examination and the weight attached to the draft policies increases as the Local Plan process advances as set out in the NPPF paragraph 216.

3. National Policy

The National Planning Policy Framework 2018 (NPPF) is relevant, particularly the paragraphs listed below

Paras 7-14: Achieving sustainable development

Para 34 and 54-57: Developer contributions and Planning obligations

Paras 39-46: Pre-application engagement

Paras 38-55: Decision Making

Paras 54-57: Planning conditions and obligations

Paras 59-77: Delivering a wide choice of high quality homes

Paras 91-95: Promoting healthy and safe communities

Paras 102-111: Promoting sustainable transport

Paras 117-123: Making effective use of land

Paras 124-132: Requiring Good Design

Paras 148-165: Meeting the challenge of climate change & flooding

Paras 170-183: Conserving and enhancing the natural environment

Paras 212-217 Annex 1: Implementation

4. National Planning Practice Guidance (NPPG) is also relevant

Planning History

The site has been the subject of numerous previous applications that are relevant to this application.

Permission was granted for the Pavilion Sports Club building in 1990 under ref 90/00522/OUT.

The site forms part of what was a larger site owned by GlaxoSmithKline. Land to the south and east of the application site has been development for residential use,

known as Langley Waterside and Langley Park respectively. Langley Park development was approved under permission ref 97/02062. The Unicorn Primary School and Langley Waterside were approved under permission ref 99/03600/OUT.

For the current red line site the relevant planning history includes the following planning applications.

1. DC/12/00976/OUT: Demolition of existing buildings and comprehensive phased mixed use development of up to 37,275sqm (gross external area) comprising up to 35,580 sqm Class C3 dwellings (up to 179 houses of different sizes and tenures including garages (including up to 79 affordable units)), up to 620sqm Class D1 (Non-Residential Institutions), up to 1,040sqm Class D2 (Assembly and Leisure) (including retention of existing pavilion and erection of replacement score hut), including reprofiling of site levels, creation of attenuation lake, estate roads and pedestrian/ cycle paths, open space, car parking, hard and soft landscaping, security access lodge and infrastructure works including substations. Use of pavilion building (permitted for staff restaurant/ sports club/ library, education and resource centre and general purpose meeting room) within Class D2 (Assembly and Leisure) in conjunction with adjacent playing field without any specific use/ occupier restrictions (as set out in condition 03 of permission ref. 98/01103/FUL) PART OUTLINE. Approved June 2014

Following the granting of the above Outline permission further applications have been received for reserved matters, conditions and minor material amendments. The principle applications are as follows.

2. DC/ 12/03360: Demolition of building Nos 108, 109, 111 and 140E on Pan 00310_CSH_006 Rev P1, and the erection of replacement cricket score hut and associated landscaping. This application dealt with Phase 1 of the outline ref 12/00976. Approved in December 2012

3. DC/14/03706/DET: Details of access, appearance, landscaping, layout and scale for phase 2 and conditions 21 (parking), 23 (cycle storage), 25 (electric charging vehicle points) and conditions 24, 33, 34, and 43 (lighting conditions) of permission ref 12/00976 granted on June 27th 2014 for the demolition of existing buildings and comprehensive phased mixed use development of up to 37,275sqm (gross external area) comprising up to 35,580 sqm Class C3 dwellings (up to 179 houses of different sizes and tenures including garages (including up to 79 affordable units)), up to 620sqm Class D1 (Non-Residential Institutions), up to 1,040sqm Class D2 (Assembly and Leisure) (including retention of existing pavilion and erection of replacement score hut), including reprofiling of site levels, creation of attenuation lake, estate roads and pedestrian/ cycle paths, open space, car parking, hard and soft landscaping, security access lodge and infrastructure works including substations. Use of pavilion building (permitted for staff restaurant/ sports club/ library, education and resource centre and general purpose meeting room) within Class D2 (Assembly and Leisure) in conjunction with adjacent playing field without any specific use/ occupier restrictions (as set out in condition 03 of permission ref. 98/01103/FUL PART OUTLINE. Appeal lodged and withdrawn.

4. DC/15/01192/FULL is a duplicate application for 14/03706 (Phase 2) and permission was granted on 9.6.2015.

5. DC/14/03821/DET: Details of access, appearance, landscaping, layout and scale for Phase 3 (22 dwellings: Plots 1 - 8 and 42 - 55) and details pursuant to conditions 7 (boundaries), 21 (parking), 22 (refuse) 23 (cycle parking), conditions 24 and 34 (lighting), 33 (secure by design) and 35 (slab levels) as they relate to Phase 3 of permission DC/12/00976/OUT granted on 27th June 2014 for the demolition of existing buildings and comprehensive phased mixed use development of up to 37,275 sqm (gross external area) comprising up to 35,580 sqm Class C3 dwellings (up to 179 houses of different sizes and tenures including garages (including up to 79 affordable units)), up to 620 sqm Class D1 (non-residential institutions), up to 1,040 sqm Class D2 (assembly and leisure) (including retention of existing pavilion and erection of replacement score hut), including reprofiling of site levels, creation of attenuation lake, estate roads and pedestrian/ cycle paths, open space, car parking, hard and soft landscaping, security access lodge and infrastructure works including substations. Use of pavilion building (permitted for staff restaurant/ sports clubs/ library, education and resource centre and general purpose meeting room) within Class D2 (assembly and leisure) in conjunction with adjacent playing field without any specific use/ occupier restrictions (as set out in condition 3 of permission ref: 98/01103/FUL) PART OUTLINE Appeal lodged and withdrawn.

6. DC/15/01194//FULL is a duplicate application for 14/03821 (Phase 3) and permission was granted on 9.6.2015.

7. DC/14/04538/RECON: Application submitted under s73 of the Town and Country Planning Act 1990 for a Minor-material Amendment to DC/12/00976/OUT granted for demolition of existing buildings and comprehensive phased mixed use development of up to 37,275sqm (gross external area) comprising up to 35,580 sqm Class C3 dwellings (up to 179 houses of different sizes and tenures including garages (including up to 79 affordable units)), up to 620sqm Class D1 (Non-Residential Institutions), up to 1,040sqm Class D2 (Assembly and Leisure) (including retention of existing pavilion and erection of replacement score hut), including reprofiling of site levels, creation of attenuation lake, estate roads and pedestrian/ cycle paths, open space, car parking, hard and soft landscaping, security access lodge and infrastructure works including substations. Use of pavilion building (permitted for staff restaurant/ sports club/ library, education and resource centre and general purpose meeting room) within Class D2 (Assembly and Leisure) in conjunction with adjacent playing field without any specific use/ occupier restrictions in order to allow:-

- Amendments to the parameter plans listed in Condition 2 to enable removal of open watercourse and perimeter ditch to reflect the updated drainage strategy
- Amendments to the parameter plans listed in Condition 2 to enable removal of additional trees
- Variation of Condition 16 to reflect the updated drainage strategy
- Variation of Condition 32 to enable details of the wheelchair accommodation to be provided on a phase by phase basis
- Variation of Condition 50 to enable details of car parking for apartments to be provided on a phase by phase basis

Members resolved to grant permission for this application on 30.4.2015 but the application is still pending awaiting the signing of a S106 legal agreement.

8. DC/15/01192/AMD: to amend the wording of condition 1 in respect of the timing of the submission of material samples. Approved 14.12.2015.

9. DC/12/00976/AMD: AMENDMENT: Removal of 6 no. trees to enable provision of footbridge. Approved 29.12.2016

10. DC/17/00687/EIA: EIA Screening Opinion sought in respect of proposal for erection of up to 280 residential units and 100 bedroom Care home. No EIA required by decision dated 21.3.2017

Other relevant developments in the area include

1. Land At Junction With South Eden Park Road And Bucknall Way (Northern Land) which sits directly to the north of the site

DC/16/02613/OUT - Residential development comprising of 105 units with a mixture of 4 bedroom houses and one, two and three bedroom apartments together with concierges office and associated basement car parking Approved on appeal dated 22.3.2018

Applications to deal with Reserved Matters and Conditions for this application have been submitted to the Council and are pending.

DC/17/00757/OUT - Residential development comprising 15 four storey townhouses and 52 apartments in three and four storey blocks to provide a total of 67 residential units together with concierges office and basement car parking. Approved on appeal dated 22.3.2018

2. Jacanda Lodge, North Drive

DC/16/01330/FULL - Demolition of two detached dwellinghouses and construction of a crescent terrace of 7 three storey four bedroom plus roof accommodation townhouses with basement car parking, refuse store and associated landscaping. Approved 10.10.2016

16/01338/FULL - Demolition of two detached dwellings houses and construction of a crescent terrace of 8 three storey four bedroom townhouses with basement car parking, refuse store and associated landscaping. Refused and appeal dismissed 26.7.2016

Conclusions

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

- Principle of Development including density and affordable housing
- Planning Obligations

- Design - Layout, Scale and Massing and Appearance
- Standard of Accommodation and Amenity Space
- Impact on Neighbour Amenity
- Highways and Traffic Matters ((including Cycle Parking and Refuse)
- Trees and Landscaping
- Other technical matters

Principle of Development

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.

The NPPF Paragraph 11 identifies the presumption in favour of sustainable development and that planning permission should be granted in accordance with the development plan and states that development which is sustainable should be approved without delay. There is also a clear need for additional housing to meet local demand and needs.

In terms of the provision of housing, 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. Policy 3.3 establishes a housing target and Policy 3.4 encourages the optimising of housing potential and provides guidance as to the density of development through the density matrix. Policies 3.5 seeks to achieve the highest quality of design internally, externally and in relation to the context of the site to protect and enhance the residential environment and attractiveness as a place to live while Policy 3.8 seeks to provide a genuine choice of homes that they can afford and meet their requirements in terms of size and type of dwelling of the highest quality.

Policies 3.10, 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. Additional detailed guidance regarding housing development is provided in the Mayors Housing Supplementary Planning Guidance.

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.

UDP Policy EMP5 states that the redevelopment of business sites or premises outside of the Designated Business Area will be permitted provided that (i) the size, configuration, access arrangements or other characteristics make is unsuitable for

Classes B1, B2 or B8, and (ii) full and proper marketing of the site confirms the unsuitability and financial non viability of the site or premises for this uses.

Loss of employment land

Prior to the permission granted under ref 12/00976, the application site was used for pharmaceutical research and development with associated offices, laboratories and other associated buildings and was a significant employment site in the Borough.

UDP Policy EMP5 relates to the redevelopment of business sites or premises outside of the Designated Business Area which states that development will be permitted providing certain criteria is met in terms of site and access matters and marketing.

The acceptability of the loss of the employment use was discussed and agreed under the previous application. Members approved the loss of the use of the site for employment purposes subject to a clause in the signed S106 legal agreement which requires the payment of an 'Employment Contribution' of £4 million towards the improvement of employment land supply and/or initiatives to promote employment opportunities within the Council's administrative area. A payment of £2 million was paid in October 2018 with the remainder of the payment due in November 2018.

The Council is of the view that the purpose of the original clause remains relevant and appropriate in mitigating the loss of employment land within the Borough under the original planning permission (12/00976). However, the Applicant has requested that the Council consider a reduced Employment Contribution totalling £3.3m (including the £2m already paid to date) to reflect the employment to be provided on the site under the new application. The development includes a care home not previously proposed under the original planning permission, which would employ staff in the provision of care and day-to-day running of the facility.

Residential element

Under Use Class C3, the principle of the residential use of the site has been established by the previous permission granted under ref 12/00976. The Reserved Matters for the infrastructure phase have been agreed along with all of the relevant pre-commencement conditions and the infrastructure has been laid out and completed. Reserved matters and relevant conditions for the first phase of residential units was approved in June 2015 but none of the houses have been constructed.

The 2012 planning permission granted permission for *....mixed use development of up to 37,275sqm (gross external area) comprising up to 35,580 sqm Class C3 dwellings (up to 179 houses of different sizes and tenures including garages (including up to 79 affordable units)), up to 620sqm Class D1 (Non-Residential Institutions), up to 1,040sqm Class D2 (Assembly and Leisure) (including retention of existing pavilion and erection of replacement score hut)....*

The residential element of the site comprises the same site area that will provide 280 units plus a 100 bed care home under the current application.

In policy terms, the increase in the number of units should be assessed in terms of the principle of development against London Plan Policies 3.3 and 3.4. These policies relate to the targets for increasing the housing supply for the borough and the optimising housing output for development sites.

The London Plan Policy 3.3 requires the Borough to make provision for at least 641 additional dwelling completions per year 2015-2025. The 179 units previously approved are included in the housing supply figures that demonstrate that the current housing supply targets can be met by the Borough. The proposed development would result in an additional 101 residential units and 100 care home bedrooms and this represents a significant additional contribution to the Council's Housing Land Supply for the plan period.

It should be noted that the Class D1 use relating to a medical facility will not proceed as part of this application.

- Density

London Plan Policy 3.4 states that "taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Proposals that compromise this policy should be resisted."

The site is considered to be in the 'suburban' setting and has a PTAL rating of 1b giving an indicative density range of 35-75 dwellings per hectare/ 150-200 habitable rooms per hectare (dependent on unit size). UDP Policy H7 also includes a density matrix which supports a density of 30-60 units per hectare/150-200 habitable rooms.

The London Plan states that the density figures should be based on net residential area, which includes internal roads and ancillary open spaces. For the calculation of the density of development, the site area is calculated excluding the land occupied by the MOL, the existing southern play area, pond, adjacent neighbourhood car park and the care home but including the land occupied by houses and the associated internal infrastructure. This amounts to 7.25ha of the total site area of 10.6ha. Taking the GIA floorspace of the proposed residential housing, which amounts to 35,207 sqm (84% of total GIA floorspace), the resulting density of development will be 45.7 units per hectare/193 habitable rooms per hectare across the site.

On this basis, the development will be within the density ranges set out in the London Plan Table 3.2, UDP Policy H7 and Draft Local Plan Policy 4.

- 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 Londoner's should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. 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.

The applicant has presented a scheme which provides 119 affordable units from a total of 280 units. A detailed accommodation schedule has been submitted to demonstrate how the applicant reaches to conclusion that the proposed development will provide an acceptable amount of affordable housing that will meet the requirements of London Plan and UDP policies.

The applicant proposes the following split of affordable accommodation:

Affordable housing	1 bedroom flat	31
	2 bedroom flat	69
	3 bedroom flat	10
	3 bedroom houses	9
	Total	119

- A total of 119 units (415 habitable rooms) of affordable housing which equates to 42.5% affordable units and 35% of habitable rooms of affordable housing is provided which meets the London Plan requirements).
- For the affordable housing 62.6% of units will be social rent tenure and 37.3% will be intermediate tenure which meets the requirements of the London Plan.
- 70.4% of the affordable units will be 2 or 3 bedrooms which meets the current housing demand requirements.
- The affordable housing is largely located in the north-west part of the site plus 32 intermediate units and 1 affordable rent unit in Block 1 of the southern apartments. Plot 84 is an affordable unit. Whilst there is a concentration of affordable housing in the NW part of the site, this is more acceptable to registered providers from a management point of view. The provision of units in other parts of the site is welcomed.

The schedule of accommodation shows that, where the size and configuration of the units allows, it is possible to increase the number of habitable rooms per unit above the normal provision (for example a 1 bed unit can present 3 habitable rooms). This is by showing that 2 habitable rooms can be created from the living/kitchen/dining room space provision. This method has been applied to market and affordable units alike. The London Plan guidance on this is set out in the Mayor Housing SPD which states:

‘...There is no statutory definition for kitchens to be counted as a habitable room not is there any size threshold...A room with a clearly defined kitchen at one end and a clearly defined dining area at the other (with a dining table and chairs) could be counted as a habitable room...’

The applicant has submitted detailed floor plans showing the layout of the flats and demonstrated that units with a higher number of habitable rooms can provide an additional room that conforms with the SPG definition.

In order to meet the requirements of London Plan Policy 3.12 to maximise the provision of affordable housing on the site, the applicant has been in contact with the Greater London Authority to investigate the possibility of access to grant funding for this project. Assessment of the applicants submission has resulted in the GLA advising that the applicant has explored the use of grant funding to increase affordable housing provision on-site to the satisfaction of the GLA.

Should permission be granted, the S106 agreement would include a review mechanism in accordance with the Mayors Affordable Housing and Viability SPG (2017). The details of the clause will set out the proposed cap for the review and the point in time that the review will be triggered during the construction or post construction stage. This could allow an uplift in affordable housing to be provided on site or a contribution to be made as appropriate.

The applicant has agreed to provide the affordable rent units at London Affordable Rent (LAR) levels. Whilst the Council do not have any current policies to take into account this tenure, LAR is now recognised as an affordable product in its own right and has clear support within The Mayor's 2017 Housing and Viability SPG. This is also supported by the Council's Housing Officer as being a product which can secure affordable rented property that relates to local rental rates.

Taking the above into account, it is considered that the proposed development meets the policy requirements of the London Plan, the UDP and the emerging Draft Local Plan in terms of the provision of affordable housing, subject to the signing of a S106 legal agreement.

Care Home element

UDP Policy C8 supports residential proposals for people with particular accommodation requirements subject to providing suitably landscaped amenity space and be conveniently located for a range of local shops and services, including public transport, appropriate to the mobility of the residents. This is reiterated in Policy 11 of the Draft Local Plan. Policy 3.8 of the London Plan seeks to provide a choice of homes for a range of residents including taking account of the changing age structure of London's populations in particular the needs of older Londoners. The supporting text identifies that it is anticipated that between 2011 and 2036 'over 65's' could increase by 64% and 'over 90's' by 89,000. As a result there may be a requirement for in the region of 400-500 per annum new bed spaces in care homes over the plan period. The Draft London Plan seeks to increase this figure to 867 bed spaces pa.

The Mayors Housing SPG provides guidance on the implementation of Policy 3.8 and identifies different types of specialist accommodation and initiatives and approaches to meet need. It encourages local authorities to plan positively for specialist provision and address local and identified needs for specialist accommodation for older people. In addition the SPG recognises that 'net gains' in

housing can be achieved by freeing-up existing homes for occupation, particularly under-occupied larger family-sized homes.

The applicant has submitted 2 documents to support the proposed use of part of the site for a care home which are summarised in the Proposals Section above.

The Care Needs Assessment identifies significant demand and undersupply of care home beds within the borough for the care home sector, a definition of a care home, the position of the proposed care home at Langley Court in the local market, an assessment of the need for general elderly care in the borough and local demand and supply analysis of elderly care.

- The report concludes that there is unmet need for 1,204 market standard bedspaces in the borough. The proposed development, if approved, would fill 11% of the unmet need.
- There is a significant unmet need for specialist dementia units.
- There is an existing undersupply of bed spaces within the borough which is likely to increase given the scale of changes to demography over the coming decades.

In addition an Operational Management Plan has been submitted setting out the following criteria for the operation of the home:

- The home will be registered with the CQC as a nursing home
- All residents need to complete a health and needs assessment on arrival (only 1 person needs to be assessed for being in need of care in the event of a couple residing in a room).
- Individual homecare planning and support
- Care and support from low to high dependency
- 24 hour provision of personal and nursing care by trained nursing and care staff
- Specialist accommodation for Alzheimer's sufferers
- Other visiting care professionals (physio and podiatry)
- All meals, drinks and snacks prepared and served to residents
- All properties are rental tenure.
- Care suites and studios will not contain standalone kitchens
- Condition with a minimum age of 65 years for at least one resident of each unit.

The applicant has also submitted a short statement as follows:

In addition, Signature would like to make the following clear:

Essentially our homes cater for the private pay market. Our residents average stay is around 30 months and this is mainly funded from the sale of their home or through an annuity. Upon enquiry new residents are assessed for both their health needs and requirements and their ability to pay the potential fees. There is flexibility to move within the home to cheaper accommodation if required or if needs change. To

date, and with 12 homes open over the last 10 years, we have not had the situation arise where a person runs out of money. As a private pay care home the use of Local Authority and Government resources are greatly reduced as we employ our own carers and nurses and retain a local doctor.

The Council's Education, Health and Care Services raise the following concerns (summarised) about the proposed care home and the response from the applicant is shown in italics:

- This care home will target the top of the fee paying market so it is unlikely services will be engaged by local authority funded clients and will not address LBB's need to increase access to care home placements in the borough. Reference to written approval from the Council prior to admission is misleading as this will not be the case and it is requested that this line is removed from the Operational Management Plan.

The proposed care home development is intended to appeal to the private fee paying market and the quality, particularly the size, of the accommodation and ancillary facilities necessitates the higher level fees paid by self-funders. The proposed scheme meets the need for additional privately funded beds where it is clear that demand is growing significantly within Greater London and the South East. Its development will increase the number of residential care home beds in the Borough of Bromley and increased capacity may enable the local authority to negotiate additional beds at their ceiling rates in some existing care homes so this could potentially free up bed space.

The reason why it was suggested Bromley have 'approval' of some residents was if they fell under the 'age bracket' of the intended residents not because they may look to Bromley for funding. That line could be removed but I then suggest the minimum age requirement lowered so that people who need the particular care from the Signature scheme – particularly dementia residents, are able to access the care.

- The limited minimum care offered means future residents could be in the care home for a number of years increasing the possibility that self-funders experience a reduction in assets such that the local authority become responsible for funding their placement. Proof of funding is requested for customers with low care needs for a minimum of 5 years (not 2yrs as stated in the Operational Management Plan).

It is unlikely that anyone with a very low care requirement would choose to move into a care home at such an early stage, perhaps preferring to move to an extra care scheme or receive care at home; however we offer this choice as this is personal to individual people. We can advise potential residents that the local authority will not fund above their ceiling rates should the client's wealth deplete in other schemes and we would not be in a strict legal position to acquire proof of funding in the way a local authority could.

It is in the operator's best interests to ensure that any new clients can afford to fund their complete stay as we would either be faced with possible media coverage if the client had to be removed or cover the top up required.

- Adult Social Care see that “the development has potential to support the growing number of older Bromley residents with high value assets giving them the means to choose a care home focused on the ‘top of the fee paying market. Concern that the model of admission” will lead to people with low care needs entering an institutional setting long before their needs require a 24/7 care staff presence. There is a low probability that there will be overlap between this customer base and those placed with local authority funds.”

I therefore suggest we agree the following as condition for the C2 care home element which has worked on numerous other schemes:

Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (or any other Order amending, revoking or re-enacting that Order) the premises shall be limited for the use as a Class C2 care home only, and for no other purpose within Class C2. Each unit of accommodation of the care home hereby permitted shall be occupied by at least one person in need of personal care by reason of old age, infirmity or disablement.

- ‘Proposed facility to be secured via ... s106 agreement’ [1.5, Care Home Operational Management Plan, May 2018]. While there are many reasons to approve applications via s106, it is unlikely that local authority funded care home customers will benefit from this new development.

The Local Authority has a requirement to ensure that suitable care accommodation is available to all elderly residents in the Borough of Bromley and not just those whose care would be council funded. As set out in our CPNA, there is a very substantial shortage of beds in both the market and local authority catchments. The proposed scheme will serve to reduce the undersupply of care beds which will therefore be of benefit to elderly homeowners (who are in the majority) who need to self fund their care placements.

It is necessary for this report to consider the compliance of this care home with the relevant planning policy requirements of the UDP and the London Plan. Whilst the concerns expressed in the comments from the Council’s Education, Health and Care Services regarding long term funding for residents, this is not a material consideration that can be dealt with by planning policy.

In terms of compliance with Policy C8 of the UDP, the proposed care home is situated on the north side of the site and is approximately 300m from local shops at the junction of Park Avenue and Wickham Road. There is also level access to southbound buses immediately adjacent to the site and north and southbound buses at the above junction. Full details of bus availability is found in the TA. In addition the proposed site for the care home is situated within a landscaped amenity area. On this basis it is considered that the proposed care home meets the requirements of UDP Policy 8 and Draft Local Plan Policy 11.

The GLA has assessed the proposal and considers that the entire facility falls within the range of accommodation types that Use Class C2 encompasses, including the

non-dementia rooms. This is on the basis that a minimum level of one hour of care per day is provided and all meals, snacks and drinks are provided for residents in the communal kitchen and there are no cooking facilities within any of the rooms. These aspects should be appropriately secured. It is proposed that the Operational Management Plan forms part of the S106 legal agreement.

In terms of an age restriction condition, the original submission referred to a minimum of 65 years and this is the minimum age that is considered to be acceptable. From a planning point of view the level of care that is required for this care home to be classed as a Class C2 use has been satisfied and will be secured by condition and it is also set out in detail in the Operational Management Plan which will be secured by S106 legal agreement. Extensive variance from the operation of the care home to a lower level of care would result in the possibility of the Class C2: care home use changing to a Class C3: dwellinghouse use.

In summary, it is considered that the documents submitted secure the planning use of the site for Class C2: care home use and the recommended conditions and S106 secure the necessary operational factors to ensure that the use can be controlled in the short and long term.

In terms of the proposed occupants, it is considered that the provision of a range of accommodation types to meet the varying needs of older people is appropriate and conforms with London Plan Policy 3.5 which seeks to increase the housing supply and Policy 3.8 which seeks to provide a mix of accommodation types that will improve housing choice in London.

- Pavilion and Playing Fields

The application site also includes land and buildings to the west of the primary development site which is designated Metropolitan Open Land. The pavilion building was previously used by Glaxo as part of its staff sports facility which was associated with the adjacent playing field and recreation area.

Under ref 12/00976 planning permission was granted for the use of the pavilion for unrestricted Class D2 use subject to a clause in the S106 legal agreement requiring the submission of a management plan to prevent these areas from inappropriate use. The applicant expects the requirement for a management plan to form part of the S106 Agreement for this application.

The previous approved scheme has been implemented and, as such, the pavilion benefits from planning permission for Class D2 Use. However a new occupier has not moved into the building and a management plan has not been submitted for consideration.

GLA officers support the principle of refurbishing the pavilion and converting its use to a self-sustaining sporting facility where this would support the use, function, and openness of the MOL. However, to ensure that the facility would remain viable in the medium and longer term GLA officers will request a clause within the section 106 legal agreement to ensure that the owner of the site (or its successor) shall submit a strategy for the appropriate use of the Pavilion building, and the continued

management, maintenance and protection of the openness of the associated MOL as secured in the original section 106.

On this basis it is recommended that the S106 agreement includes the clause described above should Members be minded to grant permission for this development.

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.

Planning permission reference 12/00976/OUT was granted subject to the signing of a S106 Legal Agreement. The S106 is dated 16.4.2014 (the 2014 Agreement). The development has been implemented which enables collection of contributions in the Agreement in accordance with 'triggers' also set out in that Agreement. To date, the following financial contributions have been received by the Council pursuant to the 2014 agreement:

- £10,000 towards Highway improvements
- £500,000 towards the provision of Affordable Housing (supplementary contribution)
- £2,000,000 (plus unpaid interest) towards the improvement of employment land supply and/or local initiatives to promote employment opportunities within the Council's administrative area

Under the 2014 agreement, further financial contributions are due as follows:-

- £2,000,000 towards Employment Opportunities within the Borough
- £2,000,000 towards the provision of Affordable Housing
- £1,379,029 towards appropriate and necessary school provision as determined by the Council
- £249,884 towards the improvement of health facilities within the Council's administrative area (plus unpaid interest)

In respect of the current application, a new S106 agreement would be required in the event that planning permission is granted, which would replace the 2014 agreement. The Council has received a draft S106 Agreement setting out the proposed obligations offered by the applicant in relation to the current proposal. The Council has also received further information very recently. These are summarised as follows:

- Affordable Housing - 35% (415 habitable rooms within 119 dwellings) to be affordable at a Policy compliant level
- Affordable Wheelchair Units - 10% of the affordable dwellings shall be wheelchair adapted (defined as SELHP standard)
- Highway Improvement Contribution - £11,000 towards the cost of carrying out road safety improvements
- Highway Works - Kerb realignment works to the access into the Site at South Eden Park Road and works to improve visibility at the South Eden Park Road, former GSK main gate. Provision of 1 new pedestrian crossing along South Eden Park Road.
- Education Contribution - £1,659,702.40
- MOL Management/ Maintenance Plan - Prior to the first occupation of any market dwelling to submit to the Council an MOL Management and Maintenance Scheme and implement prior to occupation of more than 50 dwellings.
- Employment Contribution –£3,300,000 (of which the owner has already paid the sum of £2,000,000 to the Council in October 2018).
- Scheme for use of Pavilion for sporting and community purposes
- Residential Healthcare Contribution - £512,376
- A care home falling within use class C2
- Obligations of the existing legal agreement (for the 2012 permission) shall cease
- Timing of freehold transfer of relevant land to a Registered Provider
- Timing of occupation of market housing prior to completion of affordable housing
- Viability review mechanism
- Create and secure footpath/cycleway on MOL
- Performance bond to secure satisfactory completion of Highway Works
- Care Home Operational Management Plan
- Schedule of Accommodation

The following list shows matters that are necessary to make the development acceptable in planning terms but have not been included in the draft agreement:

- Travel Plan implementation and monitoring
- Service and Delivery Plans implementation and monitoring
- Car Club membership and 2 years initial membership funding for residents
- Carbon Offset payment – the sum for this contribution has not been finalised at this stage as discussions regarding the energy saving that the scheme can offer are ongoing.
- Care Home Health Contribution - £98,083
- Retention of contributions already received by the Council pursuant to the 2014 legal agreement

The scheme will also be subject to Mayoral CIL.

The final recommendation in this report is based on all of the above obligations being satisfactory and secured. The terms of the agreement are not yet finalised and discussions regarding the proposed clauses in the legal agreement are ongoing, to be finalised prior to the issue of the decision notice, should Members be minded to grant permission for this application.

Officers therefore request that the finalisation of the S106 agreement be delegated to the Chief Planner in consultation with the Committee Chairman and the Director of Corporate Services. In the event that agreement cannot be reached between the Council and the Applicant on the content of the agreement, the application may need to be reported back to Members for further consideration.

Design, Layout, Siting and Appearance

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

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan 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.

To provide some context for this part of the report, the original planning permission for this site (ref 12/00976) was an outline application. However parameter plans and a detailed development specification were approved which set out a binding layout of the development on the site. The development included flats around the northern boundary (in a similar position to the care home) and large detached houses through the central and eastern part of the site with a crescent of flats along the southern boundary. The road infrastructure was established as part of this permission and has been laid out.

This section of the report makes reference to this previous permission as it is helpful in providing some context for the assessment of the current proposals.

- Layout

The proposals for this site involve 3 principle elements namely residential development, a care home and the pavilion and playing field on designated Metropolitan Open Land.

Unusually the layout of the site is predetermined by the road infrastructure that was approved under the 2012 permission. This comprises the connection of the site to the Bucknall Way roundabout, which is the primary vehicle access point, which leads into a north/south spine road that extends to the southernmost part of the site which is currently occupied by a children's play area, an attenuation lake and a neighbourhood car parking area. This layout will be retained for the current proposal and additional cul-de-sacs will be provided off the spine road to provide access to the proposed residential units.

On entering the site, the first element of the scheme is the proposed care home. The care home will take the form of a substantial, mostly 3 storey building in an H-shape which will be set back from the external boundaries facing the Bucknall Way roundabout to the north and South Eden Park Road to the west. The internal boundaries to the east and south will have suitable separation between the building and the proposed new housing beyond.

Vehicle and pedestrian access to this building will be from Bucknall Way and there is a clearly defined front entrance to the building. There are 50 car parking spaces provided along the eastern and southern boundaries of the building which results in a large area of hardstanding. To soften the visual impact of the hardstanding area, the application includes a Landscape Proposal Plan that shows boundary hedge and tree planting with interspersed trees and planting along the boundary and in the parking area itself.

In terms of layout relating to the care home element, this is probably the most visible part of the site in terms of its impact on the public realm. As a result of the proposed set back of the building, the central positioning of the building on this part of the site and the associated landscaping it is considered that the separation between the building and the adjacent boundaries results in the building comfortably occupying this northern triangular area of the site.

The residential element starts on the southern side of the care home and extends through the central, eastern and part of the western parts of the site all the way to the southern boundary.

As previously mentioned the layout is built around the existing spine road. The applicant has chosen to retain this central feature and provides a series of lanes along the western side and in the central area of the site providing a mixture of terraced, semi-detached and detached houses. The proposed layout, with the exception of the flats in the NW part of the site, reflects the internal layout of the site that was approved under ref 12/00976.

Along the eastern boundary, a landscaped strip will be provided on the site between the proposed houses and the boundary and the proposed houses are set back from the boundary where they are adjacent existing residential units. This provides a suitable level of separation to minimise any significant impact from the proximity of the proposed and existing buildings to each other. In addition all of these houses present a flank wall elevation to the eastern boundary and there will be no windows in these elevations.

The flank wall separation between the proposed houses is a minimum of 2m which provides adequate space between the buildings to meet the requirements of UDP Policy H9. In many instances the separation distance at upper levels is greater, for example where there are linked garages. This pattern is repeated particularly for houses along the spine road and this provides views from the spine road through to units behind and enhances the openness of the layout along this primary access route.

In the NW corner of the residential part of the site, six blocks of flats are proposed, mostly in a linear format with one block in a U-shaped format, providing a total of 78 units. The blocks are adequately separated from each other and all have space around them for some landscaping between the building and the adjacent roadways. In order to accommodate the level of car parking to meet the requirements of the UDP, there is a significant amount of hardstanding in this part of the site. This has been reduced from the original submission and there are now some additional opportunities for interspersed landscaping and tree planting.

There are several single storey elements to the flats or free standing buildings in this area that provide cycle parking and refuse bin storage – these have been placed in the courtyard areas to try to maintain the provision of an open layout around the site.

Adjacent to part of the southern boundary of the site, there is a crescent shaped building that will provide a total of 81 flats. The building is set back a minimum of 9.5m from the southern boundary and a minimum of 25m away from the eastern boundary. The building overlooks a large landscaped area including an attenuation pond and a children's play area. To the rear of the building is a large hardstanding area for car parking and single storey buildings for cycle parking and refuse and there is little opportunity to breakup this area with landscaping due to the number of proposed parking spaces. However there is landscaping and tree planting proposed between the car parking and the eastern boundary and, to a lesser extent, the southern boundary which will provide some visual relief to the hardstanding area.

The land on the western side of the River Beck is occupied by an existing pavilion building that was a staff sports club for the former GlaxoSmithKline facility. The building will remain in its current format and the adjoining field will be unchanged. A new cricket score hut has been permitted and constructed in the south east corner of the field. The previous car park has been rationalised and resurfaced to provide 70 car parking spaces for the pavilion. As such the layout of this part of the site remains unchanged from that previously approved under the 2012 application.

In terms of the acceptability of the proposed layout of this development, the amount of built development has increased from the approved maximum of 37,275sqm (gross external area) to a total of 44820 square metres (gross external area). The number of residential units has increased and the density of the development has also increased.

However, it is considered that the scheme incorporates a good range of unit types and the relationship of the buildings to each other at ground floor level is considered sufficient to provide a layout that will not compromise living standards in terms of proximity of units to each other. There are sufficient opportunities through the site for communal landscaping, frontage landscaping for all buildings and play spaces to provide a reasonable setting for the care home and the residential units.

In terms of the relationship between the proposed layout and existing residential properties around the site, separation between the new houses and flats and adjoining boundaries is considered to be ample. There is only 1 proposed house (Plot 84) where the rear elevation of an existing house (24 St Martins Lane) will face the rear elevation on a proposed house and the separation here is 30m. There is

only 1 proposed house where the flank elevation is adjacent to the flank elevation of an existing house and the separation here is 16m.

In summary, it is considered that the layout of development is similar in character to the previously approved Langley Park and Langley Waterside developments which incorporate a range of flats, terraced, semi-detached and detached properties with ample areas of space and landscaping between the units and around the site. In this respect it is considered that the layout would complement the character of the wider and local area and the appearance of the streetscene in these adjoining developments and, as such, the layout is considered to be acceptable.

- Scale and massing

The site is located in an area of primarily residential development with a vacant site to the immediate north, a school and residential flats to the south, residential houses to the east and woodland that forms part of the Harvington Estate to the west.

The impact of the scale and massing of the proposed development must be considered, firstly, in terms of the relationship with the form of development and landscape features around the site and, secondly, in terms of the quality of environment for future occupants of the site.

- External impact of scale and massing.

Along part of the western side of the site, the existing Metropolitan Open Land and SINC on the site separates the proposed built area from the adjacent western woodland and it is considered that this provides a buffer that minimises the impact of the built massing on the woodland.

On the upper part of the site, the residential and care home buildings are closer to the western boundary.

In terms of the flats, there will be 3 blocks of flats that will be 3 or 4 storeys in height facing South Eden Park Road (SEPR). This does represent a significant change to the layout of the site than previously approved in 2012.

However, it is considered that there has been considerable thought given to the design of the buildings to try and minimise the impact of the scale and massing on the streetscene. The two 3 storey blocks that are closest to SEPR are the lower of the 3 buildings proposed at this point and both present a flank elevation to the road. This allows a minimum separation of 20m between the blocks facing SEPR. The blocks are also set back between 22m and 25m from the road.

The 4 storey block is set back between 24m and 40m from the road and there is a 20m separation to the adjacent 3 storey blocks.

In addition there is an existing landscaped boundary along SEPR at this point that will soften the impact of the blocks in the street scene.

It is considered that these factors will be sufficiently effective to result in development that would not significantly adversely affect the appearance of the street scene along this part of Sooth Eden Park Road.

The other building that will be located close to the western boundary is the care home which will be a predominantly 2.5 storey building. The rear elevation of the care home faces South Eden Park Road and the buildings will be set back from the boundary by between 11.5m and 50m. All of the elevations have been designed with a primarily pitched roof with smaller gable features to add interest to their appearance. In terms of screening there is a high hedge with some trees along part of the boundary of the site and further landscaping is proposed. This building will be most visible from the north where there is presently little vegetation to screen what will be a substantial building.

In assessing the impact of the building at this point it is useful to note that, in March 2018, planning permission was granted for development of the land to the north of this site and along the SEPR frontage, there will be 2 blocks of flats that are 3.5 storeys in height. The landscaping plans show tree planting and landscaping around this boundary. In addition it should be noted that in the 2012 planning permission for this part of the site, a building of between 3 and 4 storeys was permitted.

Taking this changing context into account, it is considered that the scale and massing of the proposed care home will form part of a less intensively developed frontage in this part of SEPR than previously permitted. The articulation of the elevation provides an interesting building visually and the proposed landscaping will, over time, help to soften the appearance of the building but it will always be visible in the street scene.

Turning to the development along the southern boundary, this will take the form of three part 4/part 5 storey blocks of flats that together form a crescent shaped structure. One of the blocks is standalone and the other 2 are joined at ground floor level. This provides gaps of 6m between each of the buildings at the upper levels. To reduce the visual impact of these buildings to Creswell Drive, only 2 of the long elevations of the crescent buildings are orientated to face this road.

Putting these buildings into context with the adjacent street scene, the scale and massing of each block replicates the existing similar height blocks of flats and houses that are located on Creswell Drive. They will be separated from these buildings by approximately 45m giving good clearance between the proposed and existing buildings.

Turning to the impact of the scale and massing along this part of the eastern boundary, the proposed block of flats closest to the rear of the houses overlooking the site in St Martins Lane, will be significantly taller than the existing houses but the precedent for development here has been established by the 2012 planning permission which shows the same crescent shaped structure with the same number of storeys in this location. The separation between the habitable room windows at this point will be a minimum of 53m which is considered to be generous.

It should be noted that the 2012 permission showed the existing trees along this south-eastern boundary to be retained. However Members may recall that a planning application was submitted in 2014 for a minor amendment to the permission ref 12/00976/OUT seeking the removal of the trees along this boundary and several other minor alterations. A report to consider the impact of this amendment was submitted to Plans Sub Committee on 30.04.2015 and Members resolved to grant permission for the removal of the existing trees subject to a planting plan showing replacement semi-mature trees.

For the remainder of the eastern boundary it is considered that there will be limited impact in terms of the scale and massing for adjacent residents from the proposed houses. As previously mentioned the house at 24 St Martins Lane will have the flank of the 3 storey town house at Plot 73 adjacent to its flank with a flank to flank separation of 16m. This property will have the rear elevation of Plot 84, which is a 2 storey house, facing its front elevation; the separation distance will be 25m. For houses in Spinney Close, the flank elevation of plot 18 which is a 3 storey townhouse, sits at the rear of Nos 1-7 with a separation distance of 30m which is considered to be acceptable.

- Internal impact of scale and massing

The impact of the scale and massing within the site, and ultimately on future residents, comes from a combination of the layout, height and siting of the buildings in relation to each other. In this case the care home is set within its own grounds and is sufficiently set back and orientated away from the housing to minimise any adverse impact in terms of scale and massing. It relates well to the scale of development on its southern side and will present a suitable entrance building to the site.

Along the spine road the detached and semi-detached houses vary in height and design and have significant space between them at first floor level. This results in an open form of development that adds interest to the site when viewed from short and long distances.

The lanes are a more intensive form of development with, predominantly 3 storey terraced houses facing each other. The distance between the houses is considered sufficient to ensure that the resultant streets do not create an environment that is oppressive and frontage landscaping contributes to the domestic scale of these streets.

The southern flats are tall and have a significant scale and mass but the buildings are set within an open, landscaped area of the site and it is considered that they make a positive contribution to the internal operation of the site and form a suitable 'backstop' to the development without detracting from the street scene in Creswell Drive.

- Appearance

The applicant has sought to provide an interesting and varied character to the site by using a mixture of traditional and contemporary styles for the houses and flats.

The elevations include articulation and interest through the use of gables and bay windows and primary and subservient elements for some of the houses. The appearance of the houses in the lanes are simpler than the, more visible, spine road properties and this helps to ensure that the visual appearance here is not cluttered.

Along the spine road there is significant interest in the style and appearance of the houses to give the road the potential for a lively character and to create an attractive streetscene. At the northern entrance the house and the corner of the block of flats include design features to add interest to this importance entrance to the main part of the development.

The northern flats pick up the same details as the spine road houses with articulated elevations and balconies to add interesting features to these larger buildings.

For the southern flats, the contemporary design of the flats in Creswell Drive is picked up in the appearance of the proposed buildings and provides a contrast to the style and appearance of the houses and northern flats. This is a suitable departure from the remainder of the site buildings as they sit at the southern end of the site, slightly apart from their neighbours and largely within their own landscaped setting.

In terms of materials, the submission indicates the use of red and yellow bricks with render insets and tile and slate roof finishes and window treatments. Balconies are shown for the flats using a range of materials depending on their host building. Full details of the materials to be used will be sought by condition and in assessing the future submission, care will be taken to ensure that the resultant appearance of the site is interesting and contributes to the local area.

In summary, taking the layout, scale and massing together, it is considered that the proposed development of the site will result in a scheme that increases the intensity of the use of the site but also relates well to adjacent properties by ensuring that there is sufficient separation between the proposed buildings and the boundaries. This is enhanced by the orientation and location of the buildings towards their neighbours. The use of a variety of styles of building design and a range of building materials will ensure that the appearance of the scheme will be interesting and will be legible in terms of its relationship with the wider area and has a coherent identity.

Standard of Accommodation including Amenity Space and Play Space

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 London Plan Housing SPD (March 2016) sets out detailed guidance for achieving a high quality design for all new development that will ensure that the needs of all Londoners are met at different stages of life. The standards that development must meet relate to unit size and layout, private and communal open space, designing out crime, circulation within the building and within individual units, wheelchair units, car parking, cycle parking, refuse and recycling facilities, privacy and dual aspect units. Other London Plan policies also provide guidance on noise, daylight and sunlight, floor to ceiling heights, air quality, climate change and mitigation, water supply, flooding and ecology.

- Units Size Mix and Space Standards

New developments should provide a range of housing choices in terms of mix of housing sizes and types. 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 development proposes the provision of units with a mix of sizes namely 15x1 bed flats, 86x2 bed flats, 14x3 bed flats plus 2x3 bed house, 62x3 bed houses, 48x4 bed houses and 4x5 bed houses. There is also a mix of units for affordable rent and for shared ownership, both of which are primarily 1 and 2 bedroom flats, which is a mix of units that the Council prefers.

In terms of unit sizes, the Schedule of Accommodation shows that all of the units meet or exceed the space standard requirements of the London Plan Policy 3.5.

There are no specific space standards required by the London Plan for units of accommodation in a care home. The applicant advises that the care home will be regulated by the Care Quality Commission which includes assessment of accommodation standards.

On this basis the mix of units and compliance with space standards is acceptable.

- Wheelchair and accessible housing

In accordance with London Plan Policy 3.8, 90% of all new dwellings will be required to meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'. The remaining 10% of dwellings will be required to meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. Only in cases where the Local Authority will have nomination rights over occupants (social or affordable rent) will a unit be required to be fitted out as a wheelchair accessible unit (in accordance with Part M4 (3) 2b). Any market or Intermediate units will therefore need to be designed to be adaptable for use as a wheelchair unit in future.

In addition to Part M compliance, the Council will seek to secure affordable social rented wheelchair units to be fully fitted out in accordance with the South East London Housing Partnership (2012) (SELHP) wheelchair standards which represent a higher standard than the Building Regulations.

In terms of the provision of wheelchair units for this development a total of 28 wheelchair accessible or adaptable units are proposed comprising 12 market units and 4 shared ownership properties which will comply with Part M4 (3) 2a which will be secured by a compliance condition.

Twelve affordable rent properties will be provided to the SELHP standard. Each of these units meets the overall unit size standard for SELHP, which is larger than the standard unit size.

For each of these units, 1: 50 plans have been submitted and assessed by the Council's Occupational Therapist to determine their compliance with the SELHP standards. Her initial advice resulted in amended drawings and she later advised that the revised plans take into account many of her previous comments. A further set of revised plans have been submitted to deal with some additional feedback comments and the agents advise that *Many of the points raised in the comments are of a detailed nature which would be covered by specification at working drawing stage. We have made the changes where it is necessary to make minor amendments to the internal flat layouts to satisfy preferred requirements, such as the layout of accessible bathrooms etc.*

On this basis it is not possible to finally approve the drawings for the SELHP standard units until the final adjustments have been made but it is possible to say that the submitted plans indicate that fully compliant affordable rent wheelchair units can be provided. On this basis, it is recommended that a condition is recommended requiring final drawings to be submitted prior to the first occupation of the identified SELHP units.

- Amenity Space and Play Space

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.

In terms of the provision of private amenity space all of the houses are provided with a private rear garden. In addition many of the townhouses also have first floor balconies to provide amenity space directly from the first floor living room. To protect the privacy of neighbours it is recommended that obscure screening is provided between adjoining units and at the end of each section of balcony as shown on the submitted plans.

For the flatted accommodation, all of the units are provided with private external space in the form of a patio, balcony or terrace to the standard required by the Mayors Housing SPG. The majority of units meet the requirements and some exceed the provision. In the northern flats, several flats have marginally undersized balconies for the number of occupants. This is a concern but in view of the high level of access to communal open space across the site, the level of balcony space per unit is considered to be acceptable.

In terms of communal space, the applicant has submitted a Strategic Landscape Masterplan which identifies the extent of communal green space across the site. The Design and Access Statement advises that the total amount of amenity space is provided by the care home amenity space, the SINC, the southern park, the eastern buffer zones, the MOL, the lake and associated boardwalks and pocket greens around the site amounts to 4.3 ha. This is clearly a significant provision of communal open space within this 10.6ha site

The applicant has submitted a formal Play Space Strategy which concludes that based on the expected child yield occupancy of development, the London Plan requires a total of 1,120 sqm of play space (taking account of the discount for children living in properties with gardens).

The total level of provision of play space on site is 1188 sq. This is made up of 5 categories of play space to cover the age ranges of Under 5, 5-11 yrs and 12+. The type of play space includes formally laid out space (for example the play space adjacent to the southern flats), doorstep accessible play space, kickabout areas across the site and a dedicated youth space adjacent to the pavilion. In addition the report provides details of the walking distance to the relevant identified play spaces in accordance with the London Plan.

It is considered that the level of provision of play space is acceptable and it is recommended that a condition is added requiring the provision to be implemented in accordance with the Play Space Strategy.

- Daylight and Sunlight

In terms of natural light provision, it is noted that 59 flat units are single aspect. This breaks down as follows: 30% north facing; 22% east facing; 25% south facing and 22% west facing. The single aspect units fall within the affordable rent, shared ownership and market category units.

It is considered that the units facing south, east and west will have an adequate standard of accommodation in terms of daylight and sunlight.

The north facing units are all provided within the Blocks 1B and 1C of the southern apartments. These properties will benefit from an uninterrupted outlook over the attenuation pond and the associated landscaped area. The units all meet the requirements for the minimum unit size and have access to a private patio area, balcony or terrace that meet the minimum London space standard. As such it is considered that the standard of accommodation will not be significantly disadvantaged as a result of its north facing orientation.

Impact on Neighbour Amenity

The relevant UDP policy relating to the impact of development on the amenity of the residents of adjoining residential properties is Policy BE1: Design of New Development. In addition to the site coverage, height and massing, which have been discussed previously in this report, it is necessary to assess the impact of

overlooking that may result in a loss of privacy, and the potential for the loss of daylight and sunlight to fully understand the impact of the proposed development on the amenity of occupants of adjoining residential properties and new occupants of the proposed units. The impact of noise generating activity for sensitive existing and proposed receptors is considered in the Noise section later in this report.

- Loss of privacy

The impact of the development on the privacy of existing and future residents has been addressed in other sections of this report. In summary these relate to the following:

- Impact on residents in St Martins Lane from the southern apartments as a result of the loss of trees along the NE and SE parts of the eastern boundary.
- Impact on residents in St Martins Lane from the habitable rooms in the rear elevation of Plot 84
- Impact of overlooking from proposed adjoining terraces and balconies for future residents

For plot 84, the rear elevation (including 2 bedroom windows) is set back 25m from the front elevation of No. 24 St Martins Lane.

- Loss of Daylight and Sunlight

As previously mentioned the development has been laid out to minimise its impact on the residents of neighbouring properties. In terms of daylight and sunlight, the most sensitive receptors are along the eastern boundary. While there may be some occasional additional shadowing from the new houses, it is considered that the separation of the new buildings from the boundary is sufficient to ensure that there will not be a significant loss of daylight to these adjacent properties.

Highways and Traffic Matters (including Cycle Parking and Refuse and Recyclable Waste Storage)

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

In policy terms, the relevant highways and transport policies are policies are set out in the Planning Considerations section and include policies in the Unitary Development Plan and the London Plan. These policies seek to ensure that the projected level of traffic generation will not have an adverse impact on the

surrounding road network, that the level of proposed car parking is sufficient to minimise any impact on nearby streets from off-site parking, that the provision of cycle parking is sufficient to meet the London Plan and that the layout of the vehicle access provides safe access to and from the site.

To support the application, the applicant has submitted numerous documents relating to highway and transport matters, as follows, and these have been summarised in the Proposals Section of the report.

- Revised Transport Assessment dated August 2018
- Parking Demand for Care Home – additional data received by email dated 8.10.2018
- Framework Travel Plan
- Framework Construction Logistic Plan
- Car Club Technical Note
- Car Park Management Plan
- North Flats Parking Allocation Plan
- Construction Logistics Plan
- Delivery and Servicing Plan Care Home
- Delivery and Servicing Plan Residential

The Revised Transport Assessment and some of the other documents listed above have been submitted following concerns raised by TfL and the GLA regarding the high level of car parking originally proposed.

The site is located in an area with a low PTAL rating of 1b (on a scale of 0 - 6b, where 6b is the most accessible).

Comments regarding these documents have been variously received from the Council's Highways Officer and Transport for London.

- Vehicle access

Vehicular access and egress to the proposed development site will use the two existing access points currently serving the proposed development site. These are the priority controlled Bucknall Way/South Eden Park Road roundabout junction located at the northern end of the site and the T-Junction to South Eden Park Road located to the south of the Bucknall Way roundabout. There will be no access to the site from Creswell Drive, apart from access for emergency services in case of an emergency event.

The Bucknall Way access will be the primary access for the site and will be the only way to enter the site by vehicle.

The secondary access from South Eden Park Road on the western edge of the development provides in/out access to the existing car parking associated with the Sports Pavilion and the electrical sub-station. This will be retained. For the remainder of the development, the access will be used for exit only and a submitted plan shows the provision of No Entry signs to the residential element and a caterpillar teeth one

way traffic barrier will be erected to stop vehicles entering the site. The barrier will be in a position so that vehicles for the residential development accidentally turning into South Eden Park Road will be able to turnaround in the car park for the pavilion and leave the site. A plan showing the position of a proposed barrier and warning signs relating to the use of the junction have been submitted and are acceptable. A condition requiring details to be implemented in accordance with the submitted plan is proposed with the exception of details of the signage which are requested by a separate condition.

As part of the current application the South Eden Park Road T-Junction will be improved to reduce the overall width of the existing carriageway at the junction and will include a midblock pedestrian island to provide safer movement for pedestrians using South Eden Park Road when crossing the T-junction. These works will be secured as part of the proposed s106 agreement.

The primary internal access is the main central vehicular spine road running north-south through the site which has been constructed. This accesses the site from the existing roundabout at the junction of Bucknall Way and South Eden Park Road and continues through to the attenuation pond at the southern end of the site.

A series of secondary shared surface mews' and lanes branch from either side of the spine road to provide direct access to the residential plots. The majority of these secondary streets have not been constructed.

The applicant has clarified that the scheme will not be a gated development .

There will be no general vehicle access to or from the site to Creswell Drive. The existing car park was provided under the previous consented scheme for the site (12/00976/OUT) and this is for use by residents and visitors to Langley Waterside development and will be separated from the site by boundary fencing. An internal gated access will be provided between the application site and the car park but is for emergency use only.

- Pedestrian access

Pedestrian access will be via the proposed vehicle access points. Within the site it is proposed to have defined footpaths for safe pedestrian access along the main spine road and shared surfaces in the lanes and around the northern and southern flats.

In addition, a new combined footway/cycleway link has been constructed along the east side of the existing Metropolitan Open Land (MOL) and is well lit linking Creswell Drive with the car park for the Pavilion and on to South Eden Park Road via the T-junction entrance. It is located upon private land and is gated at its connection with Creswell Drive. It will be available for public use throughout the day but may be closed during night time periods. The new footway will provide a safe and accessible alternative pedestrian route to the existing footway provision along South Eden Park Road.

In order for clarity regarding access and the use of the footway/cycleway, a condition is recommended setting out the hours that the pathway will always be available for

use. Appropriate signage will be erected and a condition requiring submission and approval of such signage is recommended.

To ensure the indefinite retention of the footway/cycleway, a clause to this effect will be included in the S106 legal agreement.

- Trip generation rates and junction capacity assessment (taking account of nearby committed development)

The revised Transport Assessment provides data and analysis to determine the trip generation rates associated for a 280 unit residential scheme and the care home. For the 280 residential element there are 2 methods of calculating trip generation rates, namely the National Standard for Trip generation analysis, known as TRICS, and the 2011 Census Method of Travel to Work.

When the data from these 2 sources is calculated and compared, the results indicate that the worst case scenario is presented by the 2011 Census data. For the care home the TRICS data source is used.

The table below presents the north and southbound proportion of development generated vehicles trips assigned to these routes for the peak hourly periods.

Table: Development Generated Vehicle Trip Assignment

Mode	Northbound		Southbound		Total	
	Arr	Dep	Arr	Dep	Arr	Dep
AM Peak (0800 - 0900)	36	95	9	25	45	120
PM Peak (1500 - 1600)	69	46	18	12	87	58
PM Peak (1800 - 1900)	54	37	14	10	68	47

A comparison has then been made between the Trip Rate and generation by mode for the proposed development of 280 residential dwellings with the trip generation and mode share presented in the Transport Assessment submitted and approved for the currently consented outline planning permission for mixed use development under LPA reference 12/00976/OUT approved on the 17/06/2014.

From this it has been determined that the trip rates and traffic generation consented under the outline planning permission for mixed use development under LPA reference 12/00976/OUT, exceeds that predicted for the proposed development comprising 280 residential dwellings and a 100 bed care home. The Table below indicates the net difference in the number of vehicles generated by the consented and proposed developments.

Trip rate	Development	AM peak			PM Peak		Total
		Arrive	Depart	Total	Arrive	Depart	
Previously Consented Development under LPA reference 12/00976/OUT							
TRAVL	37,275 sq m	77	164	241	109	85	194
TRICS	37,275 sq m	104	202	306	138	113	250
Proposed Development comprising 280 Residential Dwellings & 100 Bed Care Home							
TRICS	280 Residential	38	115	153	64	41	105
TRICS	100 Bed Care Home	7	5	12	4	6	10
Net Difference Previously consented (TRAVL) - Proposed							
		-32	-76	-76	-41	-38	-79

It has been shown that although the destinations of commuter trips from the location of the proposed developments, as derived from the 2001 and 2011 census data, has remained reasonably constant, the percentage mode share by private vehicle has reduced by 17% between the mode share determined from the 2001 census as applied to the previously consented development, and that determined from the 2011 census as applied for the proposed development.

This, for a 280 dwelling development, would be equivalent to a pro-rata reduction of approximately 48 vehicles generated by the proposed development from that of the previously consented development.

This data is now used to assess the cumulative impact of the proposed development on the Bucknall Way/South Eden Park roundabout also taking account of the predicted impact of proposed development at the Northern Land, The Chinese Garage and Langley Park Primary School. The results show that the roundabout junction can operate satisfactorily under cumulative traffic loading resultant from committed development.

The Council's Highways Officer advises that the methodology for establishing trip generation and assessing the impact on junction improvement as set out in the Revised Transport Assessment is acceptable and that the development will not have an adverse impact on the local highway network.

- Car parking for the residential element

The initial Transport Assessment set out the proposed parking provision of 535 parking spaces for 280 residential units which represents an average parking ratio of 1.71 car parking spaces for each unit. Following significant objections to this level of car parking from Transport for London, the applicant has reviewed the level of parking and now proposes the provision of 470 car parking spaces (including visitor,

disabled parking bays and a car club space) for 280 units. This represents an average parking ratio of 1.6 car parking spaces for each unit. This rate also correlates well to the actual car ownership rates for type and tenures for the Super Output Census Area for the borough

It can be noted that the previously consented development provided a ratio of 1.59 spaces per unit.

In terms of detailed allocation, for the majority of the houses a garage is provided with one parking space in front of the garage. The remainder of the forecourt for each such house is landscaped.

For the houses without dedicated in curtilage car parking spaces, on-street car parking is provided as close as possible to the relevant houses and the parking spaces are allocated to the relevant houses.

For the northern flats Plan 16284/SK61B shows the arrangement of the car parking spaces in this part of the site. The Plan shows the proposed allocation of car parking spaces for each block but the individual spaces are not allocated to individual flats.

For the southern flats, the surface car parking is provided around the southern and eastern side of the curved building with the majority of spaces unallocated to residents. The remainder of the spaces are provided in the ground floor undercroft parking court and no detail of allocation has been shown on the plans.

In terms of parking for wheelchair units, Plan P101 Rev N shows that each wheelchair house is provided with a minimum of 1 space and there are 6 dedicated disabled spaces for 5 wheelchair units at the southern flats and 14 dedicated spaces for 13 wheelchair units at the northern flats.

A total of 22 visitor parking spaces are provided and the Council's Highways Officer advises that this is acceptable.

- Care Home car parking

The Revised Transport Assessment provides initial data regarding the parking demand for the Care Home. The GLA Stage 1 letter requested further justification for the level of car parking for the Care Home and a separate parking demand review has been provided in response.

The proposed car parking provision for the care home comprises 50 spaces, 3 of which are wheelchair accessible plus 2 minibus spaces and a delivery vehicle bay.

The London Plan requires 1 space per 5 staff (long stay) and 1 space per 40 beds (short stay). The UDP indicates a requirement for 1 space per 2-4 beds.

The Car Park Design and Management Plan advises that up to 120 staff will be on-site at any one time. On this basis the London Plan requirement for car parking spaces will be 24 spaces at any one time and the UDP requires 51 car parking spaces.

On the basis of the additional TRICS data received on 8.10.2018, the maximum demand could be for 42 spaces in the mid-afternoon period. Making a 10% allowance for flexibility the requirement would be 46 spaces. Therefore the maximum demand can be accommodated satisfactorily by the 50 spaces proposed.

Ten of the spaces would be equipped with an electric vehicle charging point to serve electric vehicles. This is in accordance with the requirements of the London Plan.

The GLA has not provided a response to the additional information at the time of writing this report. However the Council's Highways Officer advises that the number of parking spaces proposed is considered acceptable as the care home facility will be a low traffic generator with low car ownership rates.

- Pavilion car parking

A total of 70 car parking spaces have been provided for the pavilion in accordance with the requirements of the Development Specification approved under reference 12/00976/OUT. A condition is recommended restricting the use of these spaces to visitors of the pavilion only and they shall not be available for parking by residents or visitors of the houses, flats or the care home.

- Cycle Parking

A new cycleway/footpath also provided under the approved 2012 scheme linking Creswell Drive and the South Eden Park Road T-junction will be retained. To secure retention of this important facility for the long term, there will be a clause to this effect in the S106 Agreement which replicates the security afforded in the s106 Agreement for the 2012 permission.

The cycle parking standards for residential development are set out in London Plan Policy 6.9 which requires 1 space per studio/1 bed unit and 2 spaces for all other units for Class C3 use.

The applicant advises that 510 cycle parking spaces are to be provided for the 280 proposed units. In total 501 cycle parking spaces are required to meet the London Plan requirements for this site.

For the 159 flats in the northern and southern apartments, a total of 268 spaces will be provided in secure and covered structures which are located in close proximity to the relevant buildings. The requirement to meet the London Plan standard is for the mix of flats is 259 cycle spaces so there is an over provision of 11 cycle spaces.

For the individual houses with garages, the garages will be large enough to accommodate 2 cycles. For the terraced houses a shed is shown in each rear garden that is large enough for 2 cycles.

For the care home the London Plan requires 1 space per 5 staff for long stay and 1 space per 20 bedrooms short stay. The plans show 10 cycle parking spaces on the

south and west elevations and it is not clear if these are long or short stay spaces. The Car Park Design and Management document advises that there may be up to 120 full and part time staff on site at any one time. On this basis a total of 24 long stay spaces are required and for 105 potential residents, 6 short stay spaces are required. The provision on site is not sufficient but it is clear that there is space for the provision of more cycle parking spaces. On this basis a condition requiring details of the cycle parking spaces is recommended.

- Public Transport

As part of the 2012 outline consent, investigations were undertaken into the creation of a new northbound bus stop, associated footway and crossing across South Eden Park Road from the development site. Layout options and a Stage1/2 Safety Audit have been carried out and the outcome is that there was insufficient width of verge available on the west side of South Eden Park Road to install a bus stop, shelter and paved standing area. The proposed bus stop was not installed as required.

More recently discussions have taken place between LBB and TfL and both parties are in agreement that a bus stop would not be viable or practical along the northbound section of South Eden Park Road between Creswell Drive and Bucknall Way. It is suggested that an improvement to the existing bus infrastructure should be the subject of further discussions with LBB and TfL to establish appropriate provision for a satisfactory improvement to benefit the proposed development site.

The Council's Highways Officer advises that the applicant should contribute a minimum of £20,000 towards traffic safety measures in lieu of the provision of the bus stop and this would be used to improve the safety of cyclists. A sum of £11,000 has been included in the draft S106. The Highway's Officer also wishes to secure the provision of the pedestrian safety island at the South Eden Park T-junction. It is recommended that this is secured in the S106 legal agreement.

The Council's Highways Officer advises that he would wish to see both the minimum £22,000 contribution for traffic safety measures and the highway works secured by S106.

- Refuse and recycling facilities

The applicant advises that the submitted plans show the provision of general refuse and recyclable waste storage is provided in accordance with London Borough of Bromley waste storage requirements.

For flatted development the requirements are 1x1100 litre bin per 6 units and 1x240 litre bin for paper and one for glass per 6 units and 1x240 litre bin for food waste per 20 units.

For the southern flats 31 bins are required and 28 provided. Another 3 are required. The applicant advises that each of the bin stores within the crescent block are capable of accommodating 1 extra 240 litre bin which leaves 1 external waste bin outside the door to the free standing bin store.

For the northern flats 11x1100 litre bins are provided for 64 units which is acceptable. 29 recyclable waste bins are required and 29 are provided which is more than required.

It is not considered acceptable to have any freestanding general or recyclable waste storage containers for hygiene and visual impact reasons. In this case a condition is recommended that covered and secure binstores shall be provided for all refuse and recyclable waste storage containers and details of binstores not already provided shall be submitted to and approved by the Local Planning authority and be available for use prior to the first occupation of any of the approved units.

In terms of refuse vehicle tracking, a swept path analysis for refuse vehicles has been provided in Appendix 7 of the revised Transport Assessment and the Council's Highways Officer advises that this is acceptable and a condition requiring the street layout to be carried out in accordance with the swept paths is recommended.

- Electric Vehicle Charging Points

The applicant advises that active and passive Electric Vehicle Charging points will be provided in accordance with the London Plan and a condition securing this provision is recommended.

- Framework Travel Plan

This draft document sets out the measures that the applicant proposes to secure access to the site using more sustainable forms of travel than by car.

This document has been assessed by the Council's Highways Officer who advises that the content of the Travel Plan has met the minimum requirements to pass the assessment. However the current document does not make reference to the implementation and on-going review and management of the Service and Delivery Plans for the care home and residential element of the scheme. A condition is recommended to secure a full Travel Plan and a clause in the S106 is recommended relating to the implementation and monitoring of the approved Plan.

- Framework Construction Logistics Plan

This document sets out details of the management of vehicles to and from the site during the construction of the development. This includes road routes for delivery and construction vehicles and time restrictions on delivery and construction vehicle access to the site. In addition no parking will be allowed on the wider road network.

The applicant has submitted additional information advising the additional traffic movements that will be generated as a result of removing contaminated material and importing clean replacement material for the residential and care home elements of the development.

The Council's Highways Officer has assessed the submitted report and additional information. A pre-commencement condition is recommended to ensure that full details of the Plan can be finalised once the contractor has been appointed and to

incorporate the information received relating to the soil removal and replacement into the Plan

- Car Club Technical Note

This document sets out the purpose of the car club and how it will be operated on the site. There is significant planning policy support to minimise car parking and to improve air quality from traffic emissions. As such the provision of a car club on the site will provide an alternative to car ownership that is easily accessible to future residents. The Note advises that there will be 1 dedicated car club parking space and the car will be in place prior to first occupation of any of the residential units. All of the first residents will be offered 2 years free membership plus £50 free driving credit.

The Council's Highways Officer advises that the Technical Note is acceptable but has requested that the car club space is shown on plan. This has been shown on a submitted plan P109 Rev N and the space will be provided on the road running along the southern boundary of the Care Home. The car club space will be secured via a condition relating to the provision of car parking spaces and a S106 legal agreement will secure the set up and operation of the car club.

- Transport for London comments

In their comments on the original submission Transport for London raised objections to the proposed development and required further discussions and the submission of the following additional information and mitigation. The current position is set out below for each of these items and a response to the comments is provided based on the additional information that has been submitted. Comments on the revised submissions have been sought from TfL but no response has been received to date. Should the Council be minded to grant permission for the development, the application will be referred to the GLA for Stage 2 assessment and these matters will be reviewed by TfL at that time.

- Design drawings detailing the proposed South Eden Park Road/development access T-Junction

Response: the detailed plan has been submitted in Appendix 14 of the revised Transport Assessment and the Council's Highways Officer has advised that this is acceptable and a condition requiring the works to be carried out in accordance with the approved plan prior to the first use of the site for any approved purposes. The S106 agreement secures the implementation of the works by the applicant.

- Reduction in car parking levels

Response: this has been discussed in the Car Parking Section above and the number of car parking spaces has been reduced.

- Development should aspire to meet Draft London Plan 2017 car and cycle parking standards

Response: the Draft London Plan 2017 car parking standards are not approved at this time and the Council has objected to the standards. In light of

this, the Council cannot insist on the use of these standards for this development. The car parking has generally been provided in accordance with the relevant car ownership rates.

- Submission of a Car Park Design and Management Plan
Response: a detailed Car Park Design and Management Plan has been submitted and the Council's Highways Officer advises that on balance he raises no objections to the content of the report.
- Confirmation on the number of car club spaces proposed and 2 years free membership secured by S106 agreement
Response: A Car Club Technical Note has been submitted and is summarised above. A single car club parking space will be provided and is shown on Plan 101 Rev N
- Further discussions with TfL in relation to bus stop infrastructure improvements.
Response: This matter has been addressed and the current position is set out in the Public Transport section above.
- Secure the north-south pedestrian link by S106 agreement
Response: This is discussed above and it is recommended that the link is secured permanently through the s106 agreement.
- Travel Plan to be secured, monitored, reviewed and enforced through the S106 agreement
Response: A Framework Travel Plan has been submitted and assessed. However it does not include incorporating measures set out in the Service and Delivery plans for the care home and residential elements of the site and a condition is recommended to secure this information. The implementation and monitoring of the Travel Plan will be secured by the S106.
- Submission of an Outline Delivery and Servicing Plan prior to the determination with a full DSP secured by conditions.
Response: Separate Delivery and Servicing Plans for the residential element and the care home have been submitted. The Council's Highways Officer advises that the approach put forward for the care home is considered satisfactory. Furthermore the Council's Highways Officer advises that he supports the measures in the DSP for the residential element and the implementation and ongoing review of the DSP through the Travel Plan.
- Full Construction Logistics Plan to be secured by condition
Response: this is discussed above.
- Mayoral CIL at a rate of £35 per sqm
A Revised CIL form has been received

In summary, the use of the site for residential purposes has previously been considered and approved and the proposed development introduces a residential scheme with a higher number of units and also includes a care home.

The submitted highway related documents provide evidence of the proposed level of vehicle activity that the site will generate. The report finds that, taking all current factors into account for modelling and estimating the trip generation of the scheme, the likely trip generation for the current development will be lower than the previously approved scheme. This is partly due to the comparatively reduced number of proposed car parking spaces and activity that would have been associated with the proposed doctor's surgery but also to changes in the form of calculating the baseline data for car movements.

The proposed car parking for the residential element has been reduced from the initial 535 spaces to 470 spaces but the average car parking ratio of 1.6 space per unit correlates with existing local car parking space provision in the 2011 Census and the level of parking provided for the previous 2012 scheme. For the care home the provision of 51 car parking spaces has been separately justified. The Council's Highways Officer raises no objection to the proposed car parking.

The location of the parking spaces is set out on the site layout plans and shows curtilage parking for 2 spaces for most houses with some dedicated on-street spaces for the remainder. For the flats, unallocated spaces are mostly provided in courtyards with plenty of overlooking to create a secure environment for on-street car parking. The reduction in the initial level of car parking means that there is more landscaping provided across the site which breaks up the hardstanding areas.

Cycle parking and refuse storage provision is provided to the standards required for the London Plan and LB Bromley respectively. Various technical reports have been submitted to consider ways to improve sustainable methods of travel to and from the site including the provision of a car club and car club parking space on the site, a Travel Plan and Service and Delivery Plans for the residential element and care home elements of the site. It is proposed that the implementation and monitoring of these Plans should be undertaken via the s106 agreement.

It is noted that there has been concern raised by some residents in their consultation responses regarding the increased vehicle activity resulting from this development. However, taking all of the above factors into account, it is considered that the proposed development will not have a significantly adverse impact on the local highways network, over and above the previously approved 2012 scheme, and on this basis it is considered that the development is acceptable from a highways point of view.

Trees, Landscaping and Ecology

Policies NE7 (Trees and Development) and NE8 (Conservation and Management of Trees and Woodlands) of the Unitary Development Plan provide policy guidance for the consideration of the impact of development on trees.

Policy NE7 requires new development to take particular account of existing trees on the site which, in the interests of visual amenity and wildlife habitat, are considered desirable to retain. Tree Preservation Orders will be used to protect trees of

environmental importance and visual amenity. Where trees have to be felled, the Council will seek suitable replanting. Policy NE8 seeks to improve the amenity and conservation value of trees and woodlands and the Council will encourage appropriate beneficial management, appropriate new planting in suitable locations and promote public interest in and enjoyment of trees and woodlands.

Policies N2 and N3 seek to protect sites and features which are of ecological interest and value while Policy N5 prohibits development that will have an adverse impact on protected species.

The proposed landscaping and tree works have been presented in the form of 3 key plans and supporting text in the Design and Access Statement. The plans are a Strategic Landscape Masterplan (rev7), a Landscape Design Plan (Rev 03) and a Planting Plan (Rev 03) showing the proposed tree planting and landscaping strategy and detail for the site.

As part of the previous 2012 permission (12/00976/OUT), a significant amount of landscaping and environmental works, that were approved by condition, have been carried out along the banks of the River Beck to improve the river banks and enhance the quality of environment that is a designated Site of Importance for Nature Conservation.

In terms of the proposals relating to trees, previous planning applications have considered and approved changes to the tree coverage on this site.

The most recent case was a material amendment to the 2012 permission which sought to remove trees on the northern boundary, on the south-eastern boundary and around the South Eden Park Road T-Junction. This application (reference 14/04538) was recommended for approval and a resolution granted planning permission for the amendments. However the decision has not been issued due to the absence of a signed S106 agreement.

The current application is supported by an Arboricultural Impact Assessment (AIA) (Jan 2018) which identifies the trees on site and presents a Tree Removals and Impacts Table. This summarises those trees to be removed from the site and those trees that may be subject to particular impacts that require mitigation measures to protect the tree.

The AIA identifies the removal of 34 of the existing 121 individual trees and 6 of the 24 groups of trees on the site. The majority of these trees are along the eastern boundary and will need to be removed to allow working space for the removal of redundant ducting along this boundary.

In terms of tree works, it is considered that the most sensitive boundary in terms of the impact of tree loss is the eastern boundary which adjoins existing residents in the Langley Waterside development. The boundary adjoins houses is St Martins Lane in the south-east of the site and Spinney Close in the north-west of the site.

As part of the proposals for the 2014 material amendment application, the AIA and Tree Removal Plan show the removal of most of the trees along the south-eastern

boundary, adjacent to St Martins Lane, below the currently proposed Plot 73 with the exception of 6 trees, numbered 104, 105, 106, 111, 115 and 117. The above landscaping and planting plans show the retention of the same trees. In addition the 2014 proposed landscaping plans show the provision of 2 replacement semi-mature trees along the boundary. The current landscaping plans show the provision is 2 semi mature trees in similar locations plus a significant number of additional trees along this boundary plus boundary hedging.

In terms of the impact of the loss of these trees, the loss of the trees will increase the visibility of the proposed southern flats, the closest of which is a four storey building with habitable room windows facing these houses in St Martin's Lane. However the separation distance between the front elevation of the flats and the rear elevations of the houses is a minimum of 45m. In addition several of the larger trees are retained on this boundary and semi-mature trees will be provided as replacement planting. It is considered that the impact will be relatively short term and the mitigation measures offered by the applicant will help to reduce the adverse impact of the loss of these trees.

In the north east part of the site, adjacent to Spinney Close, the plans for the 2014 application and current application show the retention of tree group 6 which is welcomed.

The newly planted trees along the road network will pose a significant constraint to development and the applicant advises that these trees will be lifted and replaced back on the site after construction in due course.

Other trees to be removed are where the proposed trees will be within the gardens of dwellings and are likely to become over dominant or are located on the footprint of buildings or roads. The removal of these trees is located in the centre of the site and their removal has been previously agreed under the 2014 application.

The landscaping plans show details of informal and formal landscaping plus private and communal proposals for the site. The strategic context is provided by the Strategic Landscape Design plan and greater detail is shown on the Landscape Design and Planting Plans. The plans show extensive tree planting throughout the site and the provision of semi-private spaces and front gardens, landscaped zones, the formal avenue, pocket parks and semi natural zones all of which adds variety, interest and diversity that is fundamentally important to complement the built form of development. Much of the planting is native species and is in the form of trees and hedges and will encourage biodiversity for example by providing fruit bearing species. The existing planting that has been implemented to date is show to be retained on the submitted plans. Some details of the hard landscaping is shown and a condition requiring the submission of full details is recommended.

The Council's Tree Officer has assessed the submitted document and advises that the Landscape Plan is an improvement to the original planting that was partially implemented prior to the construction phase. He has reviewed the proposed schedule of tree planting for the street scene and residential gardens and considers the selection appropriate. The size specification will give a level of instant impact upon completion/occupation of the development.

In respect of the proposed works to trees along the eastern boundary he advises that the proposed retention and form of replacement planting is acceptable.

A revised planting plan and AIA has been submitted and a full Arboricultural Method Statement will be sought by condition.

In summary, it is considered that the proposed loss of trees, new tree planting and proposed landscaping approach will result in a development that will be visually attractive both internally and externally. In the long term the provision of a large number of new trees will provide a mature and attractive framework. In the short term the careful positioning of replacement trees where existing trees will be lost will help to alleviate any negative impacts for the closest residents.

In terms of ecology, paragraph 109 of the NPPF seeks to ensure that development contributes to and enhances the natural and local environment and minimise impacts on biodiversity and provide net gains where possible. London Plan Policy 7.19 (Biodiversity and Access to nature) requires development proposals to make a positive contribution to the protection, enhancement, creation and management of biodiversity. UDP Policy N2 requires that proposals that may significantly affect the nature conservation interests will be permitted only when any harm can be overcome by mitigating measures, secured through conditions or planning obligations.

The applicant has submitted a Preliminary Ecological Appraisal, an Ecological Management Plan and Reptile Survey Report to assess the impact of the development on the designated Site of Importance to Nature Conservation within the site which includes the River Beck that runs through the site. These reports have been summarized in the Proposals Section of the report.

The Preliminary Ecological Appraisal (PEA) October 2017 concludes that the plans show the development will not encroach on the Sites of Borough Interest but houses are very close and within the root protection area of some trees so a full arboricultural impact assessment is recommended to ensure impacts on the health and integrity of trees are avoided and any impacts are mitigated. In response an Arboricultural Impact Assessment 2018 has been submitted and makes recommendations to provide tree protection for retained trees.

It should be noted that a 8m buffer zone, requested by the Environment Agency, is provided on either side of the River Beck and all dwellings and their curtilages will be sited outside this zone which corresponds to the boundary of the SINC. There will be some tree removal within the buffer zone where trees of Category B and C will be felled as they are within garden plots in close proximity to dwellings and will dominate space. This has previously been approved under ref 12/00976 which sets a precedent to agree this work as part of this application.

Finally the PEA recommends that a reptile survey is carried out prior to any work along the eastern boundary. The reptile report submitted with the application predates the PEA and finds that there no reptiles have been found during survey visits and no mitigation for reptiles will be required during remediation, construction or operation/occupation of the proposed scheme. Appropriate management of the

public open spaces to encourage biodiversity may help to attract common reptiles in the future.

The Ecological Management Plan October 2017 sets out measures for the management of ecological features, mitigation and habitat enhancement at the site to ensure there is an improvement in habitat diversity and increase the biodiversity value of the site for protected species. The proposed measures include

- Pond creation – the attenuation pond has been provided and will be planted with species of value to aquatic invertebrates and amphibians.
- Hedgerow, and shrub and tree planting is proposed and the value of this has been discussed above.
- Grassland planting with native species to improve the low quality of existing site and encourage species diversity and provide habitats for birds.
- Bat boxes have already been installed in the woodland and 10 bird boxes will also be provided.
- A loggery and ‘bug’ hotels’ will be created in the retained woodland corridor to encourage stag beetles and other insects.

In terms the impact of the development on biodiversity, the submitted reports provide an analysis of the current position that the site presents in terms of protected species and the habitat characteristics. The proposed Ecological Management Plan sets out a range of measures to improve the biodiversity on the site and to attract a range of species and reptiles in accordance with policy requirements. It is considered that this suite of documents is acceptable and a condition requiring the development to be carried out in accordance with them is recommended.

Other Technical Matters

- Air Quality

The report by RSK dated January 2018 identifies that the development would have the potential to cause air quality impacts during construction and operational phases. During construction this would be due to dust emissions and particulate matter emissions. Appropriate mitigation has been offered for dust management. Consequently the report concludes that, subject to the implementation of recommended mitigation measures and a Dust Management Plan during construction, the impact would be ‘not significant.’

Dispersion modelling was undertaken to predict the effects of the post construction operation of the site and existing and increased traffic on the network. Exceedances of the air quality standard are predicted on residential receptors close to the junction of South Eden Park Road, Stone Park Avenue, Wickham Lane and Hayes Lanes in the absence of mitigation. To reduce the extent of the operational phase effects on local air quality, mitigation measures such as electric vehicle charging points, implementation of a Travel Plan and associated sustainable measures is recommended to reduce road traffic generated by the development.

The report further recommends the use of a combined heat and power plant for the care home to further reduce the impact of the operation of the site on air quality emissions.

The report concludes that if an appropriate range of mitigation measures are implemented and the plant selected for use has a similar air quality to those modelled in the assessment, it is considered that the impacts of the proposed development on local air quality will have been reduced, making the residual impacts more acceptable.

The Council's Environmental Health Officer is happy with the response to original queries in the original AQA report. However the range of mitigation measures for vehicle emissions is not specific and he recommends a condition seeking further detail to be submitted post decision. The applicant has given their agreement to this approach.

- Archaeology

Planning permission was granted for redevelopment of the site under reference 12/00976/OUT. Condition 37 and 38 required the submission of (add what here) and this was discharged. Works to the site to implement Phase 2 of the development to layout the site infrastructure only have been carried out.

The current report updates the previous submissions and advises that the current report will only refer to any potential assets that could be found at levels below the implemented infrastructure by 1m. The only other archaeological potential relates to the undeveloped areas from additional drainage and highway works.

The report recommends that an archaeological watching brief is completed and secured by condition. Should artefacts be found additional assessments will be required in consultation with the Greater London Archaeological Service.

Historic England advise that they are happy to recommend the approval of the applicants submitted document subject to a condition requiring the implementation of an archaeological investigation based a Written Statement that needs to be submitted to and approved by the local planning authority.

- Sustainability and Energy

The applicant has originally submitted a Sustainability and Energy Statement (10.10.2017) which set out measures to meet requirements of London Plan policies 5.2: Minimising carbon dioxide emissions, 5.3 Sustainable Design and Construction, Policy 5.5 Decentralised Energy in Development Proposals, Policy 5.7: Renewable Energy and 5.9 Overheating and Cooling

Initial comments from the GLA advised that the applicant has broadly followed the energy hierarchy but further information is required before the proposals can be considered compliant with London Plan Policy 5.9 as follows the construction type.

In terms of 'be lean', further information is required on the following: the construction type; overheating analysis; and BRUKL sheets, specifically considering gas-fired boiler systems for heating purposes. For the 'be clean' element of the hierarchy, the heating strategy must be reviewed and further information is required on the care home's energy centre. In addition, further information on the Combined Heat and Power network, which is proposed for the care home, is required. With regard to the 'be green' part of the hierarchy, the applicant must review the proposed PV panels to maximise coverage and BRUKL sheets are required.

The domestic elements reduce carbon emissions by 35%; residential buildings are required to meet the zero-carbon target, as set out in draft London Plan Policy S12, and therefore the applicant should review the hierarchy to ensure emissions are minimised. The non-domestic element, which is the care home, is expected to reduce carbon emissions by 35%; this meets the target set out within London Plan Policy 5.2 and draft London Plan Policy S12.

A detailed technical note was provided by the GLA on 3.4.2018 for the applicant to ensure clarity regarding the issues that need to be addressed.

In response the applicant has submitted numerous documents to try and address the GLA concerns which have resulted in the following documents comprising the formal submission for the residential and care home elements of the site:

- Sustainability and Energy Statement dated 10.10.2017 ref: 712591R(02)
- Addendum to Sustainability and Energy Statement by RSK dated 25.10.2018 ref: 712591R(05) which presents amendments to the energy strategy principally through the inclusion of communal heating in the residential apartment blocks, additional CHP plant in the care home and optimised PV provision.
- Energy Statement for the Care Home and Energy Statement Addendum for Care Home Oct 2018 Mecserve ref P17-168 Iss 3 which includes detailed data and modelling to meet BRUKL 'Be Lean' and 'Be Clean' and 'Be Green' standards.
- Overheating Assessment Mecserve (April 2018 ref P18-23 Iss 1)

The GLA have reviewed these documents and continued to raise concerns as follows:

- Construction y-value
The applicant advises that detailed construction details for the building types are not determined so it is not possible to advise if the y-value of 0.05 is achievable. A condition is recommended requiring the submission of bespoke designs and modelling and should request that, should the performance claimed during the planning application stage be not achievable, any loss should be compensated by on-site measures, rather than a contribution to the borough's offset fund.
- Full 'be lean' BRUKL
A full 'be lean' BRUKL has not been provided. The information submitted to date is an output file for non-residential elements and a 'be lean' BRUKL from

the care home should be submitted for review, in line with GLA guidance assuming gas fired boiler systems. This item is still outstanding.

- Full 'be clean' BRUKL

A full 'be clean' BRUKL has not been provided. The information submitted to date is an output file for non-residential elements and a 'be clean' BRUKL from the care home should be submitted for review. This item is still outstanding.

- Full 'be green' BRUKL

A full 'be green' BRUKL has not been provided. The information submitted to date is an output file for non-residential elements and a 'be green' BRUKL from the care home should be submitted for review. This item is still outstanding.

- Communal heating

The size of the Combined Heat and Power unit has been reconsidered and the applicant is now proposing a unit that has much better air quality properties.

The method of calculating the carbon saving from the proposed CHP unit is considered to be incorrect and overestimates the potential savings. The proposal should be either conditioned to provide the overestimated carbon savings or any shortfall should be compensated through additional on-site measures.

- PV panel installation

The applicant has provided additional information about the type and output of the PV panels showing that the output per panel for the residential element and the care home is improved. As such, the PV panels proposals should be update to reflect this change for an additional 46.27kWp and the revised carbon emissions should be provided. This has not been done and the item is still outstanding.

At the time of writing this report, revised comments from the GLA have not been received so their response will be reported verbally to Members.

At the present time, it is not possible to provide detailed information regarding the payment of a Carbon Offset payment so a verbal update will be provided to Members.

- Drainage and Sustainable Urban Drainage Systems

The site lies partially within Flood Zones 2 and 3 and the River Beck runs through the site on the western side of the residential element of the scheme. The river goes into an underground culvert where it meets the attenuation created under the previous permission and the culvert extends to the eastern boundary of the site.

A considerable amount of work has been carried out to river corridor through conditions approved as part of the 2012 to improve the definition of the river and the quality of the riverbank environment.

The applicant submitted a Flood Risk Review and Technical Appraisal (January 2018) with the original submission. Following objections and comments from The Environment Agency and the Council's Drainage Officer, a Revised Flood Risk

Review and Technical Appraisal (June 2018) has been submitted. The agent advises that in the revised FRR they have reassessed the flood risk on the site to reflect the current flood model data for the Ravensbourne Catchment.

To assess the impact of the development on flood risk and drainage matters arising from this more intensive development, the report advises that the Flood Risk Assessment and associated Addendum approved as part of the 2012 application remains relevant. The submitted revised Flood Risk Review carries out a full review of all of the previous work undertaken and a technical appraisal of how this relates to the proposed new development layout.

The report concludes that the proposed development will not cause flooding on site or pose a risk of flooding to adjacent land or land downstream of the site.

The Environment Agency advise that the proposed development will only meet the requirements of the NPPF if the following measures are implemented and secured by way of a planning conditions: compliance with the Strategic Landscape Masterplan and the River Buffer Zone plan plus the setting of minimum finished floor levels above the floor level. In addition the River Buffer Zone Plan confirms that there is a full 8m buffer for the river on either side of its centre line. The EA further recommend that conditions previously applied to the 2012 permission relating to possible piling operations, measures to deal with contamination that may be found during construction and verification and closure reports for the remediation strategy are applied.

The Council's Drainage Officer advises that the FRA is acceptable in principle but additional hydraulic modelling and drainage simulations are required to support the conclusions of the report, particularly for surface water drainage, and a condition requesting this information is recommended for submission prior to the commencement of any development on the site.

The package of information now available to the Council's Drainage Officer and the Environment Agency has been assessed and found to be acceptable in principle.

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

In terms of the existing water supply infrastructure, Thames Water do not have any objections to the application.

In terms of surface water network infrastructure Thames Water would advise that they would not have any objection to the above planning application, based on the information provided. The application indicates that surface waters will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority (LB Bromley).

Taking account of the position of the Council's Drainage Officer, the Environment Agency and Thames Water, it is considered that the development is acceptable in

terms of its impact on the water supply, the sustainable discharge of surface water and foul sewerage.

- Contaminated Land

The Council has received a Site Assessment and Remediation Strategy and further information in a letter dated 13.8.2018 relating to the residential element of the site, the details of which are set out in the Proposals section above.

The report advises that following the reprofiling works carried out under permission 12/00976 further soil investigations have been carried out which reveal there is still some contamination in the soil including asbestos containing materials and copper. The report stresses that the level of asbestos free fibres is low but relatively widespread across the site.

The resultant recommendation is that a 600mm clean capping will be provided to all gardens and soft landscaping areas. Details of the location and extent of 'cut and fill' to ensure this depth of capping is provided is shown on plans P111 and P112.

The subsequent letter and plans further advise that:

“Levels have been set for planning to be sympathetic to the adjacent properties, the existing Spine Road, Drainage and facilities on the site. These proposed levels mean that levels cannot just be raised by 600mm across the whole site. Levels adjacent to the boundaries, existing infrastructure and other facilities will need to be maintained and therefore these areas will need to have contaminated material removed and replaced with clean. Some areas will need 600mm removed and 600mm replaced, others will have a varying depth removed and 600mm clean replace. There are other areas which can be raised with the 600mm clean capping. Therefore there will need to be an extensive of material management on site, which will have to include the export of excess ACM to controlled tip and the import of clean capping material and topsoil.”

The letter goes on to state:

Attached are two figures illustrating the levels and cut and fill areas.

1) Proposed Levels (Plan P111) – this includes existing levels, proposed Finished Floor Levels and Spot Levels in Gardens, Roads and Communal Areas.

2) Proposed Cut and Fill Areas (Plan P112) – this illustrates areas which will need to be reduced 600mm or more before placing 600mm clean capping; Areas which will need up to 600mm material removed before 600mm clean capping is placed; and finally areas which do not need material removed and may be able to have material placed in addition to the 600mm clean capping.

To achieve this, the following processes will need to be carried out in order that the procedure is carried out successfully.

- The remediation strategy (detailed above) will need to be agreed with relevant statutory authorities. This strategy also sets out the verification procedure required to confirm the remediation has been carried out.
- A material management plan will need to be produced which sets out more accurately with details of level adjustments to be carried out on site. It will also need to include details to deal with adjustments in levels and the construction of the proposed buildings and associated infrastructure. Quantities of materials to be moved around site and off site and the methods to be employed to carry this out, including details of protection and contamination control measures to be utilised.
- As each phase of the development is completed verification reports will be created to prove the remediation strategy has been met and provide appropriate H&S information for the future use of the site. The materials management plan will also be reviewed to account for any additional information which may have come to light.

The Council's Environmental Health Officer commented on the original report advising that the capping layer of 600mm in domestic gardens is a standard precaution to ensure that future householders do not accidentally come into contact with the contaminated land. He has also suggested a coloured marking layer at the base of the capping layer which acts as an additional visual marker for future residents in the event of deeper excavation. He has suggested that permitted development rights be withdrawn so that there is no uncontrolled development such as pools or extensions, which might penetrate the marking layer, and thus expose construction workers at risk. A condition to this effect is recommended.

The impact of these proposed works on sensitive receptors have been considered and, in this respect, the residents along the eastern boundary are most likely to be affected. The levels shown on the existing topographical plans and plans P111 and P112 have been compared and it is found that the final finished levels of the houses and across the site, including the land adjacent to the eastern boundary will not be significantly different to existing levels. It is, therefore, considered that the impact from these ground works will not have a significantly adverse impact on the amenities of those neighbours most likely to be affected.

The Council's EHO has also seen the additional letter and plans dated 13.8.2018 and he is satisfied with the proposals in principle.

For the care home part of the site, a report by Applied Geology entitled Report on Ground Investigation at Langley Court, Beckenham dated February 2018 was submitted for consideration on 26.10.2018.

The Council's Environmental Health Officer raises no concerns about the findings of the report. However this document does not provide a clear plan showing the extent of the 'cut and fill' so this is requested by condition.

For the works to the care home and the residential element of the site, it is recommended that verification and closure reports are submitted prior to first occupation of any of the approved units.

To ensure that there is no adverse impact from significant environmental works that need to be carried out on the site during construction works, a condition requiring the submission of a Construction, Noise and Environmental Management Plan is recommended.

- Secured by Design

The proposal should incorporate Secured by Design principles (as required by UDP Policy BE1 (vii)) to take account of crime prevention and community safety.

The applicant has not been in contact with the Met Police to discuss this scheme. The Designing Out Crime Officer has advised that he has concerns that should be addressed regarding building and personal security, undercroft parking area, defensive space for ground floor properties, cycle storage security, and clarification around visitor strategy, mail delivery, and the continued use of tested and accredited doors and windows.

He considers that should this application proceed, it should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design officers and the New Homes 2016 and Commercial 2015 guidance documents.

On this basis he is recommending a Secure by Design condition.

- Noise

The Council has received a Noise Assessment and an additional Technical Note and together these documents provide an assessment of the impact of external noise sources on future residents of the site including impacts on internal living areas, residential outdoor amenity areas, the care home and public open space. The impact from car movements and refuse collection relating to the southern apartments on nearby existing residents adjoining the SE corner of the site has also been assessed.

In terms of the impact on future residents, the report considers the numerous future receptors listed above and concludes that:

- Predicted levels at the boundary of the residential properties are not considered significant and can be dealt with by standard specification double glazing system (providing a sound reduction of 28dB Rw) to meet recommended internal day and night ambient noise levels. The glazing will need a similar specification for ventilation.
- The facades at the care home will need a higher specification of attenuation to reduce external to internal noise by a maximum of 30 dB(A).
- The impact of additional traffic flow on existing receptors reveals that, due to the relatively low level of increased traffic movements, the impact in terms of noise emissions is considered to be negligible.
- Mitigation measures to minimise the impact of construction site activities have been recommended in the report.

In terms of the impact from vehicle activity on existing residents adjacent to the SE boundary, the report concludes that compared to existing ambient noise levels, the predicted noise levels are lower than the ambient for each assessment period as a worse case. It is likely that individual activities may be audible at existing receptors for extremely short periods of time. However these events do not contribute to an increase in existing ambient noise or result in significant impact.

The Council's Environmental Health Officer has reviewed the submitted documents and advises that predicted ambient noise levels for the care home will exceed the internal ambient requirements and attenuation in the form of double glazing and for room ventilation will be required for the north and west facing elevations. A condition securing the submission of details of the form of glazing is recommended.

Attenuation will also be required for residential properties facing South Eden Park Road and this can be achieved by standard specification double glazing system (providing a sound reduction of 28dB Rw).

Mitigation measures are also set out to minimise the impact of construction site activities. A condition requiring the submission of a Construction, Noise and Environmental Plan is recommended and will deal with aspect in more detail.

- Community Infrastructure Levy

The Council does not have its own CIL but consultation of the boroughs proposed CIL Preliminary Draft Charging Schedule is underway and responses are being invited by 6.3.2018.

Mayoral Community Infrastructure Levy - The development will be liable for the payment of the Mayoral CIL.

- Screening Opinion for an Environmental Impact Assessment

The proposed development is Schedule 2 development (under paragraph 10(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 being an 'urban development project' with a site area of more than 1 hectare involving more than 150 dwellings.

An EIA screening was provided for development under reference 11/02525/EIA for a scheme that comprised the following development:

Demolition of existing buildings and comprehensive phased mixed use development of up to 37,275sqm (gross external area) comprising up to 35,580 sqm Class C3 dwellings (up to 179 houses of different sizes and tenures including garages (including up to 79 affordable units)), up to 620sqm Class D1 (Non-Residential Institutions), up to 1,040sqm Class D2 (Assembly and Leisure) (including retention of existing pavilion and erection of replacement score hut), including reprofiling of site levels, creation of attenuation lake, estate roads and pedestrian/ cycle paths, open space, car parking, hard and soft landscaping, security access lodge and infrastructure works including substations. Use of pavilion building (permitted for staff restaurant/ sports club/ library, education and resource centre and general purpose

meeting room) within Class D2 (Assembly and Leisure) in conjunction with adjacent playing field without any specific use/ occupier restrictions (as set out in condition 03 of permission ref. 98/01103/FUL PART OUTLINE

The assessment for the current proposal considers the impact from the increase in development on the site and concludes that the development now proposed does not constitute an EIA development under the EIA Regulations and that potential environmental impacts can be managed through the submission of supporting technical reports with the application that confirm that extent of the work already carried out on site and assess any additional impact arising from the enlarged scheme.

As such, The Council issued a Screening Opinion on 21.3.2017 pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 in respect of an application for the erection of 281 dwellings and 100 care home with associated car and cycle parking, refuse and recycling and associated works

Conclusions

The proposed redevelopment of this vacant site has been previously considered and the approved scheme of mixed development comprising residential units, a doctor's surgery and a leisure pavilion and playing fields has been implemented. In terms of the principle of development, the current scheme also proposes residential development and a leisure pavilion and introduces the provision of a care home to the site.

In terms of the principle of the use of the site for the current mixture of uses, it is considered acceptable in planning terms and would make a positive contribution to the housing supply in the borough and a specialised form of accommodation for older people in the borough with general and specific care needs.

The remainder of this report considers the impact of the development on the wider environment in terms of vehicle movements and the visual impact of the development on the local character of the area. In this respect it is considered that the traffic generated by this proposal will not have a significantly negative impact on the local highways network and is shown to have less impact than the previously approved scheme.

In terms of the contribution of the proposed scheme to the local area, the site has lain vacant for sometime and, whilst the previous scheme was implemented, this did not result in the provision of new housing on the site. The current scheme moves the development of the site closer and provides a variety of unit sizes and types that reflect the pattern and form of development in the local area. The size, massing and appearance of the individual units and groups of buildings will bring a visual variety to the site without being out scale with existing or recently approved development. This will not unduly change the nature or character of the area and will not result in a detrimental form of development.

This report also considers more immediate impact on the amenity of occupants of nearby existing residents. By setting the buildings away from adjacent sensitive boundaries and presenting flank walls to the upper part of the sensitive eastern boundary, it is considered that the impact of adjacent residents here is acceptable. Further south on this boundary, there will be a significant change to the boundary with the removal of some of the existing trees (to facilitate the removal of existing on-site workings) and the provision of a new block of flats. However the applicant has tried to ensure that the outcome for these neighbours replicates the previous proposals that have been considered and agreed by Members as much as possible through careful siting of the building and mitigating tree planting and landscaping,. While there will be some impact for these residents it is not considered to be so significant that the proposed development is unacceptable.

Turning to the detailed operation of the site, it is considered that the level of car parking, cycle parking and proposals to encourage sustainable means of travel will provide a scheme that is not over dominated by hardstanding and leaves sufficient space around the buildings and within the site for landscaping and playspace. The space standards for the residential units accord with the requirements of the London Plan and the provision of a scheme with a fully compliant provision of affordable dwellings and wheelchair housing is welcomed and will make a significant contribution to the housing supply for the borough.

Environmental improvements are also provided through upgrading of the soil conditions on the site, the provision of an extensive tree and landscape planning plan and proposals to increase biodiversity on the site.

A draft legal agreement setting out heads of terms for further discussion will secure some of the measures referred to in the wider report and this is a vital part of the report to ensure the delivery of an acceptable scheme.

In summary, and for the reasons set out above, it is considered that the proposed development is acceptable subject to recommended conditions and the signing of a S106 legal agreement.

Background papers referred to during the production of this report comprise all correspondence on file ref: 18/00443/FULL, excluding exempt information.

RECOMMENDATION: PERMISSION BE GRANTED SUBJECT TO

- **Referral to and any direction by the Mayor of London**
- **Prior completion of a Section 106 Agreement relating to matters set out in the report**
- **Delegated authority to finalise the detailed wording of the clauses of the S106 Agreement. In the event that final terms cannot be agreed, the matter will be reported back to Members for further consideration**
- **Conditions to secure the matters listed below with final details to be agreed under delegated authority.**

Care Home and Residential elements

- Commencement of development within 3 years
- Approved plans and documents
- Air Quality
- Construction Logistics and Noise and Environmental Management, including hours of operation
- Surface Water Drainage and sustainable drainage
- Flood Risk Assessment
- Securing the buffer zone
- Contamination and Remediation
- Slab and Land levels
- Site-Wide Energy
- Archaeology
- Arboricultural and Ecological method statements
- Trees, landscaping and Planting
- Boundary treatment
- External Materials for buildings and hard surfaces
- Window details
- Obscure glazing for windows and balconies
- Side Space
- Secure by Design
- Car parking provision
- Pedestrian refuge to South Eden Park Road access
- Cycle parking and storage provision
- Refuse and recycling provision
- Travel Plan
- South Eden Park Road T-junction - signage and restricted use
- Cycleway/footpath hours of use
- Car Club
- Service and Delivery and Car Park Design and Management Plans
- Electric Vehicle Charging Points
- Neighbourhood Parking Area
- Permitted development restrictions
- Play Space Strategy
- External lighting

Care Home only

- Care Home – no cooking facilities
- Care Home – age restriction
- Care Home – use class
- Care Home – ventilation details