

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

**Application No :** 18/04265/FULL1

**Ward:**  
**Bromley Common And  
Keston**

**Address :** Potters Farm Turpington Lane Bromley BR2 8JN **Objections: Yes**

**OS Grid Ref:** E: 542123 N: 166847

**Applicant :** Langford Walker Ltd

### **Description of Development:**

Demolition of existing buildings and removal of existing yard area. Erection of 3 detached bungalows with car parking, landscaping and tree planting and provision of boundary fencing/railings.

### **Key designations:**

Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
Smoke Control SCA 19

### **Proposal**

Planning permission is sought for the demolition of the existing buildings and removal of the existing yard area and erection of 3 detached bungalows with car parking, landscaping and tree planting and provision of boundary fencing/railings.

The application is a revised scheme on the site. Members will note the extensive planning history of the site that is detailed below.

This revised scheme comprises three single storey detached dwellings with principle elevations facing Turpington Lane. The footprint of each dwelling will be situated in the approximate footprint area of the existing building on site. The plans indicate a distance from the front elevations of the dwellings of 31.2m from Plot 1, 31m from Plot 2 and 30.6m from Plot 3 to the footway on Turpington Lane to the north west and 26.1m to the south west from the side elevation of Plot 3 to Bromley Common. Distances of 1.3m for Plot 1 and 1.4m for Plots 2 and 3 are maintained to the boundary with the Sea Cadet site to the south east.

The dwellings will be single storey incorporating gable and hipped roof features. Side access is proposed to the south east side elevations for Plots 2 and 3 with Plot 1 handed to face north east. The design of the houses is traditional in format with pitched slate roofs with a varied format, detailing around windows, doors and a brick feature banding around the buildings.

Parking is provided with two tandem spaces for each dwelling. Vehicle access to the site is provided using the existing access way from Turpington Lane.

A landscaped area is indicated to the south and west side of the site adjoining Turpington Lane and Bromley Common respectively. This is indicated to be a shared amenity space for the houses.

Bin store enclosures are provided for each house within their own curtilage with a separate collection point near the main vehicle access.

The application was supported by the following documents:

- Planning, Design and Access Statement
- Part M Compliance Statement

### **Location and Key Constraints**

The site occupies a corner position fronting the eastern side of the A21 Bromley Common, adjacent to its junction with Turpington Lane. It incorporates a 43m-wide frontage to Bromley Common and an overall area of 0.24ha. Access to the site is via its northern boundary fronting Turpington Lane. The level of development is low, with two single storey barn-type structures located at the south-east corner of the site. These incorporate a combined floor area of approximately 248sq metres and a cumulative volume of 878cu metres. This equates to building site coverage of 10.3%. The site also contains an area of hardstanding to the north and west of these buildings, although much of this area has now been overgrown following the cessation of activities at the site. The overall site coverage made up of buildings and hardstanding amounts to approximately 50% of the site area. The site was last used as a storage and distribution centre in connection with a turf and topsoil business. The storage building has an unrestricted storage use, whereas the outdoor hard surface area was used for purposes ancillary to this use.

The site adjoins the Bromley Sea Cadets along its southern boundary, with this neighbouring site comprising of buildings constructed of light-weight materials and an area of hardstanding serving as a parade ground and car park. The application site and that adjoining site falls within the Green Belt. Both sites are bounded by the A21, and by Turpington Lane and Magpie Hall Lane to the north and south respectively. Aside from their close proximity, both sites maintain a similar appearance in terms of their modest scale of development, built form, and sense of openness: these characteristics being particularly apparent from views along the A21 Bromley Common. Both sites were previously incorporated into a single development scheme which was the subject of planning application reference 15/00802 which was refused by the Council and subsequently dismissed at appeal (as set out in the Planning History section below).

The land to the south-east of Magpie Hall Lane comprises of an open expanse of Green Belt land used as the playing fields of Bishop Justus School and Princes Plain Primary School, whilst the land more immediately to the south comprises of an area of fallow land, and beyond that allotment gardens and Holy Trinity Church: this overall area extends some 400m southward beyond Magpie Hall Lane, up to the junction of the A21 Bromley Common with Oakley Road. The land to the west comprises a part of the Bromley Common, and falls within the designated Bromley, Hayes and Keston Common Conservation Area: it forms part of a larger expanse of open land extending approximately 1.5km further north toward Hayes Lane which extends up to the outskirts of the Bromley Town Centre. All of the areas outlined in this paragraph fall within the Green Belt, contributing to its openness and the open and verdant character of the area in general.

To the east of the site lies a group of mainly three-storey flats constructed around the mid-Twentieth Century, which occupy an area between an access road to the east of the appeal site and Link Way a further 160m to the east. To the north is a developed area of Green Belt land at Brosse Way constructed in recent years, which features predominately flatted forms of development some three to five storeys in height, whilst the flatted developments and terraced dwellings of Turpington Lane continue to the north-east. The

Green Belt designation of this residential area is proposed to be excluded from the Green Belt in the Council's Draft Policies and Designations Documents (February 2014).

The site is therefore developed, but to a far lesser degree than the residential land to the east and north. It forms a perceptible continuation of the less developed Green Belt which stretches from the south and south-east and west and represents a recognisable boundary to the relatively dense flatted development to the east and north.

### **Comments from Local Residents and Groups**

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

#### Objections

- Commentary in summary that the site should remain in commercial use for start-up enterprises or similar. Commentary of how such units could be operated at the site.
- Commentary regarding biased marketing of the site unfavourable to appeal to commercial users of the site.

#### Support

- Nice plan. Extra planting suggested for the north boundary.
- Relief that employment use of the site is not an option after the last Appeal and that residential use should be approved.
- Full support for the scheme. Same size as existing buildings. Preference for residential use.

### **Comments from Consultees**

Environmental Health Pollution Officer:

No objections. Further details of land contamination and an acoustic assessment recommended to be sought by condition.

Drainage Engineer:

No objection. Details of surface water drainage recommended to be sought by condition.

Transport for London:

The site is located on Turpington Lane, and also sits adjacent to the A21 Bromley Common, which forms part of the Transport for London Road Network. TfL is the highway authority for the TLRN, and is therefore concerned about any proposal which may affect the performance and/or safety of the TLRN.

The site currently has a Public Transport Accessibility Level (PTAL) of 2-3, which is considered fair. A total of 3 car parking spaces are proposed to serve the development, which is considered to be acceptable. For full compliance with draft London Plan Policy T6.1, the applicant should make provision for electric charging points for all the parking spaces. A minimum of 6 cycle parking spaces should be provided for the development, in line with minimum cycle parking standards set out in Policy T5 of the draft London Plan 2017. The design of these cycle spaces should meet standards set out Chapter 8 of the London Cycle Design Standards (LCDS).

Details of the proposed construction arrangements should be provided to TfL to confirm the impacts on the TLRN and the surrounding transport network. Please note that any impact/changes to the TLRN or TfL Assets/Infrastructure will require approval from TfL.

The footway and carriageway of the A21 Bromley Common must not be blocked during building works. Temporary obstructions during the building works must be kept to a minimum and should not encroach on the clear space needed to provide safe passage to pedestrians or obstruct the flow of traffic on Bromley Common.

All vehicles associated with building works must only park/ stop at permitted locations and within the time periods permitted by existing on street restrictions. No skips or construction materials shall be kept on the footway or carriageway of the TLRN at any point.

### **Policy Context**

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

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

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

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to:

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

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to Hearings from 4th December 2017 and the Inspectors report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

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

### London Plan Policies

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London Economy
- 2.8 Outer London: Transport
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential

- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 4.1 Developing London's Economy
- 4.4 Managing Industrial Land and Premises
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.16 Green Belt
- 8.3 Community Infrastructure Levy

#### Unitary Development Plan

- BE1 Design of New Development
- BE4 The Public Realm
- BE13 Development Adjacent to a Conservation Area
- EMP5 Development outside Business Areas
- ER7 Contaminated Land
- ER10 Light pollution
- G1 The Green Belt
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists

- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

### Emerging Local Plan

- 1 Housing Supply
- 4 Housing Design
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 37 General Design of Development
- 49 The Green Belt
- 73 Development and Trees
- 77 Landscape Quality and Character
- 83 Non Designated Employment Land
- 112 Planning for Sustainable waste management
- 113 Waste Management in New Development
- 114 New Waste Management Facilities and Extensions and Alterations to Draft Policy
- 115 - Reducing flood risk
- 116 Sustainable Urban Drainage Systems (SUDS)
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 123 Sustainable Design and Construction
- 124 Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

### Supplementary Planning Guidance

Housing: Supplementary Planning Guidance. (March 2016)  
Technical housing standards - Nationally Described Space Standard (March 2015)  
Supplementary Planning Guidance 1: General Design Principles  
Supplementary Planning Guidance 2: Residential Design Guidance

### **Planning History**

The relevant planning history relating to the application site is summarised as follows:

85/00814: Planning permission refused on 1st July 1985 for the erection of a fence and storage barn on the grounds that:

1. The proposed barn, by means of its size and siting in a prominent location within the Metropolitan Green Belt, would be detrimental to the visual amenities of the surrounding area.

85/02494: Planning permission granted on 21st November 1985 for a replacement boundary fence.

86/01152: Planning permission granted on 21st July 1986 for a single storey storage building.

86/02349: Landscaping details pursuant to the permission granted under ref. 86/01152 approved.

88/01279: Planning permission refused on 25th July 1988 for the removal of conditions 97 (No storage of agricultural produce or pallets or machinery shall take place outside of the

walls of the building hereby permitted) and 98 (The existing buildings on the site shown to be demolished on drawing no. MP/3C/34/A shall be demolished and the site cleared of their materials and other building materials to the satisfaction of the Director of Technical Services within one month of the first use of the building hereby permitted) of permission ref. 86/01152 and 86/02349 on the grounds that:

1. Open storage on the site would be detrimental to the visual amenities of the Green Belt and adjoining residential properties.

88/03991: Certificate of lawfulness for an existing use refused on 19th June 1990 for a retail farm shop for the sale of agricultural/horticultural farm produce, potatoes, turf, top soil, fertilisers, hay and straw. A subsequent appeal was withdrawn. The ground of refusal was:

1. Insufficient evidence has been submitted to prove to the Council's satisfaction that retail use of the farm shop was not ancillary to the agricultural use of nearby land before the end of 1963.

92/00345: Planning permission refused on 24th August 1992 for use of land at Potters Farm for the purpose of handling and distribution of potatoes and turf and the parking of 6 heavy goods vehicles and 2 trailers and the use of the buildings for storage on the grounds that:

1. The use proposed is an inappropriate use within the Green Belt wherein there is a presumption against development not associated with the essential needs of agriculture, horticulture, forestry or predominately open air recreation and there are no very special circumstances which might justify the grant of planning permission as an exception to Policy R2 of the Bromley Borough Plan or Policy G2 of the Draft Unitary Development Plan.

2. The parking of heavy goods vehicles and trailers and the open storage of top soil, turf, and pallets on this site is visually intrusive and detrimental to the open undeveloped character of the Green Belt in this location.

3. The use is detrimental to the residential amenities of adjoining properties in Turpington Lane by reason of noise, dust and general disturbance caused by the movement of lorries and vehicles associated with the operation of the activity and the deposit of large quantities of materials in the open on this site.

A subsequent appeal was dismissed.

92/00346: Certificate of lawfulness for an existing use refused on 24th August 1992 for the use of land at Potters Farm for the purpose of handling and distribution of potatoes and turf and the parking of 6 heavy goods vehicles and 2 trailers and the use of the buildings for storage on the grounds that:

1. Insufficient evidence has been submitted to prove to the Council's satisfaction that the uses described were operating from the land in 1968 and have continued without interruption since that time.

A subsequent appeal was dismissed.

95/01496: Planning permission (retrospective) refused on 21st August 1995 for the retention of the existing hard surface on the grounds that:

1. The retention of the hardstanding would be inappropriate within the Green Belt, would be detrimental to the visual amenities of the area and would be contrary to Policies G.2 and EMP9 of the Unitary Development Plan.

A subsequent appeal was allowed, although subject to a condition restricting the use of the hardstanding to loading and manoeuvring and not parking.

07/00607: Planning permission refused for the installation of a 20 metre replica telegraph pole with shrouded antennas and 4 equipment cabinets on the grounds that:

1. The proposed phone mast and equipment cabinet would be obtrusive and highly prominent features in the street scene and would by virtue of its size and location within the Green Belt have a detrimental impact on the visual amenity of the area contrary to Policies G1, BE1 and BE22 of the Unitary Development Plan.

2. The proposal by virtue of its siting and appearance would contribute to an undue proliferation of street furniture in the area and would have a deleterious impact on the visual appearance and residential amenities of the locality thereby contrary to Policies BE1 and BE22 of the Unitary Development Plan.

3. The proposal would be harmful to the amenities of the area in general and constitutes inappropriate development in the Green Belt contrary to Policies G1 and BE22 of the Unitary Development Plan.

Appeal ref. APP/G5180/C/92/623815 was dismissed with regard to enforcement action taken in 1991 against the change of use of land from agricultural use with ancillary farm shop to use for the following purposes:- (1) disturbance centre for turf, topsoil, fertilizer, hay & straw & potatoes, (2) use of buildings for storage of turf, topsoil, potatoes.

DC/15/00802/FULL1: Planning permission was refused on 22.06.2015 for the demolition of existing buildings at Potters Farm and Sea Cadets Magpie Hall Lane and erection of two part two/three storey blocks comprising a total of 39 flats (25x1 bed and 14x2 bed), re-provision of Sea Cadets facility with residential parking for 34 cars, cycle storage and landscaping.

Reasons for refusal:

1. The proposal is considered to constitute inappropriate development which would have a substantially detrimental impact upon the openness of the Green Belt and the purposes of including land within it for which no very special circumstances are considered to exist to outweigh the harm to the Green Belt contrary to Policy G1 of the Unitary Development Plan, Policy 7.16 of the London Plan and the National Planning Policy Framework (2012).

2. The proposal would, by reason of its scale, mass, height, bulk and detailed design, represent an unacceptable level of development which would be detrimental to the open character and setting of the site within the streetscape and its contribution to the openness and character of the Green Belt. Furthermore by virtue of the lack of suitable ground floor level entrances and amenity areas the proposal results in a poor level of activity, permeability and legibility to the serious detriment of securing high quality design and public realm. Consequently the proposal fails to comply with the aims and objectives of the National Planning Policy Framework (2012) and Policies BE1, G1 and H7 of the Unitary Development Plan, Policies 7.1, 7.4, 7.5, 7.6 and 7.16 of the London Plan, The Mayors Housing SPG and SPG1 Good Design Principles and SPG2 Residential Design Guidance.

3. The proposal, by virtue of the access arrangements, failure of all units to meet London Plan minimum sizes and lack of sufficient private and communal amenity space fails to demonstrate that a high quality living environment with satisfactory standards of amenity will be provided for future residents. Furthermore it has not been demonstrated that the development is capable of providing 10% wheelchair provision across all tenures, with suitable access and internal layout. The proposal is therefore contrary to Policies H7 and BE1 of the Unitary Development Plan, Policies 3.5, 7.1, 7.2, 7.4 and 7.6 of the London Plan, The Mayors Housing SPG, SPG2 Residential Design Guidance and the National Planning Policy Framework (2012).

4. The energy statement as submitted is based on incorrect policy and as such falls short of the required savings contrary to Policies 5.2, 5.3, 5.5, 5.6 and 5.7 of the London Plan.

5. The proposal would, in the absence of any evidence to demonstrate the unsuitability and non-viability of the site for Class B1, B2 or B8 uses, lead to the loss of an existing viable small business use contrary to Policy EMP5 of the Unitary Development Plan.

A subsequent appeal was dismissed on 13th April 2016.

In determining the appeal, the Planning Inspector concluded that the proposed scheme would constitute inappropriate development in the Green Belt for the purposes of the Framework and would harm openness. In addition, the development would fail to provide acceptable living conditions for future occupants' and harm the availability of local employment sites. It was also stated that the grounds presented in support of the development together do not outweigh the harm the scheme would cause. Consequently, the very special circumstances necessary to justify the development have not been demonstrated.

15/05147/FULL1: Demolition of existing buildings and removal of existing yard area and other structures. Construction of 2 two bedroom and 5 three bedroom two storey terraced houses with 14 car parking spaces. Landscaping and refuse collection point. Refused 10.02.2016

Reasons for refusal:

1. The proposal is considered to constitute inappropriate development which would have a substantially detrimental impact upon the openness of the Green Belt and the purposes of including land within it for which no very special circumstances are considered to exist to outweigh the harm to the Green Belt contrary to Policy G1 of the Unitary Development Plan, Policy 7.16 of the London Plan and the National Planning Policy Framework (2012).

2. The proposal would, by reason of its scale, mass, height, bulk and detailed design, represent an unacceptable level of development which would be detrimental to the open character and setting of the site within the locality and its contribution to the openness and character of the Green Belt contrary to Policies BE1, G1 and H7 of the Unitary Development Plan, Policies 7.1, 7.4, 7.5 and 7.16 of the London Plan and the National Planning Policy Framework (2012).

3. The proposal would, in the absence of adequate and robust evidence to demonstrate the unsuitability and non-viability of the site for Class B1, B2 or B8 uses, lead to the loss of an existing viable small business use of the site contrary to Policy EMP5 of the Unitary Development Plan.

A subsequent appeal was dismissed on 26th October 2016.

In determining the appeal, the Planning Inspector concluded:

"I have found that the proposal would constitute inappropriate development that would conflict with national and local policy to protect the Green Belt, and this is a matter to which the Framework requires me to attach substantial weight. I have also found that the proposal would be harmful to the openness of the Green Belt. As openness is one of the most important attributes of the Green Belt, this constitutes substantial additional harm that further weighs against the proposals. In addition, I am unconvinced that that the proposal would not lead to the loss of an existing viable small business site and this is also a matter of moderate weight against the proposed development."

"I have though found, on balance, that the proposed development would result in a modest benefit to the character and appearance of the area and this is a matter of moderate weight in its favour. As explained, within the context of the Green Belt, the modest contribution the development would make to housing supply attracts only limited weight in favour of the proposal."

"In the final balance therefore, the considerations advanced in support of the proposals cannot be seen as sufficient to clearly outweigh the harm to the Green Belt that would arise as a result of the development. The very special circumstances necessary to justify the proposal do not therefore exist."

16/03939/FULL1: Demolition of existing buildings and removal of existing yard area and other structures. Construction of 2 two bedroom and 4 three bedroom two storey terraced houses with 12 car parking spaces. Landscaping, cycle store and refuse collection point. Refused 01.12.2016.

A subsequent appeal was dismissed at Public Inquiry on 24th July 2018.

In determining the appeal, the Planning Inspector concluded:

"...the proposal would be inappropriate development in the Green Belt as defined by the Framework. The proposal would erode the openness of the Green Belt."

"I give only limited weight to each material consideration cited to support the proposal and conclude that taken together they do not outweigh the harm that the scheme would cause. Consequently, I conclude that the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist."

"...having regard to all other matters raised I conclude that the scheme is not sustainable development for which the Framework indicates that there should be a presumption in favour and therefore the appeal should be dismissed."

16/05502/B8RES: Change of use of barn (B8 storage) to dwellinghouses (Class C3) to form 2 one bed units and 1 two bed unit (56 day application for prior approval for prior approval in respect of transport, highways, contamination, floor risk and noise under Class P, Schedule 2, Part 3 of the GPDO 2015). Granted Prior Approval 18.01.2017

17/01827/PLUD: Single storey detached warehouse building (Lawful Development Certificate for a proposed development under Class H, Part 7 of the General Permitted Development Order, 2015). Approved as permitted development 11.07.2017.

### **Considerations**

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

- Principle
- Green Belt
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Sustainability
- Trees
- Other (drainage/flooding/noise/pollution)
- CIL

### Principle

The NPPF (2018) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

### Green Belt

Paragraphs 133 to 147 of the NPPF (2018) sets out the Government's intention for the Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

The Green Belt is intended to serve five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraphs 143 to 147 deal specifically with development proposals in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;  
d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;  
e) limited infilling in villages;  
f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and  
g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The NPPF (within Annex 2) defines previously developed land as follows:

- Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings.
- Land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures.
- Land in built-up areas such as private residential gardens, parks, recreation grounds and allotments.
- Land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

Policy 7.16 of the London Plan gives the strongest protection to London's Green Belt in accordance with national guidance. Inappropriate development should be refused except in very special circumstances and development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance; such improvements are likely to help human health, biodiversity and improve overall quality of life.

Bromley Development Plan Policies provide the same level of protection to Green Belt as the NPPF.

Policy G1 of the UDP states that the construction of new buildings within the Green Belt will be inappropriate unless it is for the purposes of agriculture and forestry; essential facilities for outdoor sport and recreation which preserve the openness of the green belt; limited extension or replacement of existing buildings; and redevelopment in accordance within major designated sites (which this site does not comprise). The openness and visual amenity of the Green Belt shall not be injured by any proposals for development within or conspicuous from the Green Belt which might be visually detrimental by reasons of scale, siting, materials, or design.

Draft Policy 49 of the Proposed Submission Draft Local Plan states that within the Green Belt permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. The construction of new buildings on land falling within the Green Belt will be inappropriate, unless it is for the following purposes:

- agriculture and forestry;
- appropriate facilities for outdoor sport and outdoor recreation and cemeteries which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it;
- extension or alteration of a building that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Therefore, the main Green Belt issues for consideration are: the appropriateness of this development in the context of the Green Belt; its impact on the openness of the Green Belt and the purpose of including land within it; and whether, if the development is inappropriate in the Green Belt, the harm by reason of inappropriateness or any other harm, would be outweighed by other considerations so as to amount to very special circumstances.

In the most recent Appeal relating to the site for the construction of a terrace of 6 houses it was agreed by the Council that the land forming the application site was previously developed land.

Therefore as previously developed land, the main issue in terms of being appropriate or inappropriate development is whether the proposal would have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development. This aligns with paragraph 145 of the NPPF and the Proposed Submission Draft Local Plan Policy 49.

Openness is an essential characteristic of the Green Belt and is different from visual impact with a clear conceptual distinction between the two. Openness is about freedom from built form. However the openness of the Green Belt has a spatial aspect as well as a visual aspect, and the absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result of the location of a new or materially larger building there. The Green Belt may also be impacted by the cumulative effect of small or modest visual intrusions such that its essential quality of openness is impacted.

In the most recent appeal (2018) the Planning Inspector made comparisons to the existing buildings and proposed buildings with regard to the siting of the buildings on site, their

height, bulk and mass and concluded that the due to the larger footprint, height and bulkiness of the scheme resulting in a significant quantum of development in a relatively open area, that the development constituted inappropriate development. Following on from this he concluded that there were no very special circumstances to outweigh the harm to the Green Belt as a result of the inappropriateness.

The existing development is small in scale with the existing buildings comprising of single storey structures and built of lightweight materials which are of rudimentary appearance. The impact of these structures outside the site is therefore relatively limited as stated by the Inspector in the previous Appeal.

The current scheme seeks to develop the site in very different manner in built form from that of all the previous schemes. The footprint of the buildings are located within the vicinity of the existing building footprints and also located close to the south and east corner of the site as existing. The size of each of the building footprints is 80.9m<sup>2</sup> (total 242.7m<sup>2</sup>) which is comparable to the existing building total footprint of 248m<sup>2</sup>. The proposed buildings are also separated with a 3m spatial gap and are single storey with low gradient pitched roofs. The ridge of the buildings are a maximum of 4.7m with eaves to all elevations at approximately 2.5m above ground level.

The nature and impact of the scheme in terms of openness is therefore significantly less and different from previously refused schemes. The impact of the buildings is now considered to be comparable to the existing building on site in terms of the sites openness and the visual impact that the buildings create. As such the harm in principle to the Green Belt is considered to remain as per the existing status quo and there is no greater impact on openness or harm due to the proposed scheme over and above that that currently exists on site.

On this basis it is considered that the scheme is appropriate development and represents complete redevelopment of previously developed land as an exception allowed by Paragraph 145 of part (g) of the NPPF. As such by virtue of being appropriate development very special circumstances are not required to be demonstrated in this case.

#### Employment:

Policy EMP5 requires that redevelopment of business sites outside designated business areas will be permitted provided that the size, configuration, access arrangements or other characteristics make it unsuitable and full and proper marketing confirms the unsuitability and financial non-viability of the site or premises for those uses.

The recent Appeal Decision by the Planning inspectorate is a material consideration with regard to the existing employment use of the site. The Inspector concluded that the proposal would result in the loss of an employment use but was satisfied that the proposal would comply with policy EMP5 and the Framework. The Inspectors reasoning related to the current access arrangements to the site for commercial vehicles being of a restricted nature which would make the site unsuitable for Class B1, B2 and B8 uses that would require deliveries and collections from larger vehicles.

The Inspector was satisfied that the site has been subject to appropriate marketing. Whilst there had been a number of inquiries in the main these appeared to be for alternative uses that would require planning permission and which, due to the location of the site in the Green Belt, meant that there was a degree of uncertainty as to whether this would be granted.

Furthermore, given prior approval for the conversion of the existing buildings to three houses had been obtained it was clear to the Planning Inspector that when considered against the costs involved in bringing the current buildings to a level where they could be let or sold that the residential value of the site is such that the continued commercial use of the site would be unviable.

Given the above, the reason for refusal on this basis from previous schemes is considered to have been overcome.

### Density

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

The site has a PTAL rating of 2 and is within a suburban setting. In accordance with Table 3.2, the recommended density range for the site would be 35-65 dwellings per hectare. The proposed resultant development incorporating the existing flats would have a density of 12 dwellings per hectare.

The proposed development would sit below within these ranges and maybe considered an acceptable level of development for a 3 unit scheme in such a location. A numerical calculation of density is only one aspect in assessing the acceptability of a residential development. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity. Subject to more detailed consideration of the design and layout of the scheme and the quality of residential accommodation proposed, the proposed residential density is numerically acceptable only.

### Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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

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

health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policies 3.4 and 3.5 of the London Plan reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 127 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

The public realm is also an important aspect of any development as it ensures that the development is integrated into and enhances the existing character and use of the area. All residential and commercial development is required by policy to contribute towards good design which extends to the consideration of the public realm (London Plan Policy 7.5).

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy H9 of the UDP requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained and where higher standards of separation already exist within residential areas. Proposals will be expected to provide a more generous side space.

In terms of the reduced scale, massing and height of the revised scheme the proposal would not necessarily reflect the height and scale of the surrounding residential development to the east of the site and would be of considerably lesser scale to recent new development to the north of the site. However given the consideration in terms of its location in the Green Belt in terms of openness and visual impact the low rise scale, massing and height is considered to be in context in this location.

In terms of the design of the proposed dwellings, a traditional approach is opted for. The development would appear in external treatments, fenestration and design style to be in character with the Brosse Way development to the north and properties to the east. On balance, in terms of design and visual amenity, the proposed development would result in a slight benefit to the character and appearance of the area.

#### Standard of residential accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross

Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Policy H7 of the UDP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Government's National Technical Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

A Part M compliance statement has been submitted that details compliance with these criteria.

The floor space size of each of the dwellings is 70m<sup>2</sup>. The nationally described space standards require a GIA of 61m<sup>2</sup> for a two bedroom three person unit in relation to the number of persons, floors and bedrooms mix. On this basis, the floorspace size provision for all of the units is compliant with the required standards and is considered acceptable.

The shape and room size in the proposed units is generally considered satisfactory for the dwellings where none of the rooms would have a particularly convoluted shape which would limit their specific use.

In terms of amenity space a limited depth of area is located at the rear of the properties as detailed above. However, deep front curtilage is provided for each property with a separate large communal amenity space indicated to the south corner of the site. It is indicated that this will remain for use by all future occupiers.

Given the constraints of the site to accommodate residential accommodation in terms of Green Belt policy implications, on balance the provision for amenity spaces is considered acceptable subject its retention which can be retained by planning condition in perpetuity.

### Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a

transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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

#### *Car parking*

Transport for London as the Highway Authority for this site has reviewed the current application and not raised any objection to the level of parking provided off road at the site. It is therefore considered that there will be minimal impact on parking in the vicinity and the proposal is considered generally acceptable from a highways perspective.

#### *Cycle parking*

Cycle parking is required to be 2 spaces for the units as proposed. The applicant has provided details of a location and structure for cycle storage within the small rear area for each dwelling. Further details in this regard are recommended by condition as necessary.

#### *Refuse*

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a refuse structure and storage area adjacent to the front vehicle access road to the site. Further details in this regard are recommended by condition as necessary.

#### Neighbouring amenity

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

In terms of outlook, the fenestration arrangement will provide mainly front, flank and rear outlook for each unit overlooking the limited space to the rear from kitchens and bathrooms or overlooking the street from the main habitable living spaces. The second bedroom in each dwelling will face to the side of each property at below boundary fence height.

Given the siting of the dwellings within the site and at the intended distances to existing neighbouring property, it is considered that a suitable level of privacy is maintained.

#### Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

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

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

An informative is also recommended to ensure that the development strives to achieve the above sustainability objectives.

### Trees

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

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. Further details for landscaping are recommended by condition as necessary.

### CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

### **Conclusion**

The revised development is considered to be appropriate development of previously developed land in the Green Belt. The scheme would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the density and dwelling type of the proposed scheme is acceptable on balance and that the development would not be detrimental to the character and appearance of the locality. The standard of the accommodation that will be created will be of a good quality. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and is capable to achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

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

### **RECOMMENDATION: PERMISSION**

#### **Subject to the following conditions:**

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

**Reason: To comply with Section 91 of the Town and Country Planning Act 1990**

- 2** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

**Reason:** In order to comply with Policy BE1 of the UDP and in the interests of visual and residential amenity.

- 3** (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

**Reason:** Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan.

- 4** No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

**Reason:** Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies BE1, T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

**5** No part of the development hereby permitted shall be commenced (including demolition) prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.

a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in writing.

The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If

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

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

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

**Reason:** Required prior to any commencement in order to prevent harm to human health and pollution of the environment and comply with Policy ER7 of the Unitary Development Plan

**6** An acoustic assessment shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development. The assessment shall determine the worst-case day time and night time ambient and background noise levels affecting this location and predict the internal noise levels in the proposed residential dwellings. A scheme of mitigation as necessary in light of the results of the assessment (covering facade, glazing and ventilation specifications to achieve suitable internal noise levels in line with guidance in BS8233:2014) shall be submitted to the Local Planning Authority for written approval prior to the commencement of the development and once approved shall be installed fully in accordance with the approved scheme and permanently maintained thereafter.

**Reason:** In the interest of the residential amenities of the dwellings and to accord with Policy 7.15 of the London Plan.

**7** i) Prior to commencement of above ground works details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

1. A scaled plan showing all existing vegetation to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock (where possible) and no invasive species

2. Proposed hardstanding and boundary treatment

3. A schedule detailing sizes and numbers of all proposed trees/plants

4. Sufficient specification to endure successful establishment and survival of new planting.

**(ii) There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.**

**(iii) Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details**

**Reason: In order to comply with BE1, NE7 and NE8 of the Unitary Development Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.**

**8 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.**

**(b) The development shall be carried out in accordance with the approved details.**

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

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

**(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**

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

**10 (a) Details of arrangements for bicycle parking (including covered storage facilities where appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works**

**(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**

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

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

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

**12** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, extensions, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

**Reason:** In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy BE1 of the UDP.

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

**Reason:** To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants

**14** The development hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawing(s).

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

**15** The whole of the shared residential amenity space as shown on Drawing no. TL/479/SP100 Rev A hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

**Reason:** In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy BE1 and H7 of the Unitary Development Plan.

**You are further informed that:**

- 1** The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- 2** You should consult the Street Naming and Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at [www.bromley.gov.uk](http://www.bromley.gov.uk)
- 3** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)
- 4** Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.
- 5** Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 6** The applicant is advised that the development shall strive to achieve the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy of Policy 5.2 of the London Plan.