

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

Application No : 19/01755/FULL1

Ward:
Copers Cope

Address : 1 Scotts Lane Shortlands Bromley BR2 0LH **Objections:** Yes

OS Grid Ref: E: 538785 N: 169418

Applicant : Mr Michael Overton

Description of Development:

Demolition of the existing building and erection of three storey block comprising six residential apartments, associated bin store and cycle store, landscaping, vehicular access and parking for 4no. cars.

Key designations:

Smoke Control SCA 21
Smoke Control SCA 9

Proposal

Planning permission is sought for the demolition of the existing dwelling and the erection of a three storey building comprising 6 flats (5 one bedroom and 1 two bedroom) with vehicle access onto Scotts Lane and associated landscaping, cycle store and refuse store. A ground floor communal garden area will be provided, along with three private gardens for the ground floor flats. The upper floor flats will be provided with private balcony areas at the front and side of the building, and car parking spaces for 4 cars will be provided to the rear of the site.

The building will have a pitched roof with a maximum height of 9.2m. The building will be L-shaped with a width of 13.7m and a depth of 18.1m. The design includes a basement level to provide additional accommodation for two of the ground floor flats.

The application is supported by the following Documents:

- Design and Access Statement
- Addendum to Daylight and Sunlight Assessment (March 2018)
- Foul Sewerage and Surface Water Drainage Assessment
- Planning Statement
- Tree Survey
- Energy Statement

A second planning application at the site has been submitted and is on the same agenda. The second application provides 6 car parking spaces and a reduced area of landscaping to the rear of the building.

Location and Key Constraints

The site is located on the corner of Scotts Lane and Bromley Road and currently comprises a detached single storey dwelling with accommodation in the roof space. The site is a prominent corner location, with front and side garden area surrounding the site and a planter on the Bromley Road pavement that sets the building back from the highway.

The wider area is residential in character with mix of single dwellings and blocks of flats, and is typically two and three storey in height. The northern side of Bromley Road is characterised by blocks of flats including Calverley Court and Cadogan Close.

The site has no specific planning constraints or land designations. The building to the east at No. 216 is a Locally Listed Building.

Comments from Local Residents

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

Objections:

- Out of character and inappropriate for the surrounding area. Over-intensive use of the site.
- The proposal is similar to that dismissed at appeal under ref. 06/02704 and raises the same concerns regarding privacy and character
- Detrimental impact on the character of the area
- Loss of light and privacy from balconies and windows facing the neighbouring
- Design of the building, including roof dormers, would be out of character with the area.
- Detrimental impact on highway safety. New access and visibility will be unsafe and the crossroad adjacent is already an accident hot spot that will be worsened by the development.
- Inadequate sightlines at the proposed access. Transport Statement does not provide testing at 30mph and is flawed
- Inadequate car parking at the site will lead to overflow on local roads
- Impact on security and increased crime risk
- Noise and disturbance from construction and future use of the site
- Increased pressure on existing utilities and drainage of the site
- The design of the block is poor, with elements that are out of proportion
- Inadequate refuse storage and facilities
- Inadequate amenity space for the wheelchair accessible unit
- North facing amenity areas are inadequate and will not be served with sufficient light

- Design issues will lead to excessive heat within flats
- Provision of solar panels is unclear from the plans

Groups:

- The Shortlands Residents' Association has objected on the following grounds: This proposal does not address adequately the grounds for refusal, on appeal, of the last application to demolish the bungalow and build a block of flats.
- The London Plan in particular at policies 4 and 37, require any development to complement the scale, proportion and form of adjacent buildings, it must respect the amenity of neighbours and have adequate access for people with impaired mobility.
- This proposal is still out of character with surrounding detached houses and is still likely to overlook nearby properties on Bromley Road and Scotts Lane, possibly even Scotts Avenue.
- It is not appear that the impaired mobility issue is adequately addressed.
- The very limited number of car parking spaces is of particular concern. Six spaces for six flats is barely inadequate particularly when one considers visitors and deliveries.
- The consequence will be difficult additional parking on Scotts Lane, already known to be something of a blackspot accident area and where there is no controlled parking at present. This area is particularly congested at school dropping off and collection times and the inevitable additional traffic will just add to an already problematic situation and be potentially dangerous.
- Visibility where the planned exit is to join Scotts Lane is already less than adequate because of the curve in the road and this access will be dangerous unless a controlled parking zone is introduced along Scotts Lane.
- In any event an electric charging point should be installed should approval be granted.

Please note the above is a summary of objections received and full text is available on the Council's website.

Comments from Consultations

Highways Officer: The previous application 18/01351 was for erection of a 3 storey building comprising 3 one bedroom and 4 two bedroom flats with associated parking and vehicle access onto Scotts Lane and it appears that 1 x flat has been reduced in this application. Also the new mix is 5 x 1 bedroom and 1 x 2 bedroom, which is better. The only difference is 19/01805 is with 6 parking spaces whereas 19/01755 is with 4 spaces. I would prefer the application with 6 parking spaces but it would be difficult to resist the application with 4 spaces as the minimum requirement for PTAL 2 to 6a area for 1 - 2 bed is $0.7 \times 6 = 4.2$ car parking spaces. The applicant is providing 12 cycle spaces which is well over the required limit of 7 cycle spaces. The cycle parking requirements are set out in Table 6.3 of the London Plan. The requirement is for 1 cycle space per 1 bedroom unit and 2 spaces per all other dwellings. Policy 6.9 (B)(a) states that developments should

provide integrated, covered, convenient and accessible cycle parking facilities. Please consult LBB Waste Service regarding refuse storage and servicing of the units and include conditions with any permission.

Environmental Health (Pollution) Officer: No comments made.

Drainage Officer: Reviewing the submitted "Foul Sewage & Surface Water Drainage Assessment" Report Carried out by Michael Ward Consultant dated April 2019 to implement a tank and hydrobrake to attenuate and restrict surface water run-off to 5l/s is in principle acceptable. Please impose PC06.

Arboricultural Officer: No objection to any tree removals or encroachments etc.. This corner of Scotts Lane with Bromley Road appears to be quite an open location with potential to be significantly enhanced by the presence of well-chosen trees on the north-east boundary. What has been proposed in terms of soft landscaping is not unreasonable but does not necessarily utilise the potential of this location. For example, the species selected, *Prunus padus* *Albertii*, is best used where space is restricted and narrow crowns are required. The north-east boundary treatment could be significantly improved by removing the existing low value vegetation shown for retention (T1,4,5,6) and designing a planting scheme that includes trees with a large ultimate crown size/height. Such a scheme could enhance the character of the area and provide trees with public amenity value.

Planning Considerations

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 24 July 2018 and updated on 19 February 2019.

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

The application falls to be determined in accordance with the following policies:

London Plan 2016:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 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
- 5.13 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
- 6.13 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
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

Bromley Local Plan

- Policy 1 - Housing Supply
- Policy 4 - Housing Design
- Policy 8 - Side Space
- Policy 30 - Parking
- Policy 31 - Relieving Congestion
- Policy 32 - Road Safety
- Policy 33 - Access for All
- Policy 37 - General Design of Development
- Policy 39 – Locally Listed Buildings
- Policy 73 – Development and Trees
- Policy 77 - Landscape Quality and Character
- Policy 112 - Planning For Sustainable Waste Management
- Policy 113 - Waste Management in New Development
- Policy 116 - Sustainable Urban Drainage Systems (SUDS)
- Policy 117- Water and Wastewater Infrastructure Capacity
- Policy 119 - Noise Pollution
- Policy 120 - Air Quality
- Policy 122 - Light Pollution

Policy 123 - Sustainable Design and Construction

Policy 124 - Carbon Dioxide Reduction, Decentralise Energy Networks and Renewable Energy

Additional guidance

Housing: Supplementary Planning Guidance. (March 2016)

Technical Housing Standards - Nationally Described Space Standard (March 2015)

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Planning History

06/02704/FULL1 - Two/three storey block comprising 7 two bedroom flats with vehicular entrance from Scotts Lane and vehicle exit to Bromley road/7 car parking spaces and refuse/cycle storage – REFUSED

The application was subsequently dismissed at appeal and the Inspector stated that the development provided insufficient outdoor amenity space and that the footprint and scale of the proposal would be harmful to the spacious character and appearance of the area.

08/01309/FULL1 - Demolition of existing building and erection of a three storey block comprising 4 two bedroom flats with associated vehicular access, bin stores and car parking for 4 cars – PERMITTED

11/01619/EXTEND - Extension of time limit for implementation of permission ref. 08/01309 granted for demolition of existing building and erection of a three storey block comprising 4 two bedroom flats with associated vehicular access, bin stores and car parking for 4 cars – PERMITTED

18/01351/FULL1 - Demolition of existing dwelling and erection of a three storey building comprising 3 one bedroom and 4 two bedroom flats with associated parking and vehicle access onto Scotts Lane, amenity spaces/landscaping and refuse/cycle stores – REFUSED

Grounds of refusal:

‘The proposal represents a cramped form of overdevelopment of the site by reason of excessive bulk and massing, prominent siting, amount of site coverage by buildings and hardstandings and lack of space around the building, which would be out of character with the existing spatial standards of the area thereby contrary to Policies H7 and BE1 of the Unitary Development Plan and Policies 4 and 37 of the Draft Local Plan.’

The application was subsequently dismissed on appeal, the Inspector raising concerns over the mass and scale of the development and the impact this would have on the character of the area. The Inspector raised no concerns in regards to the impact on neighbouring residential amenities. The Inspector states:

'The dominant front gabled elevation fronting towards Bromley Road and the proportions of the dormer windows, would result in a building that would have a significantly greater massing and built form. The hipped roofs of neighbouring properties are prevalent in the surrounding area and visually reduce the scale of those buildings which in turn provides a greater sense of spaciousness within the street scene, particularly at roof level. In this case the scale, form and bulk of the proposed roof would be visually incongruous in this suburban location and would diminish the spatial qualities of this prominent street corner.

The Inspector also concluded that the landscaping around the building would be insufficient, stating:

'I have taken into account the footprint and elevational details of the approved scheme. However, in that case the development was only for four units and therefore less hardstanding would be required for car parking and the amenity space located away from the street. Consequently, there would be more opportunities to provide a landscape framework for the site.'

19/01805/FULL - Demolition of the existing building and erection of three storey block comprising six residential apartments, associated bin store and cycle store, landscaping, vehicular access and parking for 6no. cars.– UNDER CONSIDERATION ON THE SAME AGENDA

Considerations

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

- Resubmission
- Principle of development
- Design
- Density
- Standard of Accommodation
- Highway
- Neighbouring Amenity
- Trees
- Sustainability
- CIL

Resubmission

Following the refusal of application ref. 18/01351 and the subsequent dismissed appeal, the current proposal has reduced the massing of the building to closely match the permitted proposal granted under ref. 08/01309 and 11/01619. The internal arrangements have been altered to provide 6 flats as opposed to the permitted 4, with lower ground floor levels included to provide duplex flats.

Principle of Development

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 (2015) 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.

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in Paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy 4 of the Local Plan advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

The site is surrounded by residential dwellings and blocks of flats. The site is currently developed for a less dense residential use with a single residential house on a large plot. Therefore, in this location the Council will consider a higher density residential 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, biodiversity or open space will need to be addressed. Therefore the provision of a residential block on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Design

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

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

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

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

Policy 4 of the Bromley Local Plan sets out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy 37 requires new extensions to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

Policy 39 provides guidance on the protecting of Locally listed Buildings and their setting.

Policy 8 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained and where higher standards of separation already exist within

residential areas. Proposals will be expected to provide a more generous side space.

The predominant urban character of this area is mixed in design form but with a similar scale and mass in the surrounding buildings which provides a coherent and identifiable built form. Therefore any replacement building on the application site with a greater scale and site coverage must be carefully considered, particularly on a prominent corner site such as this. It is noted that there are two and three storey dwellings and blocks of flats surrounding the site as detailed above. Given the design includes a three storey design to include accommodation within the roof space, the overall height and massing is not considered to be excessive or out of character with the prevailing development of this part of Bromley Road and Scotts Lane to the south. Following the dismissal of the appeal under ref. 18/01351, the current proposal largely reverts back to the bulk and appearance previously permitted under refs. 08/01309 and 11/01619, with a fully hipped roof and accommodation within the roof space, accompanied by modest gabled dormers at roof level.

The overall height and three dimensional massing will be very similar to the previously permitted design, with a similar footprint and building shape. The proposed dormers will have a marginally taller profile and the overall roof pitch of the development will be slightly steeper, however the overall ridge height will match. In addition, the pattern of fenestration has also reverted to the previously permitted design, and the overall appearance and design of the structure is considered to complement the character of surrounding developments and includes sufficient space around the building to retain a spacious feel and suitable landscaping.

In terms of the building's prominence, the existing building line will be retained, with a side elevation set 5.3m back from Scotts Lane. This siting is considered to be sympathetic and generous, allowing for the retention of the street planter and space around the building which would soften its visual impact. When viewed in its local context, the building will appear comfortably within the site and will be neither excessive in scale or out of character relative to neighbouring heights and masses.

The proposed elevations encompass a variety of pitched roofs with small gabled roof dormers, rather than a bulky three storey appearance. The roof shape and design features are reflective of the local vernacular. It is proposed to use brick, render, cladding and roof tiles and these materials would also complement the area, which comprises a mix of finishes. In addition, the elevations will be provided with interest and visual breaks in terms of massing and window details and will not appear bland or monolithic without architectural interest.

In regards to the adjacent Locally Listed Building at No. 216, the proposal is not considered to harm its setting or character. The siting of the block will reflect the existing dwelling's siting and will in fact provide a greater separation to the area to the rear of the adjacent house.

Density

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan (2015) gives an indicative level of density for new housing developments. In this instance, the proposal represents a density of 69 dwellings per hectare across the resulting site with the table giving a suggested level of between 22-225 dwellings per hectare in urban areas with a PTAL rating of 3. The proposals would therefore result in a density that would be within the recommended density for the site, and whilst the density recommendations should not be applied mechanistically and should take account of the character and density of the general area, it is considered that the density of the development would be appropriate for the location.

Standard of Residential Accommodation

Policy 3.5 of the London Plan and the Housing SPG (2016) states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Nationally Described Housing Standards (2015).

The floor space size of each of the proposed units in the building ranges between 58m² and up to 89m² respectively. The nationally described space standard requires a 58m² gross internal area for a one bedroom two person unit over two levels and 79m² of gross internal floor area in relation to a two bedroom four person unit over two levels. On this basis, the floorspace provision for all of the units is compliant with the required standards and is considered acceptable.

The shape and room sizes in the proposed building are considered satisfactory. Each flat has a dual aspect outlook including views over the amenity spaces of towards the front of the site. No lift is incorporated within the building design, however Unit 3 on the ground floor is designed for wheelchair access and therefore is considered to be policy compliant in this regard and meeting of Part M Building Regulations requirements.

The proposed basement level is not ideal, however these flats will be provided with lightwells to serve the basement area and will have dual aspect ground floor levels and access to external amenity space.

In terms of amenity space, provision is provided with a communal garden to the south of the building. Private gardens are proposed for the three duplex flats that occupy the ground floor and balconies have been provided to the 3 upper floor flats to create private areas of amenity space. The size of these areas is generally in compliance with the requirements of the London Plan guidelines. Therefore the total provision at the site is considered acceptable at this location.

Neighbouring Amenity

Policy 37 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 from the resultant building, the fenestration arrangement will provide mainly front and side outlook for each unit overlooking the adjoining roads and outlook from the rear towards the amenity area and car park. The balconies will not overlook private curtilage areas within the site and the private balconies will also face onto Scotts Lane and Bromley Road, thereby preventing overlooking of the rear garden of No. 216 or the front and rear gardens of No. 3 Scotts Lane.

Given the siting of the building and the orientation of the site it is considered that there is limited impact on outlook and light from the immediately adjacent houses and it is noted that the Inspector raised no objections regarding the impact on neighbouring amenities when dismissing appeal ref. 18/01351. The L-shape of the building results in the rear projecting section of the block being sited approximately 9m from the shared side boundary and therefore the visual impact would be acceptable. There is one first floor side window at No. 216 that faces directly onto the site, however there will be a retained separation of 8m to the side wall of the new building and this relationship is considered to be acceptable. The facing windows on the eastern elevation of the proposed building will not serve habitable rooms and can be obscurely glazed by condition as appropriate.

On balance it is considered that, subject to safeguarding conditions, the proposal would not have a detrimental impact on the amenities of neighbouring residential properties and would comply with Policy 37 of the Draft Local Plan.

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 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.

The Council's Highway Officer has reviewed the current application and not raised objection in this regard. Access and car parking arrangements are considered to be acceptable to serve the development. Whilst the development would provide only 4 car parking spaces, it would be difficult to raise sustainable objection as the minimum requirement for PTAL 2 to 6a area for 1 - 2 bed is $0.7 \times 6 = 4.2$ car parking spaces.

The applicant is providing 12 cycle spaces which is well over the required limit of 7 cycle spaces. The cycle parking requirements are set out in Table 6.3 of the London Plan. The requirement is for 1 cycle space per 1 bedroom unit and 2 spaces per all other dwellings. Policy 6.9 (B)(a) states that developments should provide integrated, covered, convenient and accessible cycle parking facilities.

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units in a separate building to the front of the site adjacent to Scotts Lane. The location point is considered acceptable within close proximity of the highway for collection services.

Trees

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. The Council's Arboriculture Officer has commented in respect of the loss of trees within the central areas of the site and retention of mature trees on and towards the periphery. No objections are raised in this regard and the development provides an opportunity to provide an improved planting scheme. A landscaping condition can be imposed to secure details of this.

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.

CIL

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

Conclusion

Having had regard to the above it was considered that the proposal is acceptable in that it would not result in a significant loss of amenity to local residents and would not impact detrimentally on the character of the area. No impact on highway safety or trees would result.

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 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.

5 (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

6 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

- 7 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.

- 8 Before any part of the development hereby permitted is first occupied the development access shall be provided with 43m x 2.4m x 43m sight lines and 3.3m x 2.4m x 3.3m pedestrian visibility splays and there shall be no obstruction to visibility in excess of 0.6m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.**

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

- 9 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.

- 10 (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

- 11 (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.

12 (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.

13 The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such and the footway/verge reinstated as appropriate.

Reason: In order to comply with Policy 34 of the Bromley Local Plan and in the interest of pedestrian and vehicular safety.

14 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.

15 (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

16 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 highway safety.

17 Before the development hereby permitted is first occupied, the proposed window(s) in the first and second floor eastern flank elevation shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

- 18 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the flank elevation(s) of the development hereby permitted, without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 19 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.

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area in accordance Policy 7.14 of the London Plan.

- 20 An electric car charging point 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.

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area in accordance with Policies 6.13 and 7.14 of the London Plan.

- 21 Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external elevations of the building.

Reason: It is considered that such plumbing or pipes would seriously detract from the appearance of the buildings 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 should consult the Land Charges and Street Naming/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 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.**
- 5 Before demolition commences, the applicant is advised to have a full pre-demolition survey carried out to identify any asbestos containing products which may be in the building, and then contact the Health and Safety Executive to ensure compliance with all relevant legislation. The applicant should ensure compliance with the Control of Asbestos Regulations 2012 and the Health & Safety at Work Act 1974 in relation to safe removal of asbestos on site prior to demolition.**

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.

- 6 It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.**
- 7 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.**
- 8 Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water**

Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 9 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.**
- 10 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.**
- 11 The London Plan policy 6.13 also requests that 20% active and a further 20% passive Electric Vehicle Charging Points (EVCP) is provided for all spaces.**