

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

**Application No :** 19/02081/FULL1

**Ward:**  
Kelsey And Eden Park

**Address :** Land Adjacent To 33 Milford Gardens  
Croydon CR0 7TT

**Objections:** Yes

**OS Grid Ref:** E: 535535 N: 167999

**Applicant :** Mr Shahan Lal

**Description of Development:**

Erection of a pair of semi detached 2 bedroom homes and parking, bin and cycle storage

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 15

**Proposal**

Planning permission is sought for the erection of a pair of semi-detached 2 bedroom homes and parking, bin and cycle storage.

The footprint of the building is located approximately 0.9m at the front elevation increasing to 1.1m at the rear elevation from the flank garden boundary with No33 and is adjacent to the boundary with the business park to the north east. The footprint would have a maximum width of 9.3m and a maximum depth of 9.3m. A dual pitch roof is shown with gable flank elevations at a maximum height of approximately 7.3m to the ridge and 4.8m to the eaves. The datum ground level is indicated to be the same as the existing end terrace property at No33. To the rear an average 5.2m minimum depth garden is provided. Elevation design depicts a traditional design approach with facing brickwork and red brick soldier courses.

The application was supported by the following documents:

- Town Planning Statement

**Location and Key Constraints**

The site is located at the north east end of Milford Gardens on an empty plot adjacent to No33. The south west boundary of the site adjoins the London Borough of Croydon. The site appears visually to be within the residential area of Milford Gardens within the London Borough of Croydon and is bordered to the rear by a railway track. The surrounding buildings to the south and west are residential semi-

detached and terraced two storey, properties with on street parking bays. However, the site forms an enclave anomaly and is located within the boundary of a designated Business Area known as Croydon Road Industrial Estate but is fenced off at the same time from the industrial estate. The site is not in a conservation area.

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

Nearby owners/occupiers were notified of the application and no representations were received.

### **Comments from Consultees**

Environmental Health Pollution Officer:

No further comment received. Comments under ref 18/00965/FULL1 are relevant.

The site is adjacent to a tram line and light industrial units. Noise from this has not been assessed and the proposed construction does not appear to account for tram/industrial noise, nor is it clear whether mitigation would even be necessary. It is appreciated this is a very small development so in the circumstances you may consider it excessive to require full acoustic assessment however I can offer no further comment on the suitability of the building from the details supplied. I would therefore recommend that we request an acoustic assessment to determine whether any noise mitigations are necessary to achieve a good standard of amenity internally.

The site is close to a number of potentially contaminative current/former uses so it is recommended a land contamination condition is attached to require a phase 1 contamination assessment.

The application site is within an Air Quality Management Area declared for NOx.

Drainage Engineer:

No further comment received. Comments under ref 18/00965/FULL1 are relevant.

Further details of SUDS recommended by condition.

Highways:

The site is located at the end of Milford Gardens, Croydon. The access is proposed from Milford Gardens which is located in Croydon and LB Croydon is the Highway Authority. No objection in principle.

London Borough of Croydon:

Notification acknowledged. No further response at time of writing.

Thames Water:

Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity there is objection. Thames Water would advise that with regard to water network and water treatment infrastructure capacity there is no objection. Informatives are recommended as below.

## **Policy Context**

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

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

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

The National Planning Policy Framework was published on 19th February 2019. The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (January 2019). The NPPF does not change the legal status of the development plan.

## London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 4.1 Developing London's Economy
- 4.4 Managing Industrial Land and Premises
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity

- 6.5 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
- 7.14 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
- 8.3 Community Infrastructure Levy

### Bromley Local Plan

- 1 Housing supply
- 4 Housing design
- 8 Side Space
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 34 Highway Infrastructure Provision
- 37 General design of development
- 73 Development and Trees
- 77 Landscape Quality and Character
- 82 Locally Significant Industrial Sites
- 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

### Supplementary Planning Guidance

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

## **Planning History**

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

99/01836/FULL1: Detached three bedroom house. Approved 25.11.1999.

04/01016/RENEW: Detached three bedroom house with 2 car parking spaces (renewal of permission ref 99/01836) Approved 13.05.2004

18/00965/FULL1: Construction of detached three bedroom house with 2 no. car parking spaces. Approved 18.05.2018

## **Considerations**

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

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

### 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.

London Plan Policy 2.7 states that the Council should seek to address constraints and opportunities in the economic growth of outer London so that it can rise above its long term economic trends by ensuring that appropriate weight is given to wider economic objectives when considering business and residential development proposals and managing and improving the stock of industrial capacity to meet both strategic and local needs, including those of small and medium sized enterprises (SMEs), start-ups and businesses requiring more affordable workspace including flexible, hybrid office/industrial premises.

Policy 82 of the Bromley Local Plan states only B1, B2 or B8 uses will be permitted in Locally Significant Industrial Sites (LSIS).

Policy 82 also states that proposals for employment generating uses that would result in a loss of Class B uses on the site will be permitted provided that the site is no longer suitable or viable for the existing or any potential Class B use, by refurbishment or redevelopment, in the medium to long term (as demonstrated through a period of recent, active marketing undertaken prior to the submission of a planning application, to the Council's satisfaction); the proposed development contains a similar quantum of floorspace for employment generating uses and is designed to allow for future refurbishment for a range of industrial uses and other compatible employment uses; the proposed use would not compromise the primary function of the LSIS, or the capacity of neighbouring sites in the LSIS to continue to accommodate Class B uses in the medium to long term and the proposed development is compatible in scale and design with its surroundings.

The proposal is for construction of a Class C3 use on land within a Business Area and a LSIS. As a result, it is inconsistent with Policy 82 and recent evidence which identifies a positive need for industrial and warehousing land. However, it is acknowledged that the land does not contain any industrial or related employment use or floorspace and has not been used for such purposes (having been subject of previous permissions for residential use which have since lapsed) and would therefore not result in a loss of Class B uses. Furthermore, its relative small size, alignment and access via the residential cul-de-sac Milford Gardens suggest there is no reasonable prospect that the site could accommodate employment uses consistent with the Elmers End Business Area/proposed LSIS.

Therefore, it is considered that the inconsistencies with the current and proposed employment policies are justifiable and of minor significance.

### 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 3.4 and 3.5 of the London Plan reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. Policy 3.5 indicates, amongst other matters, that the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationship with, and provision of, public, communal and open spaces, taking particular account of the needs of children and older people. This reflects paragraph 127 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

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

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

Policy 7.6 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 4 of the Bromley Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality

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

Policy 8 of the 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.

The proposed detached dwelling would be sited further back on the plot than No33 due to the turning head in the road in a similar manner to the property opposite at No22. The height of the building is comparable in the streetscene to adjacent properties along with its scale and elevation design. Adequate spatial separation is considered to be maintained to the side boundary with the existing No33. Although the opposite flank adjacent to the business park will be adjacent to the new boundary, it is not considered that this will create a cramped appearance to the siting of the semi-detached building in this situation or have an impact to the privacy and amenity of residential neighbours.

On balance, the scheme in terms of the bulk and height represents a scheme acceptable to the character and appearance of the area with a complimentary massing relationship to the existing streetscene.

In terms of design approach, the opportunity to construct a similar style of development with a complimentary architectural style has been achieved with the elevational design following the example of the adjacent terrace at No's 29 to 33.

As such it is considered that the impact on the character and context of the locality is positive as the building does not punctuate streetscene views negatively but rather adds a suitably balanced infill building adjacent to existing houses.

#### Standard of residential accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.

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

A Part M compliance declaration that details compliance section 1 of Part M has been stipulated within the design and Access Statement. Policy 3.8 (c) of the London Plan states ninety percent of new housing shall meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' A planning condition is recommended in this regard to ensure compliance.

The floor space size of each house is 70m<sup>2</sup>. The nationally described space standard requires a Gross Internal Area of 70m<sup>2</sup> for a 2 bedroom 3 person dwelling over two levels. On this basis the floorspace provision is considered acceptable.

The shape, room size and layout of the rooms in each proposed dwelling is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. All habitable rooms are considered to have satisfactory levels of light and outlook.

In terms of amenity space, the overall size provision of the garden spaces indicated provide an acceptable quality space for the purposes of the potential number of occupiers of a small two bedroom family dwellinghouse.

### Highways

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

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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

### *Car parking*

Adequate parking spaces are provided on each property. The Council's Highways Officer has not raised objection in this regard. Due to the relatively minor impact of the additional dwellings on the site on parking issues in the vicinity it is considered the proposal is acceptable.

### *Cycle parking*

Cycle parking is required to be two spaces for the dwellings proposed. The applicant has provided details of a location for lockable cycle storage. Further details regarding this can be conditioned as necessary.

### *Refuse*

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a refuse storage location for each of the units. Further details regarding this can be conditioned as necessary.

### Neighbouring amenity

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

Policy 4 of the Bromley Local Plan also seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

In terms of outlook, the fenestration arrangement will provide front and rear outlook overlooking amenity space or overlooking the street. There are no flank windows. The outlook from windows from the proposed properties is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property.

The depth of the building to the rear due to its siting will have a greater impact to No33 in terms of its massing relationship. The plans indicate a 'rule of thumb' 45dg line which appears to be the basis for the depth of the building indicated. Given the orientation of the site the extra depth will lead to some overshadowing and overbearing impact to the current and future occupiers of No33. However at the separation distance and orientation indicated this will not have a level of negative impact on their residential amenity that would be sufficient to warrant refusal on this basis.

On balance, it is considered that the semi-detached building will not be detrimental to neighbouring residential amenity in terms of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

### Sustainability

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

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

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

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

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

## Trees

Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.

Minimal details of landscaping have been submitted for the areas given over to garden for external amenity for future occupiers. Further details can be requested by condition.

## Other matters

### *Sustainable Drainage*

Policy 5.13 of the London Plan requires developments to utilise sustainable urban drainage systems (SUDS), unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water is managed as close to its source as possible in line with the hierarchy in Policy 5.13.

Policy 116 of the Local Plan details that all developments should seek to incorporate sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible.

Further details of SUDS are recommended to be sought by condition prior to the commencement of works.

### *Railway noise*

Policy 119 of the Local Plan states that new noise sensitive development should be located away from existing noise emitting uses unless it can be demonstrated that satisfactory living and working standards can be achieved and that there will be no adverse impacts on the continued operation of the existing use. The design and layout of new development should ensure that noise sensitive areas and rooms are located away from parts of the site most exposed to noise wherever practicable. External amenity areas should incorporate acoustic mitigation measures such as barriers and sound absorption where this is necessary and will assist in achieving a reasonable external noise environment.

The proximity of the railway line to the rear may influence the suitability of the amenity space for such a use given its smaller size and proximity to the railway line in terms of noise and disturbance. On this basis further detail of the provision of an acoustic fence along the rear boundary is recommended to be sought by condition.

It is also recommended that prior to commencement of works further details are requested requiring the building and all fenestration be designed so as to provide sound insulation against external noise and vibration from the railway line.

### *Air quality*

Policy 120 of the Local Plan stipulates that in the designated Air Quality Management Areas developments should incorporate Ultra Low NOx boilers.

The site is within an Air Quality Management Area and therefore Ultra Low NOx boilers can be stipulated by planning 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**

The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions or impact detrimentally on the character of the area. It is considered that the standard of the accommodation created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

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

### **RECOMMENDATION: PERMISSION**

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

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

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

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

**Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.**

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

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

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

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

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

**Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan**

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

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

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

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

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

**d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.**

**e) Upon completion of the works, a closure report shall be submitted to and approved in writing by the Authority. The closure report shall include**

details of the remediation works carried out, (including of waste materials removed from the site), the quality assurance certificates and details of post-remediation sampling.

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

Reason: Required prior to any commencement in order to prevent harm to human health and pollution of the environment and comply with Policy 118 of the Bromley Local Plan

6 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.

7 (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**

**8 (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.**

**9 (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**

**10 (a) The building and all fenestration and the rear boundary wall/fence structure shall be designed so as to provide sound insulation against external noise and vibration from the railway line to the north west boundary of the site.**

**(b) Development shall not commence until details of a sound insulation scheme complying with paragraph (a) of this condition have been submitted to an approved in writing by the local planning authority.**

**(c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity in accordance with the approved details.**

**Reason: To safeguard the amenities of the occupiers of the proposed dwelling and to comply with Policy 119 of the Bromley Local Plan and Policy 7.15 of the London Plan.**

**11 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in**

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

**Reason:** In order to comply with Policy 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.

- 12 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In 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.

- 13 The ground levels of the curtilage(s) of the dwelling(s) hereby permitted shall not be raised at any time without the prior approval in writing by the Local Planning Authority and shall be permanently retained at the levels existing prior to commencement of the development unless otherwise approved by way of an application on that behalf.

**Reason:** In order to comply with Policy 5.12 of the London Plan and to ensure that the development does not increase the risk of flooding in the area and Policies 115, 116 and 117 of the Bromley Local Plan

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

**Reason:** In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy 37 of the Bromley Local Plan

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

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

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any order revoking and re-enacting that Order with or without modification), no first floor or upper

level windows shall be constructed in the south west side elevation of the hereby approved development.

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 4 and 37 of the Bromley Local Plan.

- 17 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 with Policy 73 of the Bromley Local Plan and Policy 7.14 of the London Plan.

You are further informed that :

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- 2 You should consult the Street Naming and Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at [www.bromley.gov.uk](http://www.bromley.gov.uk)
- 3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)
- 4 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

- 5** 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** Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.
- 7** The applicant is advised that the development shall strive to achieve the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy of Policy 5.2 of the London Plan.
- 8** The proposed development is located within 15m of a Thames Water Sewage Pumping Station and this is contrary to best practice set out in Sewers for Adoption (7th edition). Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour; light; vibration and/or noise.
- 9** A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
- 10** If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).
- 11** 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.
- 12** The applicant is advised that Tramlink may be interested in how the construction of this development is to be undertaken and would like the undertaker to be familiar with their processes and practices. A third party works document is available for your attention under the application documents on line entitled 'Tramlink - Third Party Guidance Information Pack'