

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

Application No : 19/00230/FULL1

Ward:
Shortlands

Address : 54 Shortlands Road Shortlands Bromley BR2 0JP **Objections:** Yes

OS Grid Ref: E: 538966 N: 168897

Applicant : Longfold LTD

Description of Development:

Demolition of the existing detached dwelling house and the construction of a three storey building to accommodate 5 x two bedroom flats together with associated car parking facilities, bin storage and cycle provision.

Key designations:

Conservation Area: Shortlands
Smoke Control Multiple

Proposal

Planning permission is sought for the demolition of the existing detached dwelling house and the construction of a three storey building to accommodate 5 x two bedroom flats together with associated car parking facilities, bin storage and cycle provision.

The proposed building would face to Shortlands Road with a central front entrance and front facing balconies. The building footprint would align approximately with the front position of the current garage doors and would have a width of 15.4m and depth of 14m at its maximum extents. The building is 3 storeys with the second floor accommodation positioned in a setback massing arrangement from all sides from the levels below.

To the rear, the building would project further back than the original footprint of the existing building for the central section of the elevation but also align with the extended section of the existing building. The building has an eaves height of approximately 6.7m facing No56 and 6.3m facing No52 and a maximum height of approximately 9m. A distance of approximately 1.5m side space would be retained to the north west flank boundary of the site with No56 and 1.5m increasing to 2.2m to the south east flank boundary with No52. The buildings ground floor datum height remains at approximately the same level as the existing building.

Balcony style terraces are proposed to the front elevation at first and second floor level. Private garden areas are indicated for the ground floor flats at the rear. A parking area for six spaces is indicated to the front curtilage accessed from the central crossover with an access width of 4.5m. A bin storage area will be located

to the front of the site in an enclosure adjacent to Shortlands Road. A bike storage area is indicated adjacent to the rear north west elevation accessed along the side of the building.

Materials are indicated as yellow stock brickwork with stone detailing to the ground floor and first floor with dark metallic cladding proposed to the upper floor.

The external curtilage will be soft landscaped with some areas of hedge planting to the peripheral rear boundary and around the front curtilage parking area.

The application was supported by the following documents:

- Design and Access Statement
- Daylight and Sunlight Assessment
- Arboricultural impact assessment
- Arboricultural Method Statement

Location and Key Constraints

The application site currently comprises a two storey detached dwellinghouse located on the west side of Shortlands Road. The site is in the Shortlands Conservation Area. To the south west is No56, a large Victorian detached building. Records indicate that the application site formerly formed part of the curtilage and setting of this building and was developed for the current building in the 1960's.

The site is not located in a conservation area nor is the building listed.

Comments from Local Residents and Groups

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

Support

- The scheme addresses issues raised. It is visually pleasing and blends into the area well.
- Delighted to see that a well designed building will be replacing an unattractive house.
- New build will provide much needed homes for the local community.
- beautiful small block which fits in with today's style of architecture, and what is already there, very harmoniously.
- No disadvantage to neighbours and additional living accommodation provided which is much needed in the area.
- Design will enhance the area with innovative and modern style fitting well and complimenting the architecture of surrounding properties.
- Urgent need for more purpose-built apartments in this locality. Proposal will certainly lift the area.
- The nursery is already overlooked by the neighbouring buildings so that is not a valid objection.

- The scale of development is not too large and is a good fit.
- Concern expressed about overlooking is subjective. Overlooking has been reduced in the new scheme by architectural design.
- Important contribution to meeting Government housing targets in a way that will contribute to the locality rather than undermine it.
- Proposed building look tasteful and in keeping with modern property in the Shortlands area.
- Space has been designed for individual car parking. Little risk of causing additional congestion in the vicinity.

Objections

- Design will overlook adjacent nursery and block out light.
- Proposal will impact on the adjacent nursery business.
- Concerns regarding the impact of the construction work on the health and wellbeing of children using the adjacent nursery.
- Not enough parking spaces provided for 5 flats.
- Concerns regarding increase of vehicles using access and the effect on highway safety.
- Design is acceptable but scale of the building is excessive. Four units preferential.
- Height of building could cause safeguarding issues with the children being overlooked which would be an Ofsted concern.
- Building will be visually overbearing.
- Concerns regarding proximity of foundations to the nursery.
- Will overshadow and overlook the nursery play area.
- Preference to see a family house retained over 5 flats that are not affordable housing.
- Increase in overlooking from the flats and the top floor flat to Shortland Roads neighbours.
- Overdevelopment, design is not in keeping with the area.
- Will block out access for light for Shortlands Road and Shortlands Grove.
- Will block out light to habitable room and obscure view from bedroom for flat in No 56.
- Concerns with loss of endangered species monkey puzzle tree.
- More pressure on local sewer system.
- Many objections of similar nature have been raised by users of the adjacent nursery in respect of the impact of construction works and comments that windows would be able to look directly onto the nursery garden effecting the children's wellbeing and privacy.

Local Groups

- Shortlands Residents' Association has commented that the existing property has very little architectural merit and its proposed replacement on the whole looks substantially better. Comments were also made regarding the parking levels, status and issues of the area and impacts of the construction works.

Ward Councillors

- Ward Councillors for the Shortlands Ward have made representations in support of the application.

Comments from Consultees

Conservation Officer:

The proposed design is a big improvement on the refused scheme. The reduction in height and set back of the top floor reduces the appearance of bulk and overall visual impact on the streetscene. I also find the contemporary mix of yellow brick and metallic clad upper floor to work well in this location. The side space is approximately 1.5m which is welcomed and sufficient for this location. If minded to recommend permission I suggest a materials condition to ensure a high quality finish. In conclusion the proposal is Policy 41 compliant.

Environmental Health Pollution Officer:

No objections within the grounds of consideration.

Drainage Engineer:

The applicant is suggesting the use of soakaways to dispose of Surface Water run-off, however a soakage test in accordance with BRE 365 must be carried out in advance to confirm the suitability of the soil for infiltration.

Highways:

Previous application was for construction of three storey building to accommodate 6 x two bedroom flats together with 6 car parking facilities where as this one is 5 x two bedroom flats together with 6 car parking facilities. This is better as 1 x parking can be used by the visitor.

Drawing number PL01 Rev P5 shows only 6 cycle spaces which is not satisfactory. The cycle parking requirements are set out in Table 6.3 of the London Plan. The requirement is for 2 spaces per dwelling. Policy 6.9 (B)(a) states that developments should provide integrated, covered, convenient and accessible cycle parking facilities.

Arboriculture:

The arboricultural support addresses the tree constraints and implements sufficient mitigation measures. I am satisfied that the development can proceed under the supervision of the retained arboricultural consultant. New tree planting has been outlined in the submissions and should be further detailed in a landscape condition.

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 19th February 2019. 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.

London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 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
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 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.
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands.
- 8.3 Community Infrastructure Levy

Bromley Local Plan

- 1 Housing supply
- 4 Housing design
- 8 Side Space
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 34 Highway Infrastructure Provision
- 37 General design of development
- 41 Conservation Areas
- 43 Trees in Conservation Areas
- 73 Development and Trees
- 77 Landscape Quality and Character
- 112 Planning for Sustainable Waste management
- 113 Waste Management in New Development
- 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
- 122 Light Pollution
- 123 Sustainable Design and Construction

Supplementary Planning Guidance

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

Planning History

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

Records indicate a number of extensions on the existing house were granted planning permission between 1970 and 1972 which largely resulted in the current format of the building.

86/01558/FUL: Single storey front extension to detached house. Approved 17.07.1986

18/00588/FULL1: Demolition of the existing detached dwelling house and the construction of three storey building to accommodate 6 x two bedroom flats together with associated car parking facilities, bin storage and cycle provision. Refused 18/4/2018

In summary the refusal reasons related to the size, scale, height, massing and design representing a visually obtrusive and inappropriate overdevelopment of the site which would be detrimental to the scale, form and layout of the locality resulting in significant harm to the character and appearance of the area and surrounding development and be harmful to the residential and private amenities of neighbouring property and visual amenities of the area.

The development by reason of increased overlooking, overbearing nature, siting and proximity to neighbouring buildings and rear property boundaries was also considered to have a serious and adverse effect on the privacy and amenity enjoyed by the occupants of neighbouring property to the rear and flank boundaries.

Furthermore, the development also failed to provide a satisfactory size and standard of good quality accommodation for future occupiers by reason of the inadequate space standards and the poor quality of amenity space.

Considerations

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

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

Resubmission

The proposal is described above and is considered essentially a new scheme for the site as opposed to a resubmission of a similar scheme. The scheme is assessed below accordingly.

Principle

The NPPF (2019) 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.

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

Policies including 3.3 of The London Plan 2016 and Policy 1 of the Local Plan have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025.

Policy 41 of the Bromley local plan states that a proposal for a development scheme that will involve the total or substantial demolition of an unlisted building in a conservation area that makes a positive contribution can be judged as causing substantial harm and will be assessed against the tests laid out in Paragraph 195 of the NPPF. Where the building proposed for demolition makes a negative or neutral contribution to the conservation area the merit of the proposed replacement will be weighed against any loss or harm.

Permission for demolition will only be granted once a suitable replacement has been accepted. A condition will be imposed on a planning permission granted, to ensure that demolition shall not take place until a contract for the carrying out of the development works has been made.

The Shortlands Conservation SPG details that it is good practice for new buildings, where appropriate, not to exceed the typical height of existing buildings, ideally remaining slightly lower than adjacent contributory buildings. The adoption of scale, form and materials characteristic of the Conservation Area is appropriate in most circumstances.

Given the above policy and supplementary guidance the principle of demolition and redevelopment on this site is considered acceptable. The current building on site is considered to make a neutral contribution to character and appearance of the conservation area. The policy tests in terms of allowing demolition appear to have been met. In terms of the replacement building, a proposal would only be acceptable if it respects the existing characteristics of the conservation area as detailed in the SPG. This is assessed further below.

Therefore in principle, the Council will consider a higher density residential replacement development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, car/cycle parking and traffic implications, sustainable design and energy, community safety, refuse arrangements, biodiversity or open space will need to be addressed.

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 low 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 55-145 dwellings per hectare.

The proposed development would have a density of 85 dwellings per hectare within the suggested ranges in relation to unit density. This may be considered an acceptable amount of development at this location given the available site area.

However, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development and 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 which are assessed below.

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 (2019) 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 (2019) 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.

The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

Within a Conservation Area Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

London Plan and Bromley Local Plan 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 of the London Plan 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).

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

Policy 7.6 of the London Plan states that buildings and structures should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm; comprise details and materials that complement, not necessarily replicate, the local architectural character; not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

Policy 7.8 of the London Plan states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate. Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density. To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan density matrix whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.

Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.

Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants; be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.

Policy 41 of the Local Plan details that proposals for new development within a conservation area will need to preserve and enhance its characteristics and appearance by respecting or complementing the layout, scale, form and materials of existing buildings and spaces and respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and using high quality materials.

The site is located in an urban location within the Shortlands Road conservation area which is characterised by a number of large Victorian houses and later infill development. The existing building on site would appear to have been built within the side garden of No56. This is a Victorian era house which is considered a more typical example of the character of the conservation area. No.54 is a 1960s house which is of little architectural interest. On balance no objection is made to the demolition of the existing house as the building only makes a neutral contribution to the character and appearance of the conservation area. However, the scale and bulk of the existing house is fittingly subservient to No.56 which is a more significant building representative of the conservation area.

This current relationship between the site and adjacent sites contributes to the character and appearance of the conservation area that it is considered desirable to maintain at this locality.

It is noted that the application is a new scheme with significant modification to the design, height mass and scale of the scheme as has been detailed above. The resultant reduced height would now harmonise with the character of the streetscene, and the proposal in this respect would appear as an optimum feature of the building creating a subtle step down in heights between No56 to No52 that also takes account of the gentle slope in topography of the land within the context of the streetscene and surrounding development.

Spatial separation has been improved at a minimum 1.5m to the side boundaries at the street facing elevation and with the separation of the upper level of the building from the flank boundary being increased and set in by a further 1m from all elevations. Coupled with the reduction of the depth of the upper levels of the building to the rear, the reduced height, the impacts of the scheme in relation to neighbouring property are considered to have been overcome from previous applications.

In terms of the general design approach, Paragraph 7.21 of the London Plan states that architecture should contribute to the creation of a cohesive built environment that enhances the experience of living, working or visiting in the city. This is often best achieved by ensuring new buildings reference, but not necessarily replicate, the scale, mass and detail of the predominant built form surrounding them, and by using the highest quality materials. Contemporary architecture is encouraged, but it should be respectful and sympathetic to the other architectural styles that have preceded it in the locality.

Revised elevation designs have resulted in less prominent elevations facing the streetscene on Shortlands Road. The flank elevations have been redesigned by revising windows and by providing design relief through the use of materials and detailing. The clean and simple styling of the proposal would be an appropriate design response to the mixed character of the neighbouring sites to result in more visually harmonious elevations within the context of the streetscene and locality.

The Council's Conservation Officer has not raised any objections to the proposals. On balance, it is considered that the proposal retains the character and appearance of the conservation area to public areas and the wider streetscene. The individual contribution that the proposed property has will also add to and enhance that character.

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 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. 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 Governments 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 in respect of this that indicates compliance for each dwelling.

The floor space size of each of the units ranges between 71m² and 89m² respectively. The nationally described space standards require a GIA of 70m² for a two bedroom four 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 units where none of the rooms would have a particularly convoluted shape which would limit their specific use.

In terms of amenity space a mix of private and communal spaces are provided and are of a depth and width of sufficient proportion to provide a usable space for the purposes of each unit.

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 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.

Car parking

The Council's Highway Officer has reviewed the current application and not raised any objection to the level of parking provided off road at the site and the increase in intensity of the use of the vehicular access to Shortlands Road. 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. Six spaces are indicated and the applicant has provided details of a location and structure for cycle storage within the rear garden area. A planning condition is recommended in this regard for a provision of 10 cycle spaces.

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 entrance to the site. A planning condition is recommended in this regard for further details of a containment structure.

Construction methodology

Concerns have been raised by residents regarding the construction process due to the nature of sensitive adjacent uses to the site in the form of a children's nursery. A Construction Management Plan is recommended in this regard to be sought by condition. This can also be required to have specific regard to the adjacent sensitive use to the site regarding construction when submitted to the LPA and reviewed for discharge.

Neighbouring amenity

Policy 37 of the Bromley Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

Policy 4 of the Bromley Local Plan also 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 front, rear and flank elevation apertures. However, the plans indicate windows to the flank elevations will be obscure glazed to ground and first floor levels with no flank windows to the second floor flat and are either secondary windows or to non habitable rooms. Bedroom windows to all flats will face to the rear of the site and living spaces will face the streetscene. The rear windows are therefore to lesser used habitable rooms being bedrooms, and will have a direction over the rear gardens of properties on Shortlands Grove. Given the pattern of development and proximity of similar relationships in terms of outlook from adjacent buildings the location of the proposed building is not considered to increase overlooking to such an extent that would warrant refusal of planning permission. A degree of overlooking is common place in any urban environment with many existing properties having a degree of overlooking of their own neighbours and the proposed building. In this case the relationship of outlook to adjoining property is considered acceptable.

Concerns have been raised regarding loss of light and outlook caused by the proposed building. However, given the separation distances to neighbouring dwellings, the side space retained between the property boundaries, it is considered that there will be minimal impact in terms of outlook and daylighting to adjacent property. A Sunlight and Daylight Assessment has concluded similarly and on balance, it is considered that the building will not be detrimental to neighbouring residential amenity.

Concerns have also been raised regarding the nature of adjacent sensitive uses at No52 being a children's pre-school nursery. It is noted that such facilities are commonly located in residential areas adjacent to residential property. There are no unobscured windows on the flank elevations and balconies are located to the front elevations overlooking the streetscene. The nature of the nursery use is not considered to suffer any undue loss of privacy or increased overlooking in this regard.

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.

Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.

An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

Trees

Policy 73 of the Bromley Local Plan 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.

Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the

appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.

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 can be requested by condition.

An Arboricultural Impact Statement and Method Statement has been submitted and reviewed by the Council's Tree Officer. Subject to compliance to the recommendations in the report, the impact to trees within and adjacent to the site is considered acceptable.

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 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 unit type of the proposed scheme is acceptable on balance and that the development would not be detrimental to the character and appearance of the conservation area and locality. The standard of the accommodation that will be created will be good. 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 would 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 37 of the Bromley Local Plan 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 and Policies 115, 116 and 117 of the Bromley Local Plan

4 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

5 The demolition of the existing building hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site under the planning permission hereby granted, has been made for the redevelopment for which the contract provides.

Reason: Required prior to commencement of development and in order to comply with Policy 41 of the Bromley Local Plan and to prevent premature demolition of the building which would be unacceptable.

6 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan (specifically taking account of the sensitive nature of the adjacent children's nursery land use at No's 50-52 Shortlands Road) 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.

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.

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 Policies 37, 73 and 74 of the Bromley Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

8 (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 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects

9 (a) Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works.

(b) The approved scheme shall be self-certified to accord with BS 5489 - 1:2003

(c) The lighting scheme as shall be implemented in full accordance with details submitted under Part (a) before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policies 30 and 37 of the Bromley Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

10 (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

11 (a) Details of arrangements for bicycle parking for 10 bicycles (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 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.

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: In order to comply with Policy 30 of the Bromley Local 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.

13 Notwithstanding the information indicated on Drawing PL01 Rev P5, before the development hereby permitted is first occupied electric car charging point(s) shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces.

Reasons: To minimise the effect of the development on local air quality within an Air Quality Management Area and to comply with Policy 120 of the Bromley Local Plan and Policies 6.13 and 7.14 of the London Plan.

14 Before the development hereby permitted is first occupied the proposed windows in the flank elevations of the building as indicated on Drawing PL03 Rev P2 hereby approved 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 Policies 4 and 37 of the Bromley Local Plan.

- 15** No plumbing, pipes or other services other than those shown on the approved drawings shall be located on the exterior of the building(s)

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the architectural interest of the building.

- 16** While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

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

- 17** 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

- 18** No loose materials shall be used for surfacing of the parking and turning area hereby permitted

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

- 19** The flat roof areas of the building shall not be used as a balcony or sitting out area and there shall be no access to the roof area.

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

- 20** No wall, fence or hedge on the front boundary shall exceed 1m in height, and these means of enclosure shall be permanently retained as such.

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

- 21** The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh

Reasons: To minimise the effect of the development on local air quality within an Air Quality Management Area and to comply with Policy 120 of the Bromley Local Plan and 7.14 of the London Plan.

- 22 The development shall be implemented in accordance with the details set out in the Tree Report (U731AIA) dated 14th January 2019, approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.**

Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policies 37, 41, 73 and 74 of the Bromley Local 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 regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at 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**
- 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 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 2017 which is available on the Bromley web site.

6 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.

7 With regard to the laying out of the crossover(s) and or reinstatement of the existing crossover(s) a Vehicle Crossover Application will need to be made to the Highway's Department. The application fee is a non-refundable £100 pounds and the forms can be found through the webpage

https://www.bromley.gov.uk/info/200083/roads_highways_and_pavements/279/access_to_your_drive_crossovers_dropped_kerbs/2

8 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.

9 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.