

SECTION '2' – Applications meriting special consideration

Application No : 18/03940/FULL1

**Ward:
Hayes And Coney Hall**

**Address : All Saints Catholic School Layhams
Road West Wickham BR4 9HN**

Objections: Yes

OS Grid Ref: E: 538905 N: 164681

Applicant : Mr Giles Underhill

Description of Development:

Conversion of the existing reception building into 6 x 1 bed apartments and 4 x 2 bed apartments, with 10 dedicated parking spaces, bin store and cycle parking spaces and associated store plus external alterations and associated hard and soft landscaping.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 51

Updated Proposal

At Plans Sub Committee 4 on April 25th 2019, Members considered this application and resolved to grant planning permission for the development subject to the signing of a legal agreement.

A draft legal agreement has been received and one of the clauses states that:

"Following completion of the laying out and landscaping of the Amenity Area it shall thereafter be made available at no charge for the lifetime of the Development as Open Space for use by the residents of the Development."

The purpose of this report is to clarify the extent of the amenity area that will be available for residents in order that this can be clearly defined in the legal agreement.

The original committee report, which is repeated below, discusses this matter and the following paragraph refers to the amenity land.

The application site is currently part of the wider site that is under construction and includes a large communal landscaped area that extends northwards and all the

way to Layhams Road. It is considered important that the future occupants of the proposed scheme formally retain access to this wider area in the long term as this will provide the communal space needed to support the current application.

This position was accepted to mitigate the shortfall in private amenity space for the upper flats but the precise area to be made available was not defined at the time of writing the report.

Since that time negotiations have been ongoing to finalise the associated legal agreement and the applicant seeks to define the amenity area in accordance with the plan in Appendix 1.

Conclusions

Under the original planning permission for the development of All Saints School, the extent of amenity space for the residents of the new units was not secured by legal agreement. This was because all of the houses and the flats had access to private amenity space and there was no planning requirement for residents to have dedicated access to make up for a shortfall in amenity space for individual units.

In relation to the current application six of the flats in the former school reception building do not have balconies as the addition of balconies would be out of keeping with this building which is located immediately adjacent to the Grade 1 listed Wickham Court. Therefore there is a shortfall of private amenity space for these flats and the land offered will mitigate for this shortfall.

The applicant has submitted the following justification for the extent of the amenity area that would be required to make up the shortfall for the proposed flats without balconies as follows:

"In terms of private amenity space, the scheme has 6 units without balconies. Assuming 7 sqm balconies it (the scheme) is 42 sqm short. We are offering 1800 sqm. of amenity space in lieu - which is massively over any reasonable requirement."

It is considered that the space identified on the plan above is sufficient to provide primary amenity space for the 6 flats without balconies and would, incidentally, provide secondary amenity space for the remainder of the units.

The officer's report as submitted to Plans Sub Committee 4 on 25.4.2019 is repeated below in full and updated where necessary. .

Proposal

Planning permission was granted on appeal for the redevelopment of the application site to provide 50 houses under reference 13/03743. The application also approved the conversion of the existing school reception building to 799sqm office floorspace with 8 dedicated car parking spaces.

Under reference 17/02964/MATAMD, a material amendment was approved that increased the number of new units from 48 to 50 to account for the need to demolish and rebuild the former north stable building.

Permission is now sought to convert the former school reception building to 10 units comprising 6x1 bedroom units and 4x2 bedroom units. Affordable housing in the form of 1x1 bed and 1x2 bed affordable rent units and 1 x1 bed shared ownership units will be provided.

Associated elevational alterations, bin store and cycle parking spaces are proposed plus 10 dedicated car parking spaces, including 1 disabled parking space.

The application site red line shows that it is now separated from the main site and the proposed scheme will be considered on its own merits.

The proposed flats will located on the ground, first and second floors of this existing building and there will not be any extensions to the building. Elevational alterations are proposed comprising the removal of the existing north facing entrance door and replacement of this and other windows in the north and south elevations with casement doors to the living rooms. Dormer windows will be provided in the roofslope of the north, south and west elevations. At ground level patio areas are provided for the flats and Juliette balconies will be fitted to the opening doors for first floor living rooms openings. Ten dedicated car parking spaces are provided in an existing courtyard area with cycle parking and a bin storage area.

Pedestrian and vehicular access to the plot will be provided via the exiting entrance off the communal driveway that leads off Layhams Road and serves Wickham Court School, St John the Baptist Church and the First Development. The car and cycle parking spaces and bin store will be located in the existing courtyard on the north side of the former reception building.

There is a small communal landscaped space within the courtyard area which will be retained.

The following supporting documents have been submitted with the application:

Design and Access Statement

This statement sets out the applicants assessment of the site and surrounding area and the rationale for the proposal having regard to relevant development plan policies. The statement confirms the amount of development proposed, parking strategy, refuse and sustainability strategy. The statement discusses the approach to access, landscaping and appearance of the development.

In addition the D&A refers to the provision of affordable housing for the development and the principle of the change of use from office to residential (Class C3 use) which is summarised as follows:

The Design and Access Statement describes a proposal to provide affordable housing on the adjacent site. This has been amended during the course of the application and affordable housing will now be provided on the application site.

In terms of change of use the D&A advises that the building on this site was formally used for administration and additional classrooms in connection with All Saints School and has been vacant since the school closed in 2007.

Planning permission was granted for the use of the former reception building for 799 sqm of office space (Class B1A) but this element of the permission has not been implemented, therefore there will be no loss of office use or associated loss of employment.

Energy and Sustainability Assessment

This application was accompanied an Energy Strategy and Sustainability Statement. The statement advises that:-

The proposed development can reduce carbon emissions by 36.4% over the existing regulated emissions.

Location and Key Constraints

The site was previously the Reception building for the former All Saints School which was located on the west side of Layhams Road, with vehicular access from this road.

To the south of the application site are the new buildings that form the residential development originally approved under reference 13/03743. To the north is communal open space that forms part of the main application site and beyond the site boundary here is open agricultural land. The site includes open spaces between the former school site and St John the Baptist's Church and between the Church and Layhams Road on the north side of the access road.

The application site lies in the Green Belt. There are no trees within the site boundary.

To the north- west of the application site is the Grade 1 listed St John the Baptist Church. The lychgate is separately listed as Grade 2*. To the east is Wickham Court School which is a Grade 1 listed building, parts of which date back the 1600's.

Work to implement the approved residential development of the former school site is underway. No work has been commenced on the former Reception building that forms the current application site

Consultations

Comments from Local Residents

Nearby properties were notified of the application but no representations have been received.

Comments from Consultees

- The Council's Drainage Officer has no comments.
- Highways

The applicant must be aware that there is an existing By way (97) going through the site; this area should be kept clear at all times and during the construction period.

Access- The existing site access is from Layhams Road via a shared access road, leading to the parking area. The current visibility splays are acceptable. The road system varies in width; the main access road serving the residential units is 4.8m narrowing to 4.1m wide this is acceptable in principle.

Vehicular access- The access to the new car parking area is adjacent to Wickham Court School approximately 4.8m wide which is acceptable.

Car parking- the overall number of car parking spaces is acceptable.

Cycle parking- London plan should be adhered to.

Bin store- acceptable; however please also consult Waste Management team.

Please include the following conditions with any permission:

- OC03 (Car Parking)
- AG12 (Cycle parking)
- PC17 (Construction Management Plan)
- OC06 (Highway Drainage)
- Thames Water

Waste Comments

Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommends the following informative be attached to this planning permission. 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.

- LBB Conservation Officer

The reception building is traditional in appearance but of modern construction so not of any particular significance with regards to Wickham Court which is Grade 1 listed. The changes are minimal and not problematic but I note the application form states that the existing windows and proposed windows are uPVC. The photo suggests aluminium which would be better but this is an observation rather than objection so if minded to recommend perhaps materials could be conditioned

- Historic England Archaeology

I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No Archaeological Requirement

- Secure by Design

The Metropolitan Police Crime Prevention Design Adviser that should this application proceed, it should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design officers and "Homes 2016" guidance document.

A 'Secured by Design' condition should be attached to any permission that may be granted in connection with this application, and that the wording is such that security measures will be agreed pre-commencement, and the development will achieve a Secured by Design award before occupation and full discharge of the condition.

Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the determination of these applications must be made in accordance with the plan unless material considerations indicate otherwise.

The list below is not an exhaustive list of policies, it contains some of the most relevant policies to the application:

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes the Bromley Unitary Development Plan (UDP) (2006) and the London Plan (March 2015). Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) as well as other guidance and relevant legislation, must also be taken into account.

1. Bromley Local Plan (BLP) 2019:
Policies relevant to this application include:
Policy 1 Housing Supply

Policy 2 Affordable Housing
Policy 4 Housing Design
Policy 30 Parking
Policy 31 Relieving Congestion
Policy 32 Road Safety
Policy 33 Access for all
Policy 37 General Design of Development
Policy 38 Statutory Listed Buildings
Policy 49 Green Belt
Policy 73 Development and Trees
Policy 79 Biodiversity and Access to Nature
Policy 113 Waste Management in New Development
Policy 115 Reducing Flood Risk
Policy 116 Sustainable Urban Drainage Systems
Policy 122 Light Pollution
Policy 123 Sustainable design and construction
Policy 124 Carbon reduction, decentralised energy networks and renewable energy
Policy 125 Delivery and implementation of the Local Plan

The following Supplementary Planning Documents (SPD) produced by the Council are relevant:

- Affordable Housing SPD
- Planning Obligations SPD
- SPG1 Good Design Principles
- SPG2 Residential Design Guidance

2. In strategic terms the most relevant London Plan 2015 policies include:

Policy 1.1 Delivering the strategic vision and objectives for London
Policy 3.1 Ensuring equal life chances for all
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.11 Affordable housing targets
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.13 Sustainable drainage
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking

Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.16 Green Belt
Policy 7.19 Biodiversity and access to nature
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

The relevant London Plan SPG's are:

- Accessible London: Achieving an Inclusive Environment (2014)
- Sustainable Design and Construction (2014)
- Housing Supplement Planning Guidance (2016)
- Energy - GLA Energy Guidance 2018
- Homes for Londoners - Affordable Housing and Viability Supplementary Planning Guidance (2017)
- Shaping Neighbourhoods: Character and Context (2014)
- Shaping Neighbourhoods: Play and Informal Recreation (2012)

Please note that the Draft London Plan has been issued for consultation. The policies have been the subject to examination and the weight attached to the draft policies increases as the Local Plan process advances as set out in the NPPF paragraph 216.

3. National Policy

The National Planning Policy Framework 2018 (NPPF) is relevant, particularly the paragraphs listed below

Paras 7-14: Achieving sustainable development
Para 34 and 54-57: Developer contributions and Planning obligations
Paras 38-55: Decision Making
Paras 54-57: Planning conditions and obligations
Paras 59-77: Delivering a wide choice of high quality homes
Paras 91-95: Promoting healthy and safe communities
Paras 102-111: Promoting sustainable transport
Paras 117-123: Making effective use of land
Paras 124-132: Requiring Good Design
Paras 148-165: Meeting the challenge of climate change & flooding
Paras 170-183: Conserving and enhancing the natural environment
Paras 212-217Annex 1: Implementation

4. National Planning Practice Guidance (NPPG) is also relevant

Planning History

The site has been the subject of numerous previous relevant applications as follows:

DC/13/3743/FULL3 - demolition of all school buildings, with the exception of the reception building and north stable block. The erection of 48 dwellings comprising: 24 No 4 bedroom houses, 16 No 1 bedroom flats and 8 No 2 bedroom flats and conversion of the stable block into 2 No 2 bedroom residential units, together with 56 car parking spaces, associated landscaping, hardstanding areas, cycle stores and bin stores. Conversion of reception building into 799sqm of office floorspace (Class B1A) with 8 dedicated car parking spaces and the construction of 2 tennis courts, designated car park and amenity area for community use. Appeal allowed on 13.5.2016

DC/17/02964/MATAMD: Amendment to planning permission ref 13/03743 granted for the demolition of all school buildings, with the exception of the Reception building, and part demolition of the North Stable block, and erection of 48 dwellings comprising 24x4 bed houses, 16x1 bed flats and 8x 2 bed flats and conversion of the stable block into 2x2 bed residential units, together with 108 car parking spaces. Associated landscaping, hardstanding areas, cycle stores and bin stores. Conversion of existing Reception building to 799sqm of office floorspace (Class b1A) together with 8 dedicated car parking spaces and the construction of 2 tennis courts, designated car park. Erection of pavilion and amenity area for community use. Amendments to position of apartment blocks on the site, extension of apartment blocks at lower ground and upper ground floor levels, demolition of north stable block and erection of 2 x 2 bed houses, alterations to proposed housing mix to provide 8x1 and 16x2 bed apartments, 24x4 bed houses and 2x2 bed houses, alterations to windows, doors and internal layout of house types B and C, amendments to car parking, maintenance access to Wickham Court School, removal of pavilion and internal landscaping and footpaths. Discharge of condition 16 (layout of wheelchair units) for application ref 13/03743.

Planning Considerations

It is considered that the main planning issues relating to the proposed scheme are as follows:

- o Principle of Development including land use, affordable housing and planning obligations.
- o Design and Appearance and Impact on Heritage Assets
- o Standard of Accommodation and Amenity Space.
- o Impact on Neighbour Amenity.
- o Highways and Traffic Matters ((including Cycle Parking and Refuse)).
- o Trees and Landscaping
- o Other technical matters

Principle of Development

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.

Paragraph 38 of the NPPF states that decision makers should seek to approve applications for sustainable development where possible.

In terms of housing provision, BLP Policy 1 requires the Borough to make provision for at least 641 additional dwellings over the plan period acknowledging a requirement to make the most efficient use of sites in accordance with the density/location matrix.

In addition the London Plan seeks mixed and balanced communities in accordance with Policy 3.9, which states that communities should be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment. Policy 3.3 establishes a housing target and Policy 3.4 encourages the optimising of housing potential and provides guidance as to the density of development through the density matrix. Policies 3.5 seeks to achieve the highest quality of design internally, externally and in relation to the context of the site to protect and enhance the residential environment and attractiveness as a place to live while Policy 3.8 seeks to provide a genuine choice of homes that they can afford and meet their requirements in terms of size and type of dwelling of the highest quality.

- Principle of residential development in the Green Belt

The site lies within the designated Green Belt and, as such, the development needs to comply with Policy 49 of the Bromley Local Plan and the NPPF which seeks to restrict development in the Green Belt.

In terms of the use of the site for residential purposes, the NPPF (2018) para 145 and Bromley Local Plan Policy 49 provides policy guidance regarding appropriate uses in the Green Belt. In this instance it is considered that the application site constitutes previously developed land and, providing there is not a greater impact on openness of the Green Belt than the existing development, the use of the site for residential purposes is appropriate.

The conversion of the existing building will not result in any increase in the volume of the existing building; alterations are elevational and the provision of patio hardstanding areas is on land that is already hard surface. The courtyard in the front of the building was previously used as a car park by the former school and the proposed layout is not significantly different to the existing or approved layout. As such, the proposed changes to the building and courtyard are not considered to have an impact on openness.

On this basis, it is considered that the proposed conversion of the building to 10 residential units and the use of the courtyard for car and cycle parking is appropriate development in Green Belt terms.

- Affordable Housing

Bromley Local Plan Policy 2 states that the Council should seek the provision of 35% affordable housing units on development capable of providing 10 or more units; 60% of provision should be for affordable rent housing and 40% should be for intermediate/shared ownership provision where priority should be accorded to the provision of affordable family housing. In terms of income thresholds, a report approved at Development Control Committee on 21.6.2018 sets out the local housing income thresholds for shared ownership housing.

The original submission in respect of affordable housing sought to provide a policy compliant number of units on the adjacent site which is under construction. During the course of the application, this proposal has been changed and the current proposal is to allocate 3 of the proposed flats for affordable housing. Two units will be for affordable rent and one will be for shared ownership and a total of 8 habitable rooms will be provided.

On this basis the scheme meets the requirements of Policy 2 of the Bromley Local Plan and the provision described above will be secured by a S106 legal agreement.

- Planning Obligations

The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF (paragraph 34) also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

BLP Policy 125 and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

The Heads of Terms that have been agreed with the applicant include the following:

- Affordable housing units

- Health contribution £2,760
- Education contribution £16,819.04
- One wheelchair unit (Unit 4) shall be fitted out to South East London Housing Partnership Standard
- Provision of permanent and enduring access to the amenity space provided within the curtilage of the development currently under construction for all residents of the current application.
- Travel Pack and School Travel Plan Incentives and Travel Plan Champion (brought over from S106 for the main site)

Design and Appearance and Impact on Heritage Assets

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.

BLP Policy 4 requires that new development is of a high standard of design and layout whilst enhancing the quality of local places. It should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas and should respect the amenity of the occupiers of neighbouring buildings.

In this instance the application site sits directly adjacent to the site of a Grade 1 listed building at Wickham Court. As such, BLP Policy 38 applies and this requires that application involving a listed building or its setting will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting

The current application seeks to convert the existing, modern, former Reception building for the former All Saints School. The internal works to convert the building are discussed in the section below relating to Standard of Accommodation.

To facilitate the conversion of the upper floors to habitable accommodation and the provision of daylight, sunlight and ventilation to the proposed rooms, external alterations are proposed.

The existing north and south elevations will be altered with the provision of casement doors to replace windows for each flat and provision of Juliette balconies at first floor level. A new door will replace the existing entrance door in the northern elevation. In addition 2 dormer windows in the northern roof slope (facing the car park), 1 in the western roof slope, 4 in the southern roof slope (facing the new development) and 1 skylight will be provided.

There are no changes proposed to the east elevation which will face the Grade 1 listed Wickham Court School.

The Council's Conservation Officer has viewed the application and advises that the reception building is traditional in appearance but of modern construction so not of any particular significance with regards to Wickham Court which is Grade 1 listed. The changes are minimal and not problematic but it is noted that the application form states that the existing windows and

proposed windows are uPVC. The photo suggests aluminium which would be better but this is an observation rather than objection so if minded to recommend a materials could be conditioned.

In terms of the visual impact of the alterations to the elevations, the proposed elevational changes are not considered to be significantly different to the existing elevation which is already characterised by large, deep windows. The building will take a more residential appearance that will reflect the internal use of the building and the use of high quality materials for the windows and doors and balconies is required to create an appearance that would not detract from the building itself and also complement the sensitive setting of the building adjacent to a Grad 1 listed building at Wickham Court. A condition requiring the submission of details of materials, new windows and doors is recommended

In summary, the external alterations will identify the building as a residential building and it is considered that the changes are sympathetic to the design and appearance of the building and will not detract from its appearance or the setting of Wickham Court

Standard of Accommodation and Amenity Space

In terms of the provision of housing, BLP Policy 4 requires development to meet minimum standards for dwellings set out in London Plan Policy 3.5, Table 3.3 and the London Plan Housing SPG.

In addition the London Plan seeks mixed and balanced communities in accordance with Policy 3.9, which states that communities should be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment. Policy 3.3 establishes a housing target and Policy 3.4 encourages the optimising of housing potential and provides guidance as to the density of development through the density matrix. Policies 3.5 seeks to achieve the highest quality of design internally, externally and in relation to the context of the site to protect and enhance the residential environment and attractiveness as a place to live while Policy 3.8 seeks to provide a genuine choice of homes that they can afford and meet their requirements in terms of size and type of dwelling of the highest quality.

Part 2 of the London Plan Housing SPD (March 2016) sets out detailed guidance for achieving a high quality design for all new development that will ensure that the needs of all Londoners are met at different stages of life. The standards that development must meet relate to unit size and layout, private and communal open space, designing out crime, circulation within the building and within individual units, wheelchair units, car parking, cycle parking, refuse and recycling facilities, privacy and dual aspect units. Other London Plan policies also provide guidance on noise, daylight and sunlight, floor to ceiling heights, air quality, climate change and mitigation, water supply, flooding and ecology.

- Mix and Unit size

New developments should provide a range of housing choices in terms of mix of housing sizes and types. The development proposes the provision of units with a mix of sizes namely 6 x 1 bed units and 4 x 2 bed units. This housing mix is considered acceptable.

In terms of unit size, each unit exceeds the minimum unit size standard set out in the London Plan which is acceptable.

- Density

The development provides a total of 22 habitable rooms which equates to 188 habitable rooms per hectare and 85 units per hectare. This is below the standard set out in Table 3.2 of the London Plan for habitable rooms which seeks a range of 150-200hr/ha but slightly exceeds the range for units which is 50-75 units per hectare.

- Private outdoor space

The proposed units on the ground floor will benefit from dedicated patio areas. However the upper floors will not be provided with private balconies. The site benefits from a small landscaped area which will be retained.

The lack of private amenity space is not generally acceptable when new units are created. In this instance, the building for conversion is adjacent to a listed building and the alterations to the building have been kept to a minimum to reduce the visual changes to the building and, therefore, the impact on the setting of Wickham Court.

In addition the application site is currently part of the wider site that is under construction and includes a large communal landscaped area that extends northwards and all the way to Layhams Road. It is considered important that the future occupants of the proposed scheme formally retain access to this wider area in the long term as this will provide the communal space needed to support the current application.

The applicant has agreed to include this access in the proposed legal agreement to ensure permanent and enduring access for future residents.

On this basis, while it is regrettable that no private amenity space is provided for the 6 upper floor flats, the provision of access to the large communal area around the site is welcomed.

- Daylight and Sunlight for future residents

The layout of the proposed units is largely determined by the current configuration of structural walls. The proposed dormer windows and skylight plus changes to the doors and windows in the main elevations are considered to result in units that will have sufficient daylight and sunlight provision.

- Accessible housing

All new housing is required to meet the standards set out in Policy 3.8 which seeks 90% of all new housing to meet Building Regulations 2010 M4(2) and 10% to achieve Building Regulations 2010 M4(3)(2)(a) for wheelchair accessible dwellings. For affordable rent units provision of wheelchair units that achieve Building Regulations 2010 M4(3)(2)(b) or South East London Housing Partnership (SELHP) standards for wheelchair units is required.

The development proposes that Unit 4 will be a fitted out wheelchair accessible unit. This unit will also be an affordable rented unit and, as such, it is proposed to fit out the unit to South East London Housing Partnership standards for wheelchair units. This provision will meet the policy requirements set out above. The general accessible provision on the site will be secured by condition and the provision of Unit 4 to SELHP standards will be secured by legal agreement.

- Waste and recycling provision

BLP Policy 113 requires new development to provide adequate space to support recycling and efficient waste collection level of provision and access for collections. The Design and Access Statement advises that a bin store containing 2 x 140 litre recycling bins, 5 x 240 litre wheelie bins and 2 x 1000 litre Eurobins. This is sufficient to meet the Council's requirements in this respect.

A binstore located in the frontage area is proposed and details of a timber flat roof structure with sedum roof have been provided and this is considered to be acceptable.

Refuse vehicle access to the binstore is provided via the proposed car parking area.

Impact on Neighbour Amenity

BLP 4 relates to the impact of development on the amenity of the residents of adjoining residential properties. In addition to the site coverage, height and massing, which have been discussed previously in this report, it is necessary to assess the impact of overlooking that may result in the loss of privacy, the potential loss of daylight and sunlight and noise related issues to fully understand the impact of the proposed development on the amenity of occupants of adjoining residential properties

The primary consideration for this site is the impact on the privacy for neighbours and future residents of the main development.

At the present time, the scheme is still under construction and none of the units have been occupied.

Plots 1, 2 and 3 of the main site will be located to the south side of the Reception building and are the closest neighbours from this development. New dormer windows are proposed in the southern elevation of the former Reception building and the existing windows at ground and first floor level will now serve habitable

rooms and face these properties. Elevation plans for the proposed houses in the main site show habitable rooms in the rear elevation and a dormer window in the roof. The separation distance between the approved and proposed windows is 15m.

In terms of the impact of the proposed windows for the current application, the separation of 15m is less than normally expected for new windows facing existing properties but this is not the situation in this case where proposed windows will be facing units that are under construction. In this instance new occupiers for units on the main site and also on the application site have not been established so they will be aware of the shorter separation distance prior to occupation. On this basis, it is considered that the separation between the windows in these adjacent new properties is acceptable and will not result in the loss of amenity of any existing occupiers.

In addition where a private patio is proposed for Unit 3, adjacent to the boundary wall with the adjacent school, an obscure privacy screen is proposed to minimise overlooking from this unit into the front courtyard of the school. All other secondary windows in the eastern elevation are to be obscure glazed and this position will be secured by condition. A further condition is recommended that states that no new windows will be provided in the eastern elevation.

Highways and Traffic Matters (including Cycle Parking and Refuse)

In policy terms, the relevant BLP policies include 31 (relieving congestion) and 32 (road safety). BLP Policy 30 sets out car parking standards for residential development and all other development is required to provide at levels set out in London Plan Tables 6.2 and 6.3. One in 5 spaces should have provision (both active and passive) for electric vehicle charging points and provision should be made for a car club if the development is above the minimum Transport for London thresholds.

London Plan policy 6.13 seeks provision for car parking and charging electric vehicles and policy 6.9 seeks suitable provision for cyclists. These policies seek to ensure that the projected level of traffic generation will not have an adverse impact on the surrounding road network, that the level of proposed car parking is sufficient to minimise any impact on nearby streets from off-site parking, that the provision of cycle parking is sufficient to meet the London Plan and that the layout of the vehicle access provides safe access to and from the site.

- Vehicle Access

The existing access to the site is from Layhams Road and the current visibility splays are acceptable. The road system varies in width but is acceptable in principle. The new access to the car parking area is 4.8m wide which is acceptable.

- Car Parking

The frontage of the site currently provides 8 car parking spaces and it is proposed to increase these to 10 spaces providing 1 space per unit, including 1 disabled space. The Bromley Local Plan requires a minimum of 1 space per unit in areas of PTAL 0-2. The site lies in PTAL 1b so the proposed level of car parking spaces meets the standard required by the Plan. This level of car parking is considered to be acceptable.

- Cycle parking

The development needs to comply with the requirements of the London Plan for cycle parking which seeks 1 space per 1 bed unit and 1 space per 2 bed unit resulting in the need for a total of 14 spaces.

The proposed cycle store indicates that 14 racks will be provided and this is acceptable.

- Electric Vehicle Charging Points

A condition is recommended requiring the fitting of 20% active and 20% passive electric vehicle charging points for the proposed car parking spaces.

Trees and Landscaping

- Trees

BLP Policy 73 requires new development to take particular account of existing trees on the site and on adjoining land which, in the interest of visual amenity and/or wildlife habitat, are considered desirable to be retained. Tree preservation Orders will be used to protect trees of environmental importance and visual amenity. When trees have to be felled, the Council will seek suitable replanting of native species.

There are no trees on this application site at present. There are opportunities to improve the appearance of the site by providing landscaping and planting and a condition is recommended to secure details of a landscaping scheme to be submitted. This will enhance the existing planting in the area around the site and improve the current setting of the frontage of this site.

Other Technical Matters

- Sustainability and Energy

The applicant has submitted an Energy Statement which sets out measures to meet BLP Policy 124 and London Plan policies 5.2: Minimising carbon dioxide emissions and Policy 7.7: Renewable energy.

The document has been reviewed and as a refurbishment will the requirement for a 35% carbon reduction and their strategy for this is acceptable. Therefore, there is no requirement for a carbon off-setting payment in lieu.

On this basis the development is acceptable in terms of sustainability and energy.

- Secured by Design

The proposal should incorporate Secured by Design principles (as required by BLP4) to take account of crime prevention and community safety.

The Metropolitan Police Designing Out Crime Officer has reviewed that submission and is of the view that the proposed development should be able to achieve the security requirements of Secured by Design. A condition is recommended to secure the relevant submissions.

- Community Infrastructure Levy

The Council does not have its own CIL.

- Mayoral Community Infrastructure Levy

The development will be liable for the payment of the Mayoral CIL.

Conclusions

The application site lies within the Green Belt and the development is considered to be the conversion of any existing building on previously developed land. In addition there are no extensions to the building so there will be no greater impact on openness. Therefore it is considered that the proposed development meets the requirements of Policy 49 of the Bromley Local Plan and the relevant sections of the NPPF and is acceptable in terms of its impact on the Green Belt.

The conversion of the existing building into residential units will bring the building back into use after a long period of vacancy. The scheme provides a mix of 1 and 2 bedroom flats with a full on-site provision of affordable housing and a wheelchair accessible unit. The units meet the requirements of the London Plan in terms of mix, unit size and tenure.

The development is not considered to compromise the privacy or amenity of future occupiers of the nearby new houses that will be on the south side of the site.

The external alterations are considered to be sympathetic to the appearance of the existing building and will not detract from the setting of the adjoining listed building. The proposal also provides an opportunity to improve the setting of the frontage area with landscaping and tree planting.

In highway terms, the development will not have a significant impact on the transport network and will provide policy compliant car parking, cycle parking and refuse and recycling facilities.

On this basis, the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of

sustainable development to increase housing supply and result in development that will not be contrary to Green Belt policies and is recommended for permission subject to the signing of a legal agreement.

Background papers referred to during the production of this report comprise all correspondence on file ref: 18/03940, excluding exempt information.

**RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A
LEGAL AGREEMENT**

and 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: Section 91, Town and Country Planning Act 1990.

- 2 The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans and documents, as follows:

Plans

680 - 1017 Rev A	Existing Floor Plans Reception Building
680 - 1117	Existing Elevations Reception Building
680 -1112 Rev I	Proposed Floor Plans Reception Building
680 -1119 Rev E	Proposed Elevations Reception Building
680 -1129 Rev C	Proposed Development Site Plan
680 -1133 Rev C	Proposed Development Plan with Roofscape
680 -1137 Rev C	Timber Clad Bin and Cycle Stores: Plan and Elevations
680 -1140	Proposed Roof Plan Reception Building

Documents

Design and Access Statement

Energy Statement by NRG Consulting dated July 2018

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with Policy 37 of the Bromley Local Plan

- 3 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 37, 30, 32 and 119, of the Bromley Local Plan and in the interest of the amenities of the adjacent properties.

- 4
- (i) The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and development. No works to the exterior elevations of the building shall take place until details of such measures have been submitted to and approved in writing by the Local Planning Authority.
 - (ii) The approved measures shall be implemented before the development is occupied and the security measures to be implemented in compliance with this condition shall achieve the Secured by Design accreditation awarded by the Metropolitan Police.

Reason: In the interest of security and crime prevention and to accord with Policy 37 of the Bromley Local Plan.

- 5
- i) Prior to first occupation of the residential units 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 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 37 and 73 of the Bromley Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

- 6 a) Details of the proposed boundary treatments including any gates, walls, patio enclosures and privacy screening or fences shall be submitted to and approved in writing by the local planning authority prior to occupation of any of the residential units. The proposed boundary treatments shall not be higher than 1m above the prevailing ground level.
 (b) The approved boundary treatments shall be implemented prior to occupation of the buildings and retained in perpetuity.

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

- 7 (a) Prior to commencement of any works to the exterior elevations of the building, details (including samples) of the materials to be used for the roof and dormer window cladding, wall facing materials, window glass, door and window frames and decorative features, 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

- 8 Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

Reason: In order to comply with Policy T3 of the Unitary Development 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.

- 9 The development shall be carried out in accordance with the details set out in the Energy Statement by NRG Consulting dated July 2018 and the approved plant and equipment shall be installed in accordance with the manufacturer's instruction and permanently maintained in operational working order to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2015 and 124 of the Bromley Local Plan.

- 10 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 32 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.

- 11 Prior to first occupation of any of the residential units electric car charging points shall be provided to a minimum capacity of 25% car parking spaces with passive provision of electric charging capacity provided for an additional 20% of spaces

Reason: To minimise the effect of the development on local air quality and to comply with Policy 120 of the Bromley Local Plan and Policies 6.13 and 7.14 of the London Plan.

- 12 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the drawings hereby approved shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable in respect of residential and visual amenity impact.

- 13 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2): Accessible and Adaptable Dwellings for the residential phase (with the exception of wheelchair units for social rented and affordable rent properties) and shall be permanently retained thereafter.

Reason: To comply with Policies 3.7 and 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

- 14 No structure, plant, equipment or machinery shall be placed erected or installed on or above the roof or on external walls without the prior approval 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.

- 15 The arrangements for cycle storage shown on the drawings hereby approved, including the means of enclosure shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable in respect of residential and visual amenity impact.

- 16 No windows or doors (other than those shown on the plans hereby approve) shall at any time be inserted in the eastern elevation (including roof slope) of the building.

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

You are further informed that :

1. 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 in Part2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).
2. 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 this site and/or take action to recover the debt.
3. Further information about the Levy can be found on the attached information note and the Bromley website www.bromley.gov.uk/CIL.
4. You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.address.management@bromley.gov.uk regarding Street Naming and Numbering.
5. 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.
6. With particular regard to the details to be submitted in pursuance of Condition 7, the Applicant is advised that in resolving to grant planning permission Members requested the proposed window frames to be aluminium.

7. You are reminded that the existing By Way (97) which goes through the site should be kept clear at all times including during the construction period.