

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

**Application No :** 18/02747/FULL1

**Ward:**  
**Crystal Palace**

**Address :** The Cottage Fountain Court Lawrie Park Road Sydenham London SE26 6EE **Objections: Yes**

**OS Grid Ref:** E: 535017 N: 170771

**Applicant :** Framley Estates Ltd

**Description of Development:**

Demolition of existing garages and The Cottage and the erection of 5 x 3-bed dwellings, associated parking and landscaping with amended visibility splays at the access to Lawrie Park Road.

Key designations:

Biggin Hill Safeguarding Area  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding  
Smoke Control SCA 25

**Proposal**

Planning permission is sought for demolition of existing dwelling (The Cottage) and garages and the erection of five detached 3-bedroom dwellings, associated parking and landscaping with amended visibility splays at the access to Lawrie Park Road.

The current proposal differs from the previous withdrawn scheme 17/04458/FULL1 for the following main reasons:

- All dwellings would be detached,
- There would be one consistent dwelling design measuring approximately 6.5m x 8.9m, 5.5m high to the eaves and 7.7m to the top of the mansard roof as compared with the previous design with 2 different dwelling designs; detached each measuring approximately 6.8m x 11m, 5.3m high to the eaves and 7.3m to the top of the mansard roof and semidetached each measuring approximately 6.9m x 7.3m, 5.0m high to the eaves and 7.8m high to the top of the mansard roof,
- Plots 1 and 2 would be positioned along the south east boundary rather than the north west boundary with the access drive repositioned accordingly,
- There would be 8 parking spaces rather than 9,

The application is supported by the following documents:

- Application forms,
- Application drawings,
- Planning Statement,
- Design and Access Statement,
- Accommodation schedule,
- Arboricultural Implications Assessment
- Transport and parking statement including vehicle tracking/swept path analysis,
- Ecological report,

**Location and Key Constraints**

The application site relates to Fountain Court located on the southern side of the highway close to the junction with Crystal Palace Park Road. The application site is set behind Fountain Court abutting the railway line and accessed via a driveway/track running alongside Fountain Court. The site is occupied by a detached two storey dwelling; known as "The Cottage" which has been vacant for some years, as well as several garages arranged around The Cottage, although they are in a state of disrepair. The site is predominantly level and the boundaries are marked by a mixture of close boarded fencing, palisade fencing, chain link fencing as well as trees and other vegetation. The site is accessed by the Lawrie Park Road entrance, along a track separating Fountain Court from 79 Lawrie Park Road. The track varies in width along its length, and passes directly adjacent to the flank elevation of Fountain Court. It slopes downwards from the road towards The Cottage. The area is residential in nature; characterised by a mixture of large detached three/four storey Victorian style villas (some subdivided into flats) and purpose built three/four storey flatted development with corresponding amenity space and parking. Within these flatted developments there is a range of building designs including; conventional pitched tiled roofs, flat roofs and mansard roofs including the seven 4 storey blocks at "Park Court" opposite the site access.

### **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

##### General

- Previous schemes have been refused,
- The proposal is no more feasible than previous schemes,
- Previous decisions have given hope of a permission being granted,
- Part of the land is under Possessory Title and there are easement rights for Fountain Court and Lichfield House,
- Historically the land only ever formed the garden to Fountain Court,
- The proposal would devalue neighbouring properties,
- The existing property should be renovated; occupied by only one household,
- Garden land is not in the definition of 'previously developed land' and Mayor of London SPG discourages development on garden land,
- 90% of garden land was removed from the SHLAA,

##### Character and design

- Despite the reduction in house size the site coverage, footprint, bulk, design and density of the residential use would overdevelop and dominate the site,
- The proposal would have a cramped appearance from within the site and neighbouring sites; failing to reflect the spacing in the area/in other residential developments,
- The house design is unattractive and box like, a modern mass housing style, and would be out of keeping with the 1930s style Fountain Court or Lichfield Court and would fail to respect its character and pattern of development,
- An earlier approval had a more sympathetic and bespoke house design,
- Protected and important trees to the amenity of the area and neighbouring properties have already been removed without authorisation. Replacement mature trees should be replanted,
- The arboricultural report does not account for previously felled trees,
- The proposal would harm the adjacent Conservation Area,

##### Amenities

- The close proximity would cause overshadowing and overbearing effect on Fountain Court,
- The close proximity would overlook Fountain Court,
- The proposal; including the access passed Fountain Court, would cause noise, light and disturbance to Fountain Court,
- The access; which would be in constant use would cause a highway hazard to neighbouring occupants and children in Fountain Court,
- The land provides a valuable buffer between the railway line and neighbouring properties,

- The close by railway line would cause noise and disturbance to the future occupants in the dwellings and in the gardens and an acoustic assessment to establish mitigate the harm has not been submitted. Developments should be physically separated from railways and should not rely solely on sound insulation,
- The proposal would fail to provide satisfactory outdoor amenity space for the future occupants,

#### Highways

- Lawrie Park Road is a busy Local Distributor Road, supporting two busy bus routes, and it has not been categorised or assessed correctly in earlier planning applications,
- The access track and its visibility is only suitable to serve one (the existing) dwelling; according to Bromley's Highway Design Criteria for New Development (LBB, 1998),
- The narrow access and track; 2.5m wide at the narrowest point, cannot accommodate emergency vehicles, service vehicles such as refuse and recycling or support the number of dwellings (swept path analysis is required to demonstrate this),
- The narrow access comprises the means of escape for some of the properties in Fountain Court,
- There would be no dedicated footpath along the track to separate pedestrians from vehicles; especially for children playing at Fountain Court or residents accessing the storage units along the access,
- The narrow access would be further narrowed by erecting signage within the carriageway,
- The provision of hydrants, dry riser system or sprinklers is not an appropriate alternative to gaining proper fire engine access,
- The Inspector's recommended visibility splays incorrectly combine vehicle and pedestrian standards together which is incorrect and unsuitable,
- The proposal would fail to provide appropriate visibility splays,
- The existing garages have mainly been used for storage not for parking vehicles; therefore there is no history of vehicles regularly using the track,
- The regular use of the access track would adversely affect the amenities of the existing residents; particularly where they would pass the narrow pinch point,
- There are already traffic congestion and parking issues in Lawrie Park Road; causing damage to parked cars,
- The proposal would exacerbate existing congestion/parking issues,
- The gradients at the highway access would exacerbate hazardous conditions for pedestrians; especially those using the existing track to access Fountain Court,
- The greater use of the access would prejudice pedestrian safety,
- Traffic calming such as speed humps would create a hazard for pedestrians,
- The previously agreed traffic light entry/priority system is not shown in the plans,
- The access, traffic calming and priority systems in themselves would be hazardous to pedestrians,
- The refuse vehicle(s) waiting on the highway for any length of time would cause an obstruction and traffic congestion close to the busy T-junction with Crystal Palace Park Road, particularly for the frequent bus service route,
- There would be insufficient parking; exacerbating on-street parking congestion, highway safety issues and pressure on busy junctions and prejudice free flow of traffic,

#### Ecology

- The submitted ecological report identifies that the building and trees accommodate bat roosts a European protected species,
- The site also accommodates endangered nesting birds and invertebrates,
- The suggested bat box would be insufficient,

#### Waste collection

- The proposal does not provide adequate waste storage/collection facilities; the bin carrying distance would exceed the Council's standard 30m distance,
- Refuse collectors would not make multiple trips over of 100m for each dwelling through all of the traffic calming measures,
- Neighbouring properties had to place bins closer to the highway to reduce the carrying distance so this is unfair,

#### Other

- The proposal and amount of development is only for profit,
- The profit margin has led to a downgraded design scheme,
- It would not serve the affordable housing need,
- The proposal would accommodate 15 units and would fail to provide affordable housing,
- The proposal would not promote Designing out Crime,

#### Support

##### General

- There is an extant planning permission (DC/15/04210/FULL1) for one 5-bedroom dwelling on the site and the highway visibility has already been approved,
- There is an extant planning permission (appeal) for two 4-bedroom dwellings on the site,
- Either of the extant permissions could be implemented and both would result in the demolition of the existing dwelling,
- The development would not encroach on Lichfield Court,
- The site is disused, derelict/unkept, unsecured and open to fly tipping and vandalism,
- The existing cottage is in a poor state of repair,
- The proposal would make use of a vacant and disused site and would overcome associated issues; vandalism and crime etc.,
- The proposal has addressed all of the previous and current objections,
- The proposal would improve on the existing extant permissions,

##### Housing need

- The proposal would contribute towards the housing need in the Borough and in London,

##### Design

- The design is detailed and tasteful,

##### Amenities

- The site is below and well separated from Fountain Court and would not cause overlooking,
- The proposal would be screened from neighbouring properties,
- Construction noise and disturbance is inevitable and would be temporary,

##### Other

- The Applicant has demonstrated that the previous issues including site access and refuse collection have been overcome,

#### **Comments from Consultees**

Drainage Engineer: The proposed use of permeable brick paving on the access road as well as rainwater harvesting to collect surface water run-off would be acceptable. no objection is raised subject to the recommended surface water condition.

Environmental Health Housing Officer: No comments received

Environmental Health Pollution Officer: No objection in principle subject to recommended informatives regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990 and Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008, and discovering any suspected contamination on site.

Highways: The site is located on the south side of Lawrie Park Road. The site is located in an area with moderate PTAL rate of 3 (on a scale of 1 - 6, where 6 is the most accessible). Vehicular access – a signal controlled road would be provided to allow safe and manageable traffic through the single track access road. This is acceptable subject to detailed design. Car parking – eight car parking spaces would be provided which is acceptable. Cycle parking – London Plan would be adhered to. Bin store – this is acceptable in principle; please also consult Waste Management Team. In response to some of the third party comments the Applicant has provided some additional transport information including vehicle swept path analysis. The Council's Highway Department confirms that larger vehicles such as refuse vehicles can service the site from Lawrie Park Road, smaller service vehicles can service the site, and a traffic signal control would be provided to allow safe and manageable

traffic through the proposed single track access road. The Council's Highway Department therefore raises no objection on highway grounds subject to the following recommended access, car parking, cycle parking, highway drainage, refuse storage/collection and Construction Transport Management Plan (CTMP) condition(s).

Metropolitan Police Designing Out Crime Officer: Proposals for less than 10 units would not be required to incorporate planning conditions relating to crime and criminality and Secured by Design as a matter of course however the proposal could still achieve the physical security requirements of Secured by Design by incorporating the use of tested and accredited products thereby reducing the vulnerability of the development and minimising the risk of crime; improving the amenity value of the scheme and the living conditions of the future occupiers. The Applicant could be advised of this by planning informative.

Orpington Field Club: Offered the following recommendations in relation to the previous scheme 17/04458/FULL1:

The grant of planning permission for this development should be conditional on the following:

- Lighting sympathetic for bats,
- The incorporation of bat bricks in the new builds. (For more information re these, where and how to site them see: <http://www.habibat.co.uk> and [http://www.bats.org.uk/pages/construction\\_industry.html](http://www.bats.org.uk/pages/construction_industry.html)),
- The incorporation of some native planting
- Ivy covered areas including trees should be cleared/felled with due care and attention in case roosting bats are present, using soft felling techniques where appropriate.

Thames Water: There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to Thames Water's guide to working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

The developer is expected to demonstrate the measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application. Thames Water recommends the following informative relating to **A Groundwater Risk Management Permit**. Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection based on the information provided. On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application subject to the following informative relating to **Minimum Flow Rate Pressure**.

Tree Officer: The trees proposed for removal are relatively low value and have limited or no public visibility, and there is no objection to their removal. Some extensive pruning would also be required, particularly to T8 and T9 to facilitate the development. There would be some encroachment in to retained trees RPAs and therefore tree protection should be employed during construction. Subject to the recommended tree protection condition there would be no objection to the proposal.

Waste Services: No comments received on the current application. However Waste Services offered the following recommendations in relation to the previous scheme 17/04458/FULL1:

There is not an issue for Waste collection as the crew will walk materials out of the site (it is not containerised as all 'single' dwellings). The applicant's highways consultant has provided a copy of correspondence from waste services in respect of this matter confirming that:

"there is no requirement to house containers in a bin store in the entrance road or anywhere else on the site - as the Waste collection operatives will walk to the edge of the individual properties

boundaries (down the access road to the properties themselves) to achieve collection of waste materials; subject to the collection vehicle being able to stop in a safe position on the public highway as to not cause an obstruction to other road users or pedestrians at any time. The householders on site must comply with LBB's requirements for containing waste to enable this methodology."

### **Policy Context**

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

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

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

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

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

The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (January 2019). The NPPF does not change the legal status of the development plan.

The application shall be determined in accordance with the following policies:

#### London Plan Policies

Policy 3.3 Increasing housing supply  
Policy 3.5 Quality and Design of Housing Development  
Policy 7.4 Local Character  
Policy 7.6 Architecture  
Policy 7.19 Biodiversity and access to nature  
Policy 7.21 Trees and Woodlands

#### Bromley Local Plan

Policy 1 Housing Supply  
Policy 3 Backland and Garden Development  
Policy 4 Housing Design  
Policy 8 Side Space  
Policy 30 Parking  
Policy 32 Road Safety  
Policy 33 Access for all  
Policy 37 General Design of Development  
Policy 73 Development and Trees

Policy 115 Reducing Flood Risk  
Policy 116 Sustainable Urban Drainage Systems  
Policy 118 Contaminated Land  
Policy 119 Noise Pollution  
Policy 123 Sustainable Design and Construction

### Supplementary Planning Guidance

Bromley SPG1 General Design Principles  
Bromley SPG2 Residential Design Guidance  
London Housing SPG 2016

### **Planning History**

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

11/00926/OUT – Demolition of existing dwelling, erection of a block of five 3-storey dwellings with associated parking was refused for the following reasons:

1. The proposal would result in an unsatisfactory overdevelopment of the site by reason of the number and scale of dwellings and the area of built development and hard surfaces which would be out of character with neighbouring development and the area in general thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. In the absence of a swept path analysis to demonstrate otherwise the site cannot adequately accommodate service and emergency vehicles along this narrow access road and together with inadequate on-site turning facilities to ensure that vehicles can enter and leave the site in a forward gear would be prejudicial to the free flow of traffic and general conditions of highway safety contrary to Policies T13 and T18 of the Unitary Development Plan.
3. The development would result in an increased use of a sub-standard access road which by reason of its proximity to the adjoining properties of Fountain Court and the general noise and disturbance associated with its use would be harmful to the amenities that those residents may be able to continue to enjoy thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

The corresponding appeal was dismissed for the following reasons:

The Appeal Inspector noted that much of the appeal site is verdant and peaceful. A terrace of dwellings of the height and length indicated on the drawings would have appeared incongruous and intrusive and it was noted to be likely that the areas of hard surfacing would be considerably more extensive than at present. The proposal would have been perceived as a cramped and intensive form of development with a hard urban character which would have been at odds with adjacent green spaces and inappropriate in its context. The Inspector concluded that the proposal would have been an overdevelopment of the site as well as detrimental to the residential amenities of existing residents at Fountain Court and compromising highway safety in Lawrie Park Road. The

12/02533/OUT – Demolition of the existing dwelling and garages, erection of one detached and two semidetached dwellings with associated parking was refused for the following reasons:

1. The proposal would result in an unsatisfactory overdevelopment of the site by reason of the number and scale of dwellings and the area of built development and hard surfaces which would be out of character with neighbouring development and the area in general thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. In the absence of a swept path analysis to demonstrate otherwise the site cannot adequately accommodate service and emergency vehicles along this narrow access road and together with inadequate on - site turning facilities to ensure that vehicles can enter and leave the site in a forward gear would be prejudicial to the free flow of traffic and general conditions of highway safety contrary to Policies T13 and T18 of the Unitary Development Plan.
3. The development would result in an increased use of a sub-standard access road which by reason of its proximity to the adjoining properties of Fountain Court and the general noise and

disturbance associated with its use would be harmful to the amenities that those residents may be able to continue to enjoy thereby contrary to Policies BE1 and H7 of the UDP.

The corresponding appeal was dismissed for the following reasons:

- The impact on visual amenity,  
The Inspector noted that the site is visually insulated from its wider surroundings by the road frontage development and the railway land adjacent. It was considered that the proposed housing would be small scale and well related to the adjoining development which at that time was being built. Separation distances and intervening vegetation between the site and Fountain Court were considered to limit the visual impact on residents and upon local character. The Inspector concluded on this matter that leaving aside the access/traffic noise issues, the proposals satisfied the criteria in the UDP to result in an acceptable form of backland development.
- The impact on residential amenity,  
The noise and disturbance associated with the access track was considered to be the primary cause for concern. The development proposed a reduced density in comparison with the previous scheme, and the Inspector took into account the potential traffic generated by the development as well as the potential traffic associated with the historical use of the track and the garages. In these circumstances, the Inspector concluded that the noise effects on residents of Fountain Court would not be significantly more harmful than those already arising from the use of the existing dwelling and garages to which they were already historically accustomed. As such the Inspector considered that the proposals would not have harmed the living conditions of neighbouring residents.
- The adequacy of the proposed access arrangements.  
The Inspector reasoned that it was essential that service and emergency vehicles could achieve entry to the rear of the site to where the houses would be built and for such vehicles to be able to use the track acceptably in view of the length of the track and the absence of alternative facilities at the site's entrance in particular for the storage of refuse. The Inspector noted the dispute regarding ownership matters, stating that while this was essentially a legal matter; the outcome was material to and significant in the planning context if the use of the track by emergency vehicles would be hindered/obstructed/impeded. It was concluded that insufficient information had been submitted to demonstrate that larger vehicles could turn within the site and that the proposed access would be adequate to safely service the proposed dwellings. It was on this issue that the appeal failed.

14/01366/OUT – Demolition of the existing dwelling and garages, erection of three 3-bedroom and one 4-bedroom dwellings with associated parking was refused for the following reason:

1. The proposed access does not provide appropriate means of access for service and emergency vehicles in order to safely and conveniently service the proposed dwellings, contrary to Policies T13 and T18 of the Unitary Development Plan.

The Applicant did not appeal against the Council's decision.

15/02291/FULL1 – Demolition of the existing dwelling, garages and storage building, erection of two detached 2-storey 4-bedroom dwellings with associated parking was refused for the following reason:

1. The proposed access does not provide appropriate means of access to service and emergency vehicles in order to safely and conveniently service the proposed dwellings, contrary to Policies T13 and T18 of the Unitary Development Plan.

The dwellings were of a similar overall design, with some differences, and had an elongated built form stretching across the site from south to north.

The corresponding appeal was allowed on 17 March 2016 for the following reasons:

The Inspector considered it essential that there be adequate access for emergency vehicles to the proposed dwellings. However, based on the survey submitted with the application, on site measurement of the width of the track, examination of the tracking details for various vehicles and from observation the Inspector was satisfied that service and emergency vehicles could access the proposed dwellings. Although the Inspector was satisfied that emergency vehicles could in fact

access the site, the Inspector also noted that the applicant intended to install fire suppressant systems. The tracking details provided were also considered to demonstrate how cars and delivery vehicles could turn within the main part of the site, removing the need for reversing manoeuvres to or from Lawrie Park Road. The Inspector noted that the Council had expressed concerns regarding the possibility of cars not parking within the proposed spaces and thus causing an obstruction to the manoeuvring of vehicles. The Inspector reasoned however that this was a case where only 2 dwellings were proposed and that the potential for such obstruction was therefore limited and controllable by the future occupiers. The provision of a temporary storage area for waste bins at the front of the access so as to avoid the need for vehicles to access the main part of the site was considered acceptable and not uncommon in developments which do not directly front a highway.

The Inspector had regard to the potential that the existing track could be used to serve the currently vacant buildings, and judged that when compared to the potential movements associated with these buildings, the traffic generated by the 2 dwellings would not result in a significant or unacceptable increase in the number of movements along the track.

The permission has not been implemented however it remains an extant permission which could be implemented (until March 2019) and it therefore a material planning consideration to which appropriate weight will be attributed.

15/04210/FULL1 – Demolition of existing dwelling and garages, erection of one 5-bedroom dwelling, carport/cycle store, refuse storage and amenity spaces was approved on 17 November 2015. The permission has not been implemented and it has since expired. However depending on the circumstances it may remain a material planning consideration.

16/04143/RECON – Variation of condition 11 of permission 15/02291/FULL1 (allowed appeal) to amend the visibility splays to be provided at the access to Lawrie Park Road was refused for the following reason:

1. The proposal would have a detrimental impact on pedestrian safety and would give rise to potential conflict between pedestrians and vehicles, thereby contrary to Policies T6 and T18 of the Unitary Development Plan.

The Applicant did not appeal against the Council's decision.

16/05263/RECON – Variation of condition 11 of permission 15/02291/FULL1 (allowed appeal) to amend the visibility splays to be provided at the access to Lawrie Park Road (resubmission of 16/04143/RECON) with additional road safety measures; including speed table and signage was approved on 5 January 2017. The permission has not been implemented however (subject to the original 3 year time limit of the permission 15/02291/FULL1) it remains an extant permission which could be implemented (until March 2019) and it therefore a material planning consideration to which appropriate weight will be attributed.

17/04458 – Demolition of garages and partial demolition of The Cottage, construction of internal and external alterations, two three storey, single storey rear and mansard roof extensions and conversion of the resultant building to provide 2 three bedroom dwellings erection of 3x detached two/three storey dwellings, with associated vehicle and cycle parking, refuse storage and amended visibility splays at the access to Lawrie Park Road was withdrawn and did not receive a formal decision.

Other planning history on adjacent site(s):

Lawrence Court, 79 Lawrie Park Road

06/03111/FULL1 – Erection of fourth storey extension comprising 2 two bedroom flats, two storey block at rear comprising 2 two bedroom flats/relocation of refuse store and 17 car parking spaces at front and rear was refused on 6 December 2006 however the corresponding appeal was allowed and the statutory time period to implement the permission was extended under the reference 10/01411/EXTEND on 8 July 2010. This was not implemented the permission expired.

11/00366/FULL1 – Erection of fourth storey extension comprising 2 two bedroom flats, erection of pair of semidetached dwellings at rear, 15 car parking spaces and cycle storey was approved on 4 April 2011 and this was implemented.

## Considerations

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

- Resubmission
- Principle and location of development
- Design including landscaping
- Standard of residential accommodation
- Neighbouring amenity
- Highways
- Sustainability
- Other (drainage/flooding/noise/pollution)
- CIL

### Resubmission

As mentioned above, according to the Council's records the application site has a lengthy planning history, summarised in the preceding section.

Planning permission was previously refused for the following applications/reasons:

11/00926/OUT

5 three storey terraced dwellings (appeal subsequently dismissed on grounds relating to the overdevelopment of the site and the adequacy of the access)

12/02533/OUT

1 detached three bedroom and 2 semi-detached two bedroom dwellings (subsequent appeal dismissed on grounds relating to the adequacy of the access)

14/01366/OUT

3 three bedroom and 1 four bedroom dwellings. Refused planning permission on grounds relating to adequacy of the access.

Planning permission was granted/allowed for the following applications/reasons:

15/04210/FULL1

1 detached replacement dwelling (LBB).

15/02291/FULL1

2 detached dwellings (PINS)

As mentioned, the current application differs from previously approved schemes as it would provide 3 additional dwellings to those allowed in the appeal scheme 15/02291/FULL1, although they would be of a more compact footprint they would have three storeys (mansard roof accommodation) and would be positioned around the edges of the site rather than in the centre. The vehicular access would remain as previously proposed which was concluded to be acceptable for 2 dwellings by the appeal Inspector. The current proposal follows the previous most recent withdrawn application (17/04458/FULL1) however this did not receive a formal decision and therefore full weight cannot be attributed to it.

### Principle and location of development

The site lies within the urban and built up area of Bromley where there is no objection in principle to new residential development in this location. The proposal is subject to an assessment of the impact of the proposal on the appearance/character of the building, the surrounding area, the residential amenity of the adjoining and future residential occupiers of the scheme and car parking and transport implications.

The principle of new residential development at the rear of Fountain Court has been established through the lengthy planning history associated with the site and the previous planning permissions albeit most recently for a maximum of two dwellings. Although redevelopment for a greater number of dwellings has not been successful to date, the current proposal will nonetheless be carefully considered in context to the planning history of the site and the specific design and layout of development in this particular development scheme.

### Design and landscaping

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

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

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

The proposal would be positioned at the end of an access track and given the nature of the track and the location of the proposed dwellings; largely obscured by the frontage building of Fountain Court, they would not be overly prominent from the street scene and public realm along Lawrie Park Road. The proposed buildings would be positioned around the edges of the application site and they would retain some space around them. The proposed footprint would be compact, as compared with the allowed two dwelling scheme which had an elongated and expansive building footprint, and this would help to contain them within their respective plots and within the site in general. The buildings would appear as three storey "town houses" however the uppermost floor would comprise a mansard roof positioned mainly in the centre of the building and this would limit its mass to a degree; as compared with a full depth roof/storey. The dwellings would have a vertical emphasis however their overall height and mass would not be excessive. As such the dwelling density would be reasonably accommodated within the plot, proposal would not result in an overdevelopment of the site and it would not have a cramped appearance.

As mentioned above there is a range of building styles and designs in the local area. Whilst the proposal would not have a conventional pitched roofed design, as seen in the prominent Victorian style villas, the mansard roof design is nevertheless not absent in the locality as it is seen at Park Court (opposite) albeit in a flatted development. Furthermore given the nature of the site set behind the main frontage; not particularly visible from public vantage points and that it does not lie within a Conservation Area or an Area of Special Residential Character the application site and the proposed development could accommodate a different design and character from the properties immediately around it.

It is acknowledged that the site lies adjacent to the curtilage of No. 79 which is a locally listed building. Policy 39 of the Bromley Local Plan relates to locally listed buildings and provides for proposals to alter, extend, change the use or replace locally listed buildings will be permitted so long as they are respectful of the setting, character, appearance and local interest of the building. This application does not relate to alterations or extensions to the locally listed building, being entirely related to development in an adjacent site. In view of the physical separation between No. 79 and the proposed buildings it is not considered that the provisions of Policy 39 are directly relevant to the consideration of this application.

The Council's Tree Officer advises that the existing trees on the site themselves are not of particularly special quality and they are set back from public vantage points and therefore offer limited public amenity value and the proposed removals would not have a significantly harmful impact on the appearance and character of the area. The retained trees could be affected during construction and the submitted Tree Protection Plan (TPP) should be implemented as proposed in order to minimise these effects and this could be managed by planning condition. As mentioned above, the development would be mainly obscured from the public realm by the existing Fountain Court building and the landscaping within Fountain Court, No. 79 Lawrie Park Road and along the access. New development should not rely upon existing landscaping; especially landscaping in other properties outside the application which the Applicant does not own and cannot control. Nonetheless the proposal would offer space within the application site for planting and landscaping including in a landscaped area adjacent to the access track, within the front gardens of the proposed properties and in their rear gardens. This would soften the development and would enhance its appearance. Native species could be specified in order to accommodate and attract wildlife and biodiversity and this could be managed by planning condition.

#### 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 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.

Policy 3.5 of the London Plan and the Housing SPG (2016) Standard 24 states the minimum internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Technical housing standards - nationally described housing standard (2015).

The proposed dwellings would provide internal accommodation which would be sufficiently spacious. The private amenity space to the rear of units 3-5 ranges from approximately 11m to 13m and this is considered acceptable to serve the prospective occupants. The amenity space for Units 1 and 2 is less spacious and has less depth ranging from approximately 7m to 8m however they would be south facing which would improve their outlook. They would both have vehicular parking spaces alongside them however the traffic in to these parking spaces would be limited. Unit 1 would also have an access leading to two retained double garage blocks (located outside the red edged application site). However again the level of traffic would be limited and would not differ from a residential neighbour accessing their own garage, and they would be positioned some distance away from the residential garden area for Unit 1. The dwellings within the development would be sufficiently well separated from each other; combined with their orientation and direction of outlook that they would not have a significantly harmful impact on the outlook or light to each other.

A development of this scale would not require Secured by Design Accreditation however according to the Metropolitan Police Designing Out Crime Officer it could nonetheless incorporate physical security requirements of Secured by Design through the use of tested and accredited products thereby reducing the vulnerability of the development and minimising the risk of crime; improving the amenity value of the scheme and the living conditions of the future occupiers and this could be managed by planning informative.

### Neighbouring amenity

Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposed dwellings would be visible from neighbouring properties. Third party comments express concern over the impact of the proposal in terms of overlooking and overshadowing. However, in view of the depth of the gardens at Fountain Court, the siting of the proposed dwellings and the density of the boundary screening within that site, it is not considered on balance that the proposal would have a significantly harmful effect on the outlook of neighbouring properties or result in significant loss of privacy or overshadowing such that would warrant the refusal of planning permission. Notwithstanding this, the insertion of upper floor side flank windows in particular in the new dwellings could lead to harmful overlooking between each other and to existing neighbouring and this could be restricted by planning condition.

According to the planning history the traffic and vehicle movements for the five dwelling scheme (11/00926/OUT) served by 9 parking spaces was considered to result in a harmful effect on existing neighbouring amenities. The Appeal Inspector concluded that the impact of the residential traffic to the two dwelling scheme (12/02533/FULL1) would not have a significantly more harmful impact on the residential amenities of the neighbouring properties than the historic garage use on the site. The current proposal would return to a five dwelling scheme served by 8 parking spaces however it is a Full application proposing full details of the layout, siting, size, scale and design of the proposal as compared with the Outline scheme 11/00926/OUT which only provided the details of the landscaping. As such the current proposal would utilise the same access arrangement however it would have an internal access drive projecting only part of the way along the south eastern boundary with Fountain Court before it routes south east into the main body of the site, it would have one less parking space and the majority of the spaces would be positioned within the main body of the application site and away from the boundaries and neighbouring properties and is spread out around the units as compared with the previously proposed communal parking strip. For these reasons the proposal is sufficiently different from the previous proposal and would have a less harmful impact upon neighbouring amenities in this respect. There is also no objection to the proposal from the Council's Environmental Health Department subject to compliance with the relevant Control of Pollution Act, Environmental Protection Act and the Council's Control of Pollution and Noise from Demolition and Construction Sites Code of Practice.

## Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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

As noted in the planning history concern has been raised previously over the proposed access to and from the site on to the public highway. In particular, the suitability of the narrow width of the access has been queried for access by passing vehicles, emergency vehicles and service/utility vehicles. The current proposal includes a single file access route controlled at either end by traffic signal heads with automated timer, along with traffic calming speed hump and convex mirror features to aid visibility along the route. According to the Council's Highway Department the proposed access measures would be acceptable in relation to the size and scale of the currently proposed development. The appeal Inspector dealing with the two dwelling scheme 15/02291/FULL1 was satisfied; based on the application details and their own observations on site, that the width of the access track would allow the necessary access for emergency vehicles. Furthermore, the Inspector considered that although emergency vehicles could gain access to the site the Applicant's proposed fire sprinkler suppression system would further address concerns about controlling fires and that it could be secured by planning condition.

For these reasons and subject to appropriate planning conditions/informatives the current proposal has overcome the reasons for the refusal of the previous scheme(s) for three and five dwellings respectively in relation to highway grounds.

## Waste (Refuse and Recycling collection)

The Council's Waste Services Department commented on the previous planning application 17/04458/FULL1; noting that the proposal for five individual dwellings would be likely to store refuse/recycling bins at the individual properties rather than in a communal bin or bin store, however it raised no objection concluding that the collection crew would collect materials and walk them out of the site to the refuse collection vehicle (RCV) which would wait on the public highway; providing that the RCV could stop in a safe position on the public highway as to not cause an obstruction to other road users or pedestrians at any time. This process would also be subject to the households complying with the Council's standards/requirements regarding waste storage and the Applicant could be advised of this by planning informative.

## 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.

## Drainage

The Council's Drainage Engineer considers that the proposed use of permeable brick paving on the access road as well as rainwater harvesting to collect surface water run-off would be acceptable and no objection is raised subject to the recommended surface water condition.

There is no objection from Thames Water in relation to construction near to public sewers, groundwater discharges and infrastructure capacity subject to its recommended informatives.

### Ecology

The application site is overgrown; it may offer suitable wildlife habitat, however there is no objection to the redevelopment of the site in principle from the Orpington Field Club. However a precautionary approach should be taken to the demolition of the existing dwelling/buildings and the clearance of the site allowing wildlife the opportunity to vacate. Furthermore, according to the Orpington Field Club any new proposal should include appropriate nature conservation measures including bat sensitive lighting, bat bricks, native planting (which can be managed in the landscaping proposals) and this could be managed by planning conditions/informatives.

### 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**

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

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 BE GRANTED**

#### **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 37 of the Bromley Local Plan and in the interests of visual and residential amenity.**
- 3. Prior to commencement of development (excluding demolition) details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with the approved levels.  
Reason: Required prior to commencement in order to ensure that a satisfactory form of development can be undertaken on the site in the interest of visual amenity and to comply with Policy 37 of the Bromley Local Plan.**
- 4. The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and/or drawings unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In the interest of the appearance of the building and the visual amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan.**

- 5. No windows or doors (other than those shown on the plans hereby approved) shall at any time be inserted in the upper floor side flank elevations or roof slopes of the dwellings hereby permitted.**

**Reason: In the interest of the amenities of the adjacent properties and to comply with Policy 37 of the Bromley Local Plan.**

- 6. Before the development hereby permitted is first occupied the proposed upper floor side flank windows serving the bathrooms; shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained as such.**

**Reason: In the interests of protecting residential amenity in accordance with Policy 37 of the Bromley Local Plan.**

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

- 8. Before the development hereby permitted is first occupied the dwellings shall be fitted with fire suppression systems in accordance with the criteria set out in Building Regulations B3(3) (or any Order amending, revoking and re-enacting this Order).**

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

- 9. Prior to commencement of any development hereby approved (including any ground clearance, tree works, demolition or construction), tree protection measures in accordance with the submitted Tree Protection Plan (J50.29/02) shall be installed. Once installed, photographic evidence of the fencing and ground protection shall be submitted to the LPA for approval. Such measures shall not be moved or removed, but shall be retained in situ until completion of the development and all materials and machinery have been removed from the site, unless otherwise agreed in writing by the LPA. The development shall thereafter be carried out in accordance with the approved details and recommendations within the Arboricultural Impact Assessment (J50.29) or any variation as may subsequently be agreed in writing by the LPA.**

**Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Polices 37, 73 and 74 of the Bromley Local Plan.**

- 10.**

**(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:** To secure a visually satisfactory setting for the development and to protect neighbouring amenity and in order to comply with Policies 37, 73 and 74 of the Bromley Local Plan.

11. Details of the layout of the access road and turning area including its junction with Lawrie Park Road and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 0.6m in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.

**REASON:** In the interest of pedestrian and vehicular safety and order to comply with Policy 32 of the Bromley Local Plan.

12. 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:** 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 and in order to comply with Policy 30 of the Bromley Local Plan.

13.

- (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 provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects and to comply with Policy 37 of the Bromley Local Plan.

14.

- (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 provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport and to comply with Policy 6.9 of the London Plan.

15. 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 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

16.

- (a) Surface water from private land shall not discharge on to the highway.
- (b) Prior to the commencement of above ground works details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority.
- (c) Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the details approved under Part (b) and shall be retained permanently thereafter.

**Reason:** To ensure satisfactory implementation of the surface water drainage proposals can be secured before additional pressure is placed on existing arrangements and to accord with to London Plan Policy 5.13 Sustainable Drainage and Policies 115, 116 and 117 of the Bromley Local Plan.

17.

- (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 (21/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 and Policies 115, 116 and 117 of the Bromley Local Plan.

18. Prior to commencement of above ground works details of biodiversity enhancements shall be submitted to and approved in writing by the Local Planning authority and shall be included within construction works and permanently retained at the site thereafter.  
**Reason:** In order to preserve and enhance the biodiversity value of the site and in order to comply with Policies 70, 72 and 73 of the Bromley Local Plan.

#### **Informatives**

1. The developer is encouraged to incorporate security features into the development including:
  - Main entrance door leading into the dwelling communal area should meet PAS24 2012 or alternative Secured by Design Standard,
  - Flat entrance doors should meet PAS24 2012 or alternative Secured by Design Standard,
  - Any other external doors leading into the dwelling should meet PAS24 2012 or alternative Secured by Design Standard. (This would include the terrace doors on the ground and lower ground floors and the balcony doors if accessible),
  - Any ground floor or other accessible windows (including climbable balconies and roof lights) to be PAS24 2012 or alternative Secured by Design Standard,
  - Mail Delivery should be via boxes in a secure lobby area, through the wall or external boxes,
  - Audio visual entry access control system to be employed,
  - Utility meters should be located outside of the dwelling at a point where they can be overlooked or intelligent smart meters with automatic signaling are an acceptable alternative,
  - Any bicycle stands should be a galvanised steel bar construction (minimum thickness 3mm) with a minimum foundation depth of 300mm with welded 'anchor bar'. Compliance can be demonstrated by products certificated to LPS 1175 Issue7 2010: Security Rating 1 or 2,
  - The majority of which I note are mentioned in the design and access statement section 5.6,

Any further guidance in relation to the physical security standards required by Secured by Design can be found on the Secured by Design website [www.securedbydesign.com](http://www.securedbydesign.com)

2. 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.
3. Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
4. If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
5. It is important to minimize the risk of damage to Thames Water's sewerage. Thames Water will need to check that the development does not reduce capacity, limit repair or maintenance activities, or inhibit the services Thames Water provides in any other way. The applicant is advised to view Thames Water's guide to working near or diverting its pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>.
6. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwgriskmanagement@thameswater.co.uk](mailto:wwgriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
7. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.