

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

Application No : 19/00052/FULL1

Ward:
Crystal Palace

Address : Grape And Grain, 2 Anerley Hill,
Anerley, London SE19 2AA

Objections: Yes

OS Grid Ref: E: 533734 N: 170711

Applicant : JD Wetherspoon PLV

Description of Development:

Refurbishment and extension of public house including extension, roof garden and upgraded facilities comprising a two storey upper level extension over the existing pub building and a three storey extension to the western side of the building turning the street side corner adjacent to No.3 Church Road.

Key designations:

Conservation Area: Crystal Palace Park
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 6

Proposal

Planning permission is sought for the refurbishment and extension of the public house including extension, roof garden and upgraded facilities comprising a two storey upper level extension over the existing pub building and a three storey extension to the western side of the building turning the street side corner adjacent to No3 Church Road. The existing building will continue to be used as a public house (Use Class A4).

The above works comprise the demolition of the existing single storey element of the existing building with replacement by a 2 storey extension with additional roof level terrace added onto the side elevation of the retained 2 storey part of the building. The 2 storey extension then steps up to 3 storey in height as it turns the corner onto Church Road and abuts the gable end of the existing 3 storey adjacent buildings.

The ground floor of the retained building and extension will provide the main customer trade area and bar. The first floor area, which is accessible via a staircase and a passenger lift will include customer toilets in the retained part of the building and in the extension, additional customer seating and a second bar will be provided. A service corridor will be provided along the rear elevation together with a replacement fire escape into the rear yard.

At second floor level, the additional level of the building over the two storey section will be accommodated within the roof space and will include customer seating and on the front elevation an external terrace area. The second floor area of the 3 storey part of the extension will include customer seating and will have an internal void down to the ground floor level. The passenger lift will also come up to this level and access onto the external rear fire escape will also be provided.

The existing basement will be utilised for back of house facilities including the kitchen, storage, beer cellar and staff facilities including staff room and changing rooms. Access onto the rear lower yard where bin storage will be provided via doors from the basement level and a new goods lift down from the front yard area is indicated.

The front curtilage will continue to be used as a beer garden and is indicated to be landscaped incorporating beer garden areas and customer cycle storage. Revised servicing arrangements are shown to the front curtilage with an in and out way created enabling service vehicles to enter and leave in a forward gear. Bin collection will be undertaken to the rear as existing.

The appearance of the front elevation of the retained part of the building will be maintained as existing. The proposed 2 storey extension will take on a similar form in terms of scale and appearance. The proposed external terrace at roof level will be set behind a parapet wall which aligns with the eaves of the retained building and an iron decorative railing will be fixed to the top of this behind which is a 1500mm high safety screen. The 3 storey element of the extension is indicated to reflect the proportions and architectural style of the adjoining locally listed buildings on Church Road and with a traditional shop front at ground floor level, four panel sliding sash windows at first and second floor and stone quoin detailing on the corners.

To the rear elevation, the existing plant and service runs will be replaced. Existing windows on the retained part of the building will be concealed behind a new first floor extension. Existing landscaping on the rear boundary will be retained. Render on the rear elevation will be made good and repainted. Internally the existing building will be refurbished and rearranged.

Materials are indicated to be light render on the majority of the façade. Windows and shutters will be picked out in grey paint. Faience green tiles to tie in with those used on 3 Church Road are proposed at ground floor frontage level. The roof will be in slate tiles to match the existing buildings pitched roof.

The development as a whole will increase the public facing areas over all the proposed levels from the current 152.9m² to 511.05m². The external seating will comprise areas of 276.9m² at ground level with an upper level external terrace of 36.9m².

The beer garden and roof terrace areas are stated to close at 23:00 with smokers being permitted into a small dedicated area in the front beer garden outside of these hours.

A public engagement process is also indicated within submission documents to have been undertaken by the applicant prior to submission of the planning application.

The application was supported by the following documents:

- Planning Statement prepared by nineteen47
- Design and Access Statement prepared by KDPA
- Heritage Impact Assessment prepared by Cotswold Archaeology
- Noise Impact Assessment prepared by Spectrum Acoustics
- Daylight and Sunlight Analysis prepared by BWB Consulting
- Construction Environmental Management Plan prepared by BWB Consulting
- Arboricultural Survey Report and Impact Assessment prepared by Golby and Luck
- Preliminary foul and surface water drainage proposals prepared by DBR Associates Ltd
- Energy Strategy Report prepared by Syntegra Consulting

Location and Key Constraints

The site comprises the Grape & Grain Public House, at No 2 Anerley Hill and occupies a prominent corner position at the far-western end of Anerley Hill, within close proximity of its junction with Church Road, Crystal Palace Park Road and Westow Hill. This forms a key intersection between the A214 and A212 London Distributor Roads. The site falls within the 'Upper Norwood Triangle' which forms the confluence of the four London boroughs of Bromley, Croydon, Lambeth and Southwark. On the opposite side of the road is Crystal Palace Park which housed the Crystal Palace structure. The site is located within the Crystal Palace Park Conservation Area. To the rear of the site are residential flats at Stratos Heights.

The site of No2 originally formed a part of a larger site which housed the Royal Crystal Palace Hotel, and which incorporated lands at the side and rear, boasting a substantial and imposing frontage. The site originally included a return façade fronting Church Road, which formed a wing of the hotel, and which now numbers 3-13 Church Road, comprising a Locally Listed terrace built in the 1850s which adjoins the site. This now contains commercial units at ground floor level and flats within the upper floors.

The terrace is characterised by its three-storey stuccoed design with two sash windows to each upper level. The second floor windows have pediments containing shell motifs, console brackets and moulded swags continuing down from the brackets. No.3 projects slightly further forward into the streetscene building line. This terrace is characteristic of the design of the larger hotel which occupied the site, and bears a distinct likeness to the original hotel building.

The site also adjoins the building at No 2A, which is in commercial use, having previously been in use as a car showroom, and prior to that contained a ballroom. Like the neighbouring site at Church Road, this site also formed part of the historic hotel.

The structures which make up the Grape & Grain Public House (now vacant) comprise of single storey and two storey elements (in addition to a substantial basement/lower ground floor); the first floor front elevation is defined by three large Georgian-style sash windows, whilst the ground floor frontage contains two porches forward of the main building. The building is mainly rendered and contains pitched roofs above the single and two storey elements. The building is set back from the Anerley Hill frontage with a forecourt and seating area located between the building and the highway. The front of the site is also approximately 3.5m higher in ground level than the rear of the site facing to the flats at Stratos heights.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received with many similar issues raised. These can be summarised as follows:

Objections

- Concerns regarding noise from mechanical plant on the exterior of the building and the odour emitted.
- Concerns regarding servicing and refuse management. Control of timings is required.
- Concerns with loss of daylight, the feeling of enclosure and the increased echoing of noise will affect amenity of Stratos Heights residents.
- Shadows caused by the Proposed Development will affect Stratos Height amenity areas.
- Design is unworthy of this important site.
- Concerns raised regarding noise from patron use of raised terrace.
- Loss of light from street lighting to Stratos Heights by infilling gap.
- Size and capacity of the pub will bring social consequences and needs to be scaled back.
- Landscaping scheme not detailed.
- Support comments come from residents who do not live near the pub.
- Do not see a justification for a pub of this size in addition to the pubs already have.
- Concern raised from number of patrons using extended pub and impact to local area.

Support

- A prime site that needs to be developed.
- Tasteful plans improve the area rather than detract from it.
- New design, including the roof terrace, have been made sensitive to fit in with Church Road.
- Matches well the original hotel on this site and height fits in well with surrounding buildings.
- Plan is sympathetic with the local area and will serve the community.
- In keeping with local businesses and will likely attract more visitors to Crystal Palace and boost economy.
- Roof terrace is a great addition.

- Will be a brilliant view from the proposed terrace.
- Extension matches other pubs and buildings next to it.
- Well considered, sympathetic proposal that brings a long neglected gateway site into The Triangle back into productive use.
- A great addition to the triangle.
- Terrace incorporates references to Crystal Palace in ironwork is welcomed.
- Represents a significant investment in the regeneration of a corner of The Triangle which is welcomed.
- Much welcome investment into Crystal Palace, and adds positively to the conservation area.
- Terrace detailing using Crystal Palace design is welcomed.
- Takes advantage of the fantastic views available in the Crystal Palace area. Would be a unique and welcome addition to the Triangle.
- Big improvements to previous schemes. An amazing addition to the area.
- Terrace should be bigger to take advantage of the spectacular views. It would be amazing to have a roof terrace.
- Just like the new cinema, the terrace is desirable & much-needed for the hip & vibrant triangle; just like the Westow House patio.
- Site looks run down and needs developed as soon as possible.
- Makes a positive contribution by improving the gateway to our local centre.
- Will bring some life to the apex of the rapidly improving Crystal Palace triangle.
- Plan is in keeping with the areas heritage and original style of the historic Crystal Palace Hotel. Footprint in consistent with the historic occupation of the site.
- Noise will not be problem with design shown.

Local Groups

- Norwood Society has commented that the design requires more articulation to provide a landmark building at this location. Concerns are raised in respect of servicing and deliveries on road safety.
- Crystal Palace Triangle Planning Group has commented generally in support of the application with some minor recommendation in respect of detailing, servicing arrangements and noise impacts. Neither the terrace nor the proposed extensions and infill detract from the conservation area and instead compliment the conservation by uniting the plot with Church Road and at an elevation similar in statue to the grand Victorian Hotel that once stood on this site.

Comments from Adjoining Borough Local Planning Authorities.

London Borough of Lambeth:

- Lambeth do not wish to raise any objection.

London Borough of Croydon:

- I write to advise you that at the Delegated Business Meeting held on 13th February 2019, it was resolved that this Council as adjoining Local Planning Authority wishes to raise no objection to the application. It is supportive of the proposals as it will enable the pub to be brought back into use to the benefit of the local community and to the vitality and viability of the area. The proposed extensions and introduction of a roof terrace are appropriate and would not have a detrimental impact on the character of the conservation area. In addition, there are no concerns regarding the impact on adjoining occupiers.

Comments from Consultees

Conservation Officer:

The site lies within the Crystal Palace Park CA. An appeal decision on the refused 16/05041/FULL1 application indicated that the original part of the pub makes a positive contribution to the character and appearance of the CA and I therefore welcome retention of this element. The proposed extensions are carefully considered and integrate well with the terrace of locally listed buildings on Church Road. The proposal would reuse the site and enliven an unattractive corner site and in this respect is in accordance with Policy 41. If minded to recommend permission please condition external materials.

APCA:

We support the proposal in principle but consider that the detailing on the façade requires improvement to match the surrounding buildings. Better detailing of window surrounds, elevation of corner building and parapet. This is a prominent site in the conservation area and deserves better treatment. The central section should be set back so the three buildings are distinct.

Environmental Health Pollution Officer:

No objections in principle, however I would recommend the following:

- External Noise

In relation to plant noise, I do not agree with the acoustician that the introduction of this noise source would have a low impact. I would recommend that a condition is applied to ensure that all plant is designed to meet the London Borough of Bromley's criteria. With regards to the 21.00 curfew on the roof terrace, I do not think that this is necessary.

- Kitchen Extraction System:

Elements of noise control for the kitchen extraction system has been stated within the noise assessment I can't seem to find any plans for the design of the extraction system and an odour abatement system.

- Construction Management Plan:

The Construction management plan states that the hours of work will be Monday to Friday 08.00 to 18.00, Saturdays 09.00 to 16.00 and not at all on Sundays and bank holidays. The London Borough of Bromley's hours for noisy works restrict working hours on a Saturday to 08.00 to 13.00. This is outlined in the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017, available on the Bromley's website. In section 6.10 possible controls are outlined to control dust. This should be reworded to provide a commitment to such measures to ensure it is enforceable. An Environmental Inspection Record is provided, however no criteria has been suggested for noise threshold levels Can the above be revised so that it is acceptable.

- Sound Insulation:

I would recommend an enhanced level of sound insulation where the building adjoins to No.3 Church Street. This should be possible to secure by condition.

Thames Water:

No response received.

Drainage Engineer:

The applicant is proposing attenuation from the new extension. Further details of SuDS required by condition.

Highways:

The site is located on the corner of Anerley Hill and Church Road. Anerley Hill (A214) is a London Distributor Road carrying large volume of traffic. There are 'No waiting restrictions (at any time)' immediately outside the premises. Furthermore, the premises are within a high (6a) PTAL rating on a scale of 0 - 6b, where 6b is the most accessible.

I suggest that the application is conditioned that all servicing must be carried out off the street and within the site. The applicant is proposing for a second vehicular crossover to ease the delivery and reducing congestion on Anerley Hill, which is acceptable in principle. Vehicle tracking manoeuvres submitted for the Grape and Grain show a typical goods vehicle enters and exit the site in forward gear. These are acceptable.

Transport for London:

Having assessed the proposals, I can confirm that TfL has no comments to make on this planning application.

Energy Officer:

I've reviewed the Grape and Grain revised energy statement and everything now looks in order from a carbon/energy point of view - I'm satisfied that a suitable number and variety of measures have been considered for the proposed commercial buildings. Since the intention is to reduce on-site carbon emissions by 35.3% a carbon offsetting contribution is therefore not required.

Tree Officer

The tree and hedges present are either too small or low quality to be considered a constraint. However, given the prominent location some degree of new planting as part of a landscaping scheme appears to be necessary in order that the development positively contribute to the street scene. The planting plan submitted indicates that the overall appearance of the frontage vegetation would be very similar to the existing, i.e. primarily low hedging, with the addition of a specimen tree, which is of a species suitable for its location. Overall the scheme appears to be adequate to avoid a negative visual impact, without significantly improving on the existing appearance. There would be scope to further enhance the scheme with the additional planting of maybe 2 more trees of the species suggested in the locations shown below. A group of 3 equally spaced and matching trees could provide a valuable arboricultural feature that would represent an enhancement of the existing frontage.

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

- 2.7 Outer London Economy
- 2.14 Areas for regeneration
- 2.15 Town Centre's
- 3.1 Ensuring Equal life Chances for All.
- 4.6 Support for and Enhancement of Arts, Culture, Sport and Entertainment.

- 4.7 Retail and Town Centre Development
- 4.8 Supporting a successful and diverse retail sector and related facilities and services
 - 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
- 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

- 8 Side Space
- 13 Renewal Areas
- 14 Development Affecting Renewal Areas
- 15 Crystal Palace, Penge and Anerley Renewal Area
- 20 Community Facilities
- 23 Public Houses
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 34 Highway Infrastructure Provision
- 37 General design of development
- 39 Locally Listed Buildings
- 41 Conservation Areas

- 73 Development and Trees
- 77 Landscape Quality and Character
- 99 Residential Accommodation
- 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
- 124 Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy
- 125 Delivery and implementation of the Local Plan

Supplementary Planning Guidance

SPG1: General Design Principles

SPG: Crystal Palace Park Conservation Area Statement

Mayor of London SPG: Culture and the night-time economy (Nov 2017)

Planning History

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

The site is subject to a long and, in part, complex planning history, some of which remains ambiguous. The site previously formed a constituent part of what formerly comprised the Royal Crystal Palace Hotel, which dates from the 1850s, around the time when the Crystal Palace was completed. The building incorporated a substantial frontage which straddled 3-13 Church Road and the site at No 2 Anerley Hill, as well as the adjoining unit at No 2A. The hotel was bombed in September 1940. It would seem most probable that the north-western corner of the original hotel building, at the juncture of the Anerley Hill and Church Road frontages was mostly affected.

Planning permission granted in November 1962 for a new building incorporating office, shops and residential accommodation, as well as a public house "fronting Anerley Hill and Church Road". This was not implemented.

Under reference 10/02629/FULL2, planning permission was granted for the change of use of the public house and adjoining unit at Nos. 2 and 2A Anerley Hill to provide a 2-screen cinema with ancillary foyer and cafe/bar provisions. The main cinema would have been located within the area which houses the former ballroom and car showroom at No 2A. This permission was not implemented and has subsequently expired.

Under reference 15/00187/FULL1, planning permission was refused by the Council for a single storey front extension incorporating a roof terrace at first floor level. A subsequent planning appeal was dismissed, the Planning Inspector opined that the existing building makes a positive contribution to the Crystal Palace Park Conservation Area.

Under reference 16/05041/FULL1, planning permission was refused for a first floor side and rear extension incorporating first floor terrace fronting Anerley Hill; two storey side extension with second floor roof terrace fronting Church Road; and associated internal alterations.

The refusal reasons detailed a poor design, incongruous in appearance displaying little regard for architectural design in relation to the form and appearance of the host building and of the adjoining locally listed building at 3-13 Church Road, whilst the proposed outdoor terraces (and ensuing paraphernalia which they would attract), constituting an uncharacteristic and unduly prominent feature in the Conservation Area. The proposal would have thereby failed to preserve or enhance the character and appearance of the Crystal Palace Conservation Area or be appear sympathetic to the character, appearance and special local interest of the adjoining locally listed buildings.

Other Relevant planning history

Westow House 79 Westow Hill London Lambeth.

The site is located opposite the Grape and Grain site within the London Borough of Lambeth, was granted planning permission (ref 16/02991/FUL) for the creation of a mansard attic by adaptation of the existing roof space at Westow House Pub, in order to increase the total number of B&B guest rooms (C1 use) approved in Ref number 12/02430, from 15 rooms to 23 rooms.

This permission effectively adds two storeys to the building to reinterpret the original form of the building which was part destroyed by war time bomb damage. The scheme is now under construction.

Considerations

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

- Principle
- Design
- Highways
- Neighbouring amenity
- Sustainability
- Trees
- Other (drainage/flooding/noise/pollution)
- CIL
- S106

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.

Policy 4.8Bc of the London Plan promotes a proactive approach to planning for retailing and related services. That includes developing policies to prevent the loss of valued local community assets including public houses.

Para 4.48 of the London plan recognises that the availability of local services including public houses is important in securing lifetime neighbourhoods. Para 4.48A gives explicit recognition of the role that pubs can play in the social fabric of communities. This role is connected to Policy 3.1B which protects and resists the loss of facilities that meet the needs of particular groups and communities.

In addition, para 92 (c) of the NPPF (2019) requires local planning authorities to guard against the unnecessary loss of valued facilities and services.

The Mayor of London SPG: Culture and the night-time economy (Nov 2017) states in its executive summary that many pubs are valued cultural and recreational assets and boroughs should manage, improve and retain pubs where there is evidence that the pub is a viable and needed community asset.

Policy 4.7B of the London Plan details that in taking planning decisions on proposed retail and town centre development that the scale of retail, commercial, culture and leisure development should be related to the size, role and function of a town centre and its catchment area.

Policy 23 of the Bromley Local Plan details that the loss of public houses will be resisted by the Council except where it can be demonstrated that the business is no longer financially viable as a public house, including the submission of evidence of active marketing as a pub for a substantial period of time. Where the above criteria are met any change of use must be sympathetic to the design, character and heritage value original building if it is considered to be a positive contribution to local character.

The site is also within the Crystal Palace District Centre (shared between Lambeth, Croydon and Bromley boroughs). This section of Anerley Hill is identified as secondary shopping frontage and also marks the boundary between Bromley, Lambeth and Croydon Boroughs.

The site is also located within a broader Renewal Area designation, in the Bromley Local Plan, covering Crystal Palace, Penge and Anerley areas. Bromley Local Plan

Policy 15 relates to Crystal Palace, Penge and Anerley Renewal Area. The policy states that proposals within this Renewal Area will be expected to take advantage of opportunities to contribute to, and benefit from, the thriving cultural and leisure economy which has evolved in the Crystal Palace District Centre. Policy 13 also states that proposals will be expected to make a positive contribution to the vitality of centres, having regard for their importance as providers of both local facilities and local employment.

In this case the above policies and SPG's are supportive of the principle of the redevelopment of the public house. However, it is noted that the customer floor area is indicated to increase from the current 152.9m² to 511.05m². This is considered a substantial increase. In this regard the applicant has commented on the nature of the Wetherspoons business and states:

"A significant proportion of the Applicant's business is based upon food sales (rather than 'vertical drinking') and as such significant additional floor space is required to accommodate the appropriate level of covers as well as the necessary sized kitchen and stores to deliver this. The Applicant's business model is based upon providing high quality good value food and drink and there needs to be a critical number of covers to ensure this is viable."

On this basis and bearing in mind that leisure development should be related to the size, role and function of a town centre and its catchment, it is considered the justification provided is requisite with the business model proposed for this location to justify that this level of floorspace is a sustainable and viable option for this site.

The site has been vacant for some time and the proposed pub redevelopment will contribute positively to the vitality and viability of the town centre. On balance the proposal appears to be consistent with the intentions of Policies 13, 15 and 23 and the spirit of London Plan Policies 2.14, 2.15, 4.7 and 4.8.

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.

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

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.

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

Policy 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 8 of the Bromley 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 Bromley 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 Bromley 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 within the Crystal Palace Park Conservation Area and comes under the Parkside Residences character area although the guidance in the SPG is not particularly specific and given the nature of the site it does need to be considered on its own merits and in light of the appeal decision following a refusal of 15/00187 and the further application which was refused in 2016.

There is some evidence to suggest that parts of the original hotel may survive but the building today clearly bears little resemblance to the structure which existed until the wartime damage. Despite this the recent Appeal Inspector took the view that on its own merits the existing pub building makes a positive contribution to the conservation area and therefore the retention of the two storey element, as this could be understood as the most significant element, is welcomed.

The site also needs to be considered within its urban context in relation to its location on Anerley Hill within the District Centre and its position within secondary shopping frontage and as the prominent gateway from the adjacent Crystal Palace Park between these two areas within the same conservation area. The transition between the two areas is therefore important to achieve in an appropriate townscape relationship.

As with the 2016 application, in principle the infilling of the gap between this site and the Locally Listed terrace at 3-13 Church Road is considered an acceptable approach. It is considered that there will be significant streetscene benefits from "turning the corner" in a more attractive fashion and obscuring the unsightly gable end of 3 Church Road at this prominent corner site.

Overall, the bulk and scale of the scheme is generally considered acceptable. As the building flows west the step up from the two storey format following the retained part of the building to a three storey format following the mass and scale of the terrace on Church Road allows the massing form of the building to satisfactorily address the adjacent building form in townscape terms and streetscene views from all directions.

The outdoor terrace at upper level presents a minor concern insofar as they are alien features to the conservation area and always carry the risk of unattractive paraphernalia. However, wide support has been expressed for the incorporation of a terrace as proposed and given the anomaly of the site commanding significant views of the Crystal Palace Park and to London beyond this feature is considered acceptable at this location. The design of the balustrade has also been indicated to reflect the original Crystal Palace in its design which is considered a positive detailing addition.

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.

The general design principles used for the fenestration patterns and solid to void ratios appear acceptable in this case. Windows are sash style and quoin detailing to the corner of the building has been added. 'Faience' green tiles to tie in with those used on 3 Church Road are proposed at ground floor frontage level. Some window embellishment detailing from the adjacent commercial terrace has not been repeated on the windows facing Church Road. However, on balance the detailing measures proposed generally are considered sufficient to preserve and enhance the character and appearance of the conservation area within Bromley Borough and adjacent conservation areas in Croydon and Lambeth. These measures of specific detailing can be conditioned for further information to ensure a high quality building is delivered at this prominent site.

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.

Servicing arrangements are shown to take place from the front curtilage for deliveries via an in/out arrangement with waste collection from the rear as existing from Milestone Road. Deliveries are also indicated in submission documents to be scheduled to occur between 4 and 5am at low traffic periods. The Council's Highway Officer has reviewed the current application from a technical point of view and not raised any objections subject to further details in respect of the vehicular access onto Anerley Hill. 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

Customer cycle parking for 17 spaces is indicated and the applicant has provided details of a location for cycle storage within the front curtilage. A planning condition is recommended in this regard for details of the structure proposed.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of an integral refuse storage area in the basement of the building. This is acceptable.

Construction methodology

Concerns have been raised by the Environmental Health Officer regarding details indicated in the submitted Construction Management Plan. A revised Construction Management Plan is recommended in this regard to be sought by condition.

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.

The closest residential property to the site is located directly south within two blocks of flats known as Stratos Heights constructed in the mid 2000's. The distance to the rear elevation of flats at Stratos Heights from the rear elevation of the Grape and Grain ranges between approximately 19.5m and 13m. As viewed from the rear elevations of the blocks the proposal will involve a degree of outlook change by way of the infilling of the corner section of the application site and increase in height of the existing part of the building to be retained.

The impact of this change has been assessed by way of a Daylight, Sunlight and Overshadowing Impact Assessment. The report concludes that the results of both the daylight and sunlight impact assessments show that the impact of the Proposed Development is negligible and all windows to surrounding buildings meet the BRE guidance in terms of light ingress.

Officers have reviewed the report and accept the findings of the report. It acknowledged that the additional massing of the building will lead to a greater level of enclosure beyond the current situation. However this is not considered to be unduly overbearing. On balance the proposed development is considered acceptable in terms of its impact upon the amenities of neighbouring occupants in terms of impact to outlook and massing.

There are no windows on the rear of the proposed scheme. A fire escape emergency access and stairs are indicated to the rear elevation along with screened mechanical plant. Given the limited access for emergency use only and maintenance for plant equipment it is not considered that this will lead to any significant overlooking and loss of privacy to the flats in this respect.

A Noise Assessment document has been submitted detailing the proposed impacts of noise associated with the continued use of the building as a public house but with a larger footprint. The main areas reviewed relate the impact of mechanical plant noise upon the nearby noise sensitive residential properties, and the potential need for noise control mitigation; the impact of noise generated by customers in external areas of the proposed development (e.g. the beer garden), and the need for appropriate mitigation measures; and the impact of noise associated with deliveries and the bin store.

As regards noise from the venue and patrons, it is imperative with any noise generating source to prevent future complaints from nearby residents regarding noise pollution from such a venue. The Council's Environmental Health Officer has reviewed the report and subject to suitable planning conditions is satisfied that noise from the night time economy will not directly impact the quality of residential accommodation of adjacent property. It is also noted that the Weatherspoon's business model does not have live music. Nevertheless it is recommended that sound insulation to ensure a satisfactory standard of amenity for adjacent properties is obtained by planning condition to be implemented within the renovations to the relevant parts of the existing building and the new build sections in the extended parts of the building in line with the recommendations in the report.

Noise from mechanical plant can also be conditioned to remain at a level below ambient background levels to ensure noise pollution from this source does not affect neighbouring property. Deliveries are also situated to the front side of the site away from residential uses. Refuse collection will take place from the rear as per the existing arrangements. Although there may be increased noise for a short period of time due to collection this is not considered to be significantly detrimental given the town centre location.

Sustainability and Energy

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 Energy Strategy Report has been submitted that details the intention to reduce on-site carbon emissions by 35.3%. A carbon offsetting contribution is therefore not required as this exceeds the requirements of the London Plan.

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.

A landscaping layout and details of specific species with a planting plan has been submitted as shown on the proposed soft landscaping proposals drawing that details the areas given over to landscaping and external beer garden areas for patrons. The Council's Tree Officer has reviewed the scheme and commented that overall the scheme appears to be adequate to avoid a negative visual impact, without significantly improving on the existing appearance.

In this regard it is recommended that there would be scope to further enhance the scheme with additional tree planting. Further details for revised landscaping are recommended to be obtained by condition.

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

Taking into account the issues discussed above, the proposed development maximises opportunities for enhancement and improvement within the Crystal Palace Renewal Area. It is considered that the development proposed will retain the vitality and viability of this section of the town centre, would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the development would not be detrimental to the character and appearance of the conservation area. 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.

As amended by documents received on 15.03.2019 and 21.03.2019.

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 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.

5 (i) Prior to commencement of the development hereby approved (new build excluding demolition or change of use) details of a scheme showing the specification and performance of the kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include carbon filters and shall show the arrangements for replacing the air extracted.

(ii) The kitchen extract system shall be installed in full accordance with the details approved under Part (i); and on completion a verification report shall be submitted to the Local Planning Authority for written approval. The Report should include photographs and measurements where necessary and shall be produced by a suitably qualified person to confirm that extract system has been installed in accordance with the approved scheme.

(iii) The use hereby approved shall not commence until written approval has been granted under Part (ii) of this condition. Thereafter the approved scheme shall be permanently maintained in an efficient working manner and no changes to the installed system shall be made without the prior approval in writing by the Local Planning Authority.

Reason: Required prior to commencement in order to ensure that satisfactory arrangements can be secured in the interest of protecting residential amenity for adjacent properties and to comply with Policy 119 of the Bromley Local Plan

6 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.

7 (a) No development shall commence until full written details, including relevant drawings and specifications of the proposed works of sound insulation against airborne noise to meet $D'_{nT,w} + C_{tr}$ of not less than 55dB for walls and/or ceilings where residential parties non domestic use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include, where necessary, details of proposed measures to attenuate direct transmission and also flanking transmission through walls, windows, pillars and beams.

(b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.

(c) Post-completion testing of the sound insulation between commercial and residential uses to be submitted to us to demonstrate compliance with the approved scheme.

(d) The soundproofing shall be retained permanently in accordance with the approved details.

Reason: In order to comply with Policies 37 and 119 of the Bromley Local Plan and to ensure a satisfactory standard of amenity for adjacent properties

8 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.

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

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

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

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

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

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

11 (a) Prior to commencement of above ground works, details of the windows including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

(b) The windows shall be installed in accordance with the approved details.

Reason: To safeguard the visual amenities of the area and to ensure preservation and enhancement of the conservation area in order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 37 and 41 of the Bromley Local Plan.

12 (a) Notwithstanding the details hereby approved, no above ground works shall commence until full drawings at a scale of 1:20 of cornices, cills, brackets, upper level iron work terrace balustrading and etching of colonnade pattern, pilasters, pediments, window surrounds and quoins have been submitted to and approved in writing by the local planning authority.

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

Reason: To safeguard the visual amenities of the area and to ensure preservation and enhancement of the conservation area in order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 37 and 41 of the Bromley Local Plan.

13 (a) Notwithstanding the details hereby approved, no above ground works shall commence until detailed plans at a scale of 1:20 showing the ground floor frontages indicated on drawings 601 rev D and 605 have been submitted to and approved in writing by the local planning authority.

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

Reason: To safeguard the visual amenities of the area and to ensure preservation and enhancement of the conservation area in order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 37 and 41 of the Bromley Local Plan.

- 14 Detailed drawings indicating the means of screening the rear elevation located mechanical plant and equipment shall be submitted to and approved in writing by the Local Planning Authority before any above ground construction is commenced. The development shall be carried out in accordance with the approved details prior to the mechanical plant and equipment being brought into use and permanently retained as such.**

Reason: In order to comply with Policy 37 and 41 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 15 Detailed drawings indicating the design, installation and gradients of the photo voltaic cells as laid out in accordance with Drawing No 705 Rev A hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works.**

Reason: In order to comply with Policy 37 and 41 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 16 Details of the layout of the vehicle servicing access road and turning area including its junction with Anerley Hill and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 1m in height within the approved splays except for trees selected by the Authority and which shall be permanently retained.**

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

- 17 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.

- 18 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the drawings hereby approved 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 in respect of residential and visual amenity impact.

- 19** No movement of service vehicles or servicing of the commercial premises from the Anerley Hill access shall take place between the hours of 06:30 to 09:30 and 15:30 to 19:00 Monday to Friday.

Reason: To avoid any disruption to the free flow of traffic at roads approaching the adjacent intersection with Anerley Hill in the morning and evening peak hours and in the interest of pedestrian and vehicular safety in order to comply with Policy 32 of the Bromley Local Plan and Policy 6.12 of the London Plan.

- 20** At any time the combined plant noise rating level shall not exceed the measured typical background L90 level at any noise sensitive location. For the purposes of this condition the rating and background levels shall be calculated fully in accordance with the methodology BS4142:2014. Furthermore, at any time the measured or calculated absolute plant noise level shall not exceed 10dB below the typical background noise level (LA90 15 minute) in this location. All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels.

Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Following installation, but before the new plant comes into operation, measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to comply with Policies 37 and 119 of the Bromley Local Plan and to ensure a satisfactory standard of amenity for adjacent properties

- 21** The upper level external terrace shall only be open for customer use between the hours of 07:00 and 23:00 on any day.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Policy 37 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 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

- 3 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

- 4 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.**