

SECTION '2' – Applications meriting special consideration

Application No : 19/01637/FULL1

Ward:
Clock House

Address : Carlton Court, Beckenham Road,
Beckenham BR3 4PP

Objections: Yes

OS Grid Ref: E: 536726 N: 169466

Applicant : Cobalt Equity Management

Description of Development:

Demolition of existing buildings and garages at 23 Beckenham Road and construction of two three storey buildings, one building with rooms in the roof to provide 24 residential units, with associated amenity space, landscaping, new vehicular access, car parking, refuse and recycling storage and cycle storage.

Key designations:

Conservation Area: Elm Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 15

Proposal

- Demolition of existing block of 6 flats and garage block at rear
- Two replacement blocks of flats (Block A facing Hayne Road and Block B facing Beckenham Road) comprising 24 units (6x1 bedroom units and 18x2 bedroom units)
- Vehicle access between Blocks A and B off Hayne Road
- Car parking for a total of 12 cars in a rear courtyard area including 1 disabled space.
- Refuse storage is located in standalone structures fronting Hayne Road.
- Cycle parking for 46 cycles is provided in 4 standalone structures fronting Beckenham Road, Hayne Road and in the rear courtyard parking area.
- Two bin stores will be provided on the frontage facing Hayne Road.
- The Proposed Site Plan gives indicative information regarding the hard and soft landscaping layout for the site.

The applicant advises that the submitted proposals are a response to the matters raised in the appeal decision which dismissed application reference 17/02890.

The following documents have been submitted by the applicant in support of the application:

Acoustic Assessment

The purpose of an acoustic assessment is to assess the suitability of the site for the proposed development with regards to noise. A noise survey was carried out at the site and the noise levels at the site are dictated by road traffic noise emissions from the A234.

Acceptable internal noise levels are predicted to be achieved in habitable rooms of the development subject to the adoption of acoustically upgraded glazing and ventilation in the development design. This will be investigated further at the detailed design stage and may be secured by the imposition of a noise related condition.

Noise levels in external amenity areas will generally comply with recommended levels, and are considered acceptable in other areas for the reasons given in this report.

Air Quality Assessment

This assesses the air quality impacts associated with the construction and operation of the proposed development. It acknowledges that the site is within an AQMA. The report states that during the construction phase, the site has the potential to generate dust nuisance beyond the application boundary. However, through the implementation of a Dust Management Plan, the impacts will be effectively minimised and are unlikely to be significant.

Emissions from operational traffic associated with the proposed development are not anticipated to significantly affect local air quality, however dispersion modelling of emissions from traffic on the local road network has been undertaken to ascertain whether future occupants of the proposed development will be exposed to elevated nitrogen dioxide and particulate concentrations. The assessment indicates that pollutant concentrations at the façade of the building will be within the relevant air quality standards.

A Revised Air Quality Assessment has been submitted to address concerns raised by the Council's Environmental Health Officer

The proposed development has been assessed as air quality neutral.

Affordable Housing Statement

A Viability Assessment Report has been submitted by the applicant which assesses the viability of the development in order to identify the level of planning obligations that the development can sustain.

The report compares the resulting Residual Land Value to the applicants Site Value Benchmark to ascertain whether there is a deficit or surplus against the Benchmark. In this case their Site Value Benchmark has been determined by giving consideration to the Existing Use Value.

The report advises that there is a deficit of £2.9m against the Benchmark and concludes that the scheme is not considered technically viable in development viability terms and therefore cannot support affordable housing or a contribution in

lieu of affordable housing or other contributions such as health and education. The Assessment does make allowance for Mayoral CIL and a carbon offset contribution.

However the applicant has confirmed that a financial payment towards health, education, and highway works, a car club and playspace provision can be secured via a s106 legal agreement.

Arboricultural Report and Impact Assessment

This records the condition of trees on the site, sets out the tree constraints including root protection areas and how this should inform the design of the scheme, assess the impacts of the development on existing trees which may arise and sets out a methodology for the implementation of any aspects of the development which may result in the loss or damage to a tree and measures which should be undertaken to prevent loss and damage.

The survey identifies seven individual trees and five groups of trees (1 individual class B, 6 individual Class C, 5 groups of Class C). The category B tree and 2 groups of trees are located on the site of 25 Beckenham Road

Three individual Class C trees and two small Class C groups are to be removed to facilitate the development. This is one tree less than for the 2017 application. Minor incursions are proposed to 1 tree and 3 small groups of trees however mitigation details have been provided.

The applicant concludes that the loss of these trees will not have a significant impact on the visual amenity of the local area.

An individual (usually the Site Manager) is to be appointed with responsibility for all arboricultural affairs during development.

The Applicant provides an indicative landscaping on the Site Location Plan.

Construction Method Statement

This document sets out arrangements for the management of the construction process to minimise the impact of the proposed construction works in the surrounding area in terms of noise, activity, dust, site logistics, delivery and parking and waste management. The submitted document is a framework/in principle document at this stage.

Daylight and Sunlight

Analysis was carried out to examine the impacts of the proposed development on the amount of daylight enjoyed by neighbouring buildings, specifically 22 Hayne Road and 25 Beckenham Road, in line with assessment criteria prescribed by the BRE Guideline. It concludes that the proposals will not overshadow the rear garden of 22 Hayne Road whatsoever and there is no particular overshadowing of 25 Beckenham Road after 10:00. With regard to internal illuminance, the proposals accord with the relevant guidance.

The windows to the flank elevation of 22 Hayne Road serve a staircase and landing and as such do not meet the criteria for analysis as determined by the BRE Second Edition 2011.

Design and Access Statement (incorporating Heritage Statement and Planning Statement)

This statement sets out the applicant's 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 scale and layout, appearance, access, landscaping and services, energy and sustainable drainage of the development.

Details of a public consultation event held on 8.11.18 are also included in the D&A.

The statement sets out a detailed design evolution process which includes responses to objections raised to the previous proposal in 2017

Drainage Strategy

This report has been produced to assess the flood risk to and the potential for increased flood risk from the proposed development. The site is identified as being within Flood Zone 1 (land assessed as having a <0.1% (1 in 1000) probability of river flooding. Therefore the risk from fluvial or tidal sources is considered to be low.

Porosity testing has revealed moderate soakage potential in the shallow depth soils and a sustainable approach to surface water management is proposed using soakaways for roof run-off and permeable paving for the access road and parking areas. Further porosity testing is recommended at the detailed design stage and, if infiltration of run-off is not viable, alternative drainage options incorporating partial infiltration and/or attenuation storage are available to the developer. A foul water sewer is available and direct connection should be made to the public sewer, subject to the approval of Thames Water.

The site is not within a Groundwater Source Protection Zone

Phase One Contamination Assessment (Desk Study by Idom Merebrook (Jan 2019))

The site has a residential landscape since the 1890's. A conceptual model has been produced which highlights the following potential contamination sources (although risks are likely to be low, rising to moderate in the case of asbestos)

- i. possible made ground associated with the former and current buildings on site that may contain asbestos, heavy metals, petroleum hydrocarbons or polyaromatic hydrocarbons
- ii. Potential hazardous gas/vapours within the soil associated with the main ground
- iii. Potential for contamination of the shallow aquifer associated with the Harwich formation that may extend beneath the entire site.

It is recommended that a Phase II intrusive ground investigation should be undertaken primarily for geotechnical purposes but also to include confirmatory testing and inspection with respect to land contamination issues.

Subsidiary Planning Statement

This document sets out the applicant's response to neighbour concerns raised to the 2017 application.

Sustainability and Energy Assessment and Domestic Overheating Assessment

This report sets out the details of the methodology and data results needed for the scheme to meet the energy conservation target of zero carbon emissions required by Policy 5.2 of the London Plan.

The statement notes that the proposed energy strategy will incorporate an enhanced 'fabric led' material specification, along with high quality design and construction standards to improve the energy efficiency of the buildings and exceed regulatory standards. The fabric led approach to limiting CO2 emissions from the site will be supplemented by high efficiency boilers and a 18.5kWp photovoltaic array.

Alternative renewable technologies have been investigated as follows:

Combined Heat and Power (CHP) has been explored to be located on the site however was discounted given that there will be a very low space heating and hot water demand at the development the commercial viability of this type of system cannot be proved.

Connection to a District Heating System was also explored however it was determined that there are no existing or proposed heat networks/energy centres within a moderate radius from the development and there are no existing networks local to the site.

Solar hot water is considered feasible for the site but the provision of PV panels on the roof is considered a more viable use of this space. The use of wind turbines, ground and air sourced heat pumps and biomass heating are considered unsuitable for the site.

It is acknowledged that the zero energy conservation target cannot be met by building energy efficiency and renewable energy alone. Therefore it is proposed to secure a financial contribution to offset all remaining regulated Co2 emissions. It is acknowledged that the carbon offset fee which the developer will be liable to pay in respect of this development is £29,286 which will be secured by a S106 legal agreement.

The Domestic Overheating Assessment assesses the domestic overheating performance of the proposed residential development. The assessment includes a sample of units considered to represent a range of unit types from across the scheme, including those perceived to be most at risk of overheating. The study has found that the majority of areas assessed have been able to demonstrate

compliance with the CIBSE TM59 overheating risk criteria. The exception to this are 8 bedroom spaces that are exhibiting internal temperature levels marginally above those recommended. It is proposed that these exceedances could be resolved by occupants leaving internal doors open during the night to promote greater air movement through the dwellings.

Transport Statement

This statement sets out the policy requirements in respect of transport and highway impact, identifies the baseline conditions in respect of public transport, accessibility and traffic surveys and then assesses the impact of the proposal. The report covers access, parking standards and traffic generation.

The assessment concludes that the site is well connected providing easy access to public transport and local facilities. Car and cycle parking will be provided in accordance with Bromley standards and a residential travel plan will be secured by condition.

Location and Key Constraints

The application relates to an existing two-storey flatted development, which is located on the corner of Beckenham Road and Hayne Road. The block of flats is well set back from Beckenham Road and Hayne Road resulting in an open and spacious frontage to these roads and at their junction.

The existing building is located approximately 1m from the boundary with the adjacent property at 25 Beckenham Road and is broadly in line with the building line along Hayne Road and Beckenham Road.

There are 6 existing garages accessed from Hayne Road located to the rear as well as shared amenity space which extends up to the common side boundary with 22 Hayne Road.

The site is located adjacent to the Elm Road Conservation Area to the west and the surrounding area is largely residential in character and is sited approximately 240m from the start of Beckenham High Street. There is a mixture of large traditional single-family dwelling houses and more contemporary three/four storey flatted developments within the immediate locality as well as the Kings London international school adjacent to the site.

The site is within an Air Quality Management Area (AQMA) and Flood Zone 1.

Consultations

Comments from Local Residents

Nearby properties were notified and 4 representations objecting to the proposal, including representations from the West Beckenham Residents Association, and 8 representations in support have been received at the time of writing this report. The comments received are summarised below:

Objection comments

- Significant increase in size, density, scale and population density compared to previous scheme to add a 2 storey extension to the existing building.
- Adverse impact on neighbour amenities by reason of overlooking, loss of privacy and visually overbearing impact.
- Too dense.
- Comparison with 15 Beckenham Road is not accurate (luxury flats with parking space for each unit).
- Number of units should be further reduced.
- Insufficient visual relief between buildings - too close to No 22 Hayne Road and will look cramped. Proposed gap not sufficient and doesn't reflect street scene or character of the area.
- Pull away from No 22 and provide communal garden.
- Ridge should be no higher than the height of the neighbouring properties.
- Insufficient number of car parking spaces will lead to increased demand for on-street parking - new residents should not be able to apply for a parking permit.
- Access for fire vehicles is insufficient.
- Overlooking to neighbouring gardens leading to loss of privacy.
- Adverse impact of the location of the bin stores on collection day.
- Strict adherence to the requirements of the Construction Method Statement is required to protect people who work from home - noisy vehicles to arrive via Beckenham Road at 'noisy' times of day.
- Should be more 2 and 3 bed units in this family area.
- Lack of outdoor amenity space.

Support comments

- Scheme is a significant improvement from the previous proposal.
- Existing site in need of major improvement and unsightly.
- Respects character of the conservation area.
- Sympathetic architecture.
- Sufficient parking plus car club and no permits for new residents - should be discouraging use of cars.
- Visual credit to the area.
- Positive development should be embraced.
- Previous scheme was acceptable and provided more flats.

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

Comments from Consultees

- LBB Highways

The site is located on the corner of Beckenham Road and Hayne Road and is within a high PTAL of 5. Hayne Road is within a Control Parking Zone (CPZ) and there are waiting restrictions on Beckenham Road.

Vehicular Access- new access from Hayne Road leading to twelve car parking spaces. Redundant vehicular crossover should be reinstated to footway level and extension to the existing on-street permit holder's bay should be introduced.

Car Parking- A total of 12 car parking spaces (inclusive of 1 disabled space and 5 ECP spaces) are indicated, which is satisfactory in principle. The additional on street space (on Hayne Road) as stated in TA page 14 should be dedicated as Car Club bay only. This should be annotated on the revised plan showing exactly where this space will be located. Also the applicant should be reminded that the future resident will not be eligible for Residents Parking Permit.

Cycle parking- A total of 48 spaces internal cycle parking spaces should be provided.

Updated 23.8.19 - Cycle parking- 46 spaces are acceptable.

Refuse storage- This is indicated; please also consult Waste Management Team.

The footway and carriageway on the A234 Beckenham Road should not be blocked during the works of the development. Temporary obstructions during the works should be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the A222 Croydon Road. All vehicles should only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.

Also the developer to include the following as part of S106 agreement:

- o £5000 towards future traffic scheme within vicinity of the development
Added 23.8.19 - secured through S106 for period of 7 years after which if the amount not spent then we return the money
- o The cost of implementing the bay is around £1,500 - 2,500 depending upon the work involved. So with any formal application the S106 must require them to provide a car club with details to be agreed with LBB. As usual please include free membership for two years, 20hrs free drive time and information to all residents.

Please also include the following with any permission:

CONDITION

OC03 (Car Parking)

AG11 (Refuse)

AG12 (Cycle)

AG15 (Car Club)

OC04 (Stopping up of access)

H28 (Car park management)

OC06 (The agreement to include restrictions on eligibility of future occupiers of the units to apply to the Council for Residents Parking Permit).

INFORMATIVE

Nonstandard informative - Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory

Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant

Additional comments 23.8.19 Car club statement is acceptable; but the car club space on Hayne Road should be annotated on the revised plan showing exactly where this space will be located.

Additional comments 20.9.19: In addition to the submitted Construction Method Statement the following information shall be submitted:

- Full contact details of the site and project manager responsible for day-to-day management of the works.
- Details of the typical sizes of all vehicles and the approximate frequency and times of day when they will need access to the site, for each phase of construction, estimating the average daily number of vehicles during each major phase of the work, including their dwell time at the site. High numbers of vehicles per day and/or long dwell times may require vehicle holding procedures so the applicant should consider whether the roads on the route(s) to and from the site are suitable for the size of vehicles to be used.
- Accurate scaled drawings of any highway works necessary to enable construction to take place (e.g. construction of temporary vehicular accesses).
- 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.
- Details of any proposed parking bay suspensions and temporary traffic management orders which would be required to facilitate construction. If construction vehicles cannot access the site, details are required on where they will wait to load/unload.

- LBB Drainage

CONDITION: The development permitted by this planning permission shall not commence until the detailed design of the measures in the submitted "Drainage Strategy" Report carried out by Rossi Long Consulting with Ref No. 171132 Rev 3 dated April 2019 have been submitted to, and approved by, the Local Planning Authority.

REASON: In order to comply with Policy 5.13 of the London Plan and to reduce the impact of flooding both to and from the proposed development and third parties.

- LBB Environmental Health

1, Land contamination

The Phase One Assessment (Desk Study) produced by Idom Merebrook (ref DS-20622-17-148 Rev B, January 2019) recommends that a Phase Two Intrusive Study be carried out and I concur with that recommendation. I would suggest that Standard Condition PC23: Land Contamination Assessment be imposed, omitting Section (a) in recognition of the Phase One Study already completed.

2. Noise & Vibration

The Acoustic Assessment produced by Cass Allen (ref RP01-17295, Rev 5) recommends an upgraded scheme of acoustic glazing and ventilation. I would recommend that the following Condition be imposed:

A. A scheme of glazing and ventilation shall be installed in accordance with the recommendations of Section 4 of the Acoustic Assessment produced by Cass Allen (doc ref RP01-17295, rev 5); and on completion a verification report shall be submitted to the Local Planning Authority for written approval. The Report should include photographs and measurements where necessary and shall be produced by a suitably qualified person to confirm that glazing and ventilation has been installed in accordance with the approved scheme.

B. The use shall not commence until written approval has been granted by the Local Planning Authority, and thereafter the approved scheme shall be permanently maintained in an efficient working manner and no changes to the installed system shall be made without the prior approval in writing by the Local Planning Authority.

3. Construction Method Statement

The Construction Method Statement produced by Acorn Planning Management (ref Carlton Court, undated) is sufficient and therefore I would recommend that no Condition is necessary in this regard from an Environmental Health point of view.

4. Air Quality

First comments: I cannot discharge the requirement for an air quality assessment in relation to the above planning application as the submitted AQA does not provide sufficient justification that the proposed development will not adversely impact on air quality either during construction nor for future occupiers of the development in terms of accuracy and sufficiency of data.

A revised Air Quality Assessment has been submitted to address these concerns. The Council's EHO advises as follows:

The air quality consultants at XCO2 submitted an amended air quality assessment (AQA) on 25th September further to my comment that the air quality neutral (AQN) assessment contained insufficient detail along with various other matters. The other matters are being resolved by negotiation and through conditioning and whilst the amended AQN assessment still does not really provide the level of detail required to review an assessment without resorting to referral of a number of other reports, I appreciate that this development (as proposed) will not be air quality negative and therefore a request for another AQN assessment would be inappropriate in this instance.

The AQA can therefore be partially approved at this stage with the air quality monitoring requirements being conditioned as per the Air Quality Assessment and NO2 Baseline Monitoring Condition detailed below. On approval of the terms specified within this condition, the AQA can be fully approved.

The PM10 and the NRMM conditions can be included within a condition requiring a Construction Environmental Management Plan (CEMP) but they will need to be specifically detailed within the CEMP and approved individually.

- LBB Policy - Energy

The latest Carlton Court energy statement have been reviewed and is in good order from a carbon/energy point of view and a suitable number and variety of measures have been considered for this particular development.

As the application currently stands, the Carbon Offsetting payment-in-lieu figure amounts to £29,286.

- LBB Trees

The arboricultural submission has addressed the tree constraints and implements adequate protection measures. I would recommend permission is granted subject to the following condition:

1. The development shall be implemented in accordance with the details set out in the Arboricultural Impact Assessment Tree Protection Specification (SA/1318/17 - C) dated 5th April 2019, approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy 73 of the Bromley Local Plan (adopted January 2019).

- LBB Conservation Officer

The proposal is adjacent to the Elm Road Conservation Area and therefore Policy 42 of the Local Plan applies. The previous application under 17/02890/FULL1 was dismissed at appeal with the Inspector finding the contemporary proposal "at odds with neighbouring buildings, and particularly dominant in the streetscene" (Para 8 of the appeal decision).

He raised particular concern about the length of the façade facing Beckenham Road which contributed to a bulky appearance. The applicant here has sought to address this by having some visual breaks in the façade treatment which would give the impression of 3 linked buildings rather than 1 block. The introduction of traditional pitched roof also softens the impact somewhat. More generally the front building line on Beckenham Road has been suitably respected and the height of the adjacent buildings in the CA is not exceeded and this is welcomed also. Should the proposal come forward as an application it would be helpful to have a sample panel of proposed materials.

- Thames Water (TW)

Waste Comments

The proposed development is located within 15m of a strategic sewer. Thames Water request that a condition be added to any planning permission requiring the submission of a piling method statement if any piling works are to be carried out on site.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage.

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

There are water mains crossing or close to your development. The applicant is advised to read our guide working near or diverting our pipes.

The proposed development is located within 15m of our underground water assets and an Informative is required drawing the attention of the developer to requirements in this situation.

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 an informative relating to 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.

- Transport for London (TfL)

Thank you for consulting TfL. With regards to the above planning application, TfL has the following comments:

1. The proposed development is located on the A234 Beckenham Road, which forms part of the Strategic Road Network (SRN). TfL has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.

2. The site currently benefits from a Public Transport Access Level (PTAL) of 5, on a scale of 0 to 6b, where 6b represents the greatest level of access to public transport services. Local bus services from Beckenham Road can be accessed within a 2 minute walk of the site, with 2 bus stops (Stops BP and BE) serving bus 5 routes (194, 227, 354, 358, N3). Clock House station, which provides access to Southeastern services, can be reached within a 6 minute walk of the site. Beckenham Junction station can also be accessed within a 15 walk of the site, providing access to Southeastern, Southern and London Tram services. Based on the above information, it could therefore be said that the site benefits from good access to frequent public transport services.

3. Given the site's high PTAL, and in accordance with draft London Plan T6.1, TfL would expect the development to be car-free with the exception of the proposed 3 Blue Badge Only parking spaces. The car parking for the site should therefore be reduced accordingly to reflect the site's high PTAL and proximity to frequent public transport services.

o In accordance with draft London Plan Policy T6.1(C), all parking should provide infrastructure for electric or Ultra Low Emission vehicles. At least 20% of the spaces should have active charging facilities, with passive provision provided for all remaining spaces.

o TfL welcomes the proposed restriction on future residents from applying for on street parking permits in the local CPZ. This should be secured via the Section 106 agreement.

4. TfL welcomes the applicant's proposal to include a car club space on Hayne Road as part of the proposals. TfL requests that the applicant also provides two years free car club membership for all residents to further encourage its use. Both should be secured through the Section 106 agreement.

5. The proposed number of cycle parking spaces is compliant with draft London Plan Policy T5 standards, which is welcomed. It is understood that the cycle parking will be located within 4 cycle stores across the site. These stores should be sheltered, secure and well lit, and the applicant should also demonstrate how larger cycles (including cargo bikes and adapted cycles for disabled people) can be accommodated. The design of all the cycle parking should also meet standards set out in Chapter 8 of the London Cycle Design Standards (LCDS). For more information please go to <https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit>.

6. The submission of a draft Construction Management Plan (CMP) is welcomed in line with draft London Plan Policy T7. Should permission be granted for the above application, a detailed CMP should be secured by condition and discharged in consultation with TfL. To allow TfL to confirm impact on the SRN and surrounding transport network, the following additional information should be included in the detailed CMP:

- Expected construction timescales, including an expected start and completion date.
- Information on the expected number, frequency and expected types of vehicles that will undertake deliveries to the site per day.

- Information on the use of cranes (if required) including the collapsible radius.
- A commitment to use contractors registered on the FORS and CLOCS initiatives.

7. The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policy T9 toward the funding of Crossrail. The MCIL2 rate for Bromley is £60 per square metre of floor space.

The number of car parking spaces should be reduced in line with draft London Plan Policy T6.1 for compliance with the transport policies of the draft London Plan, and for TfL to be supportive of the above development.

- Secure by Design

The Metropolitan Police Crime Prevention Design Adviser states:

Having reviewed the submitted documents for this proposed development and feel that it could achieve Secured by Design (SBD), with the assistance of the South East Design Out Crime Officers who are I believe best placed to advise on security requirements and SBD compliance.

I would request that if this development be granted planning permission, a Secured by Design condition is attached, and that my contact details be passed to the applicant for Secured by Design consultation and assistance with achieving Secured by Design.

Note - The Met Police Advisor has since met with the applicant and discussions are ongoing to secure the measures referred to above.

Planning 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.

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in for this proposal includes the Bromley Local Plan (2019) 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.

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

1. Local Plan

Current Policies relevant to this application include:

- Policy 1 Housing Supply
- Policy 2 Affordable Housing
- Policy 4 Housing Design

Policy 8 Side Space
Policy 30 Parking
Policy 31 Relieving Congestion
Policy 32 Road Safety
Policy 33 Access for all
Policy 37 General Design of Development
Policy 42 Development adjacent to Conservation Areas
Policy 34 Trees in Conservation Areas
Policy 49 Green Belt
Policy 71 Wildlife Features
Policy 73 Development and Trees
Policy 74 Conservation and Management of Trees and Woodlands
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 118 Contaminated Land
Policy 119 Noise Pollution
Policy 120 Air Quality
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 2.6 Outer London: vision and strategy
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 3.6 Children and young people's play and informal recreation facilities
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 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.13 Parking
Policy 7.1 Building London's neighbourhoods and communities
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 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
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:

- o Sustainable Design and Construction (2014)
- o Housing Supplement Planning Guidance (2016)
- o Energy GLA Energy Guidance 2018
- o Mayors Affordable Housing and Viability Supplementary Guidance SPG 2017

Please note that the Draft London Plan has been issued for consultation. The policies have been 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 2019 (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 39-46: Pre-application engagement
Paras 38-53: 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: Achieving well-designed places
Paras 148-165: Meeting the challenge of climate change, flooding and coastal change
Paras 184 - 202 Conserving and enhancing the historic environment
Paras 212-217 Annex 1: Implementation
4. National Planning Practice Guidance (NPPG) is also relevant

Planning History

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

16/03105/FULL1 - The construction of a new second floor to create four self-contained flats, demolition of existing garages to provide a new parking court for 9 cars and elevational alterations - Permitted. This permission remains extant until 7.10.2019.

DC/17/02890/FULL1 - Demolition of existing buildings and garages at 23 Beckenham Road and construction of a four storey building to provide 30 residential units, with associated amenity space, landscaping, vehicular access, car parking, refuse and recycling storage and cycle storage.

The application was refused on 18/10.2017 for the following reasons:

1 The proposed development would result in a cramped overdevelopment of the site by reason of its footprint and overall site coverage, bulk, design and density of residential use, which would be out of character with surrounding development, and would fail to provide satisfactory outdoor amenity space for future occupiers, contrary to Policies BE1 and H7 of the Unitary Development Plan, Draft Policies 4 and 37 of the Proposed Submission Draft Local Plan and Policies 3.4, 3.5, 7.4 and 7.6 of the London Plan and the Mayor's Housing SPG.

2 The proposal would have inadequate levels of off-street parking and has the potential to lead to an increase in local residents parking on surrounding streets, leading to a significant risk to road safety and added pressure on the already busy junction of Hayne Road and Beckenham Road, which would be prejudicial to the free flow of traffic and general conditions of safety in the highway, contrary to Policy T3 and T18 of the Unitary Development Plan, and Draft Policies 30 and 32 of the Proposed Submission Draft Local Plan.

A subsequent appeal was dismissed on 23.5.2018.

Planning Considerations

The main issues to be considered in respect of the current proposal are:

- Principle of development and density
- Design and impact on the adjoining Elm Road Conservation Area
- Standard of Accommodation and Amenity Space
- Impact on Neighbouring Amenity
- Highways and Traffic Matters (including Cycle Parking and Refuse)
- Trees and Landscaping
- Planning Obligations and Affordable Housing
- Other technical matters

Principle of Development

The NPPF, at paragraph 11, sets out a presumption in favour of sustainable development and states that for decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The weight to be afforded to individual policies, alongside other material considerations, falls to the decision-maker to consider within the balance of paragraph 11.

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

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

The application site is currently occupied by a block of 6 flats and is an established residential use within an area of mixed uses and styles of residential units. It is considered that the proposed increase in the number of residential units to 24 and continued residential use of the site is acceptable in principle, subject to the development having regard to the context of its surroundings, standard of accommodation and detailed design and amenity considerations. As such, it is

considered that the proposed development would make a meaningful contribution of 18 units towards the housing supply in the borough.

- Density

As existing residential land, an increased density and housing provision could make a valuable contribution to the Boroughs housing supply. However, it is necessary to demonstrate that an appropriate density can be achieved having regard to the context of the surroundings, standard of accommodation to be provided and detailed design considerations.

Density standards based on the number of habitable rooms, the Public Transport Accessibility Level (PTAL) of the site and the setting of the site are set out in London Plan Policy 3.4 and Local Plan Policy 4 refers to the London Plan standards

The Inspector for the appeal relating to the 2017 application considered the matter of density and advised that the setting of the site, in view of its proximity to Beckenham High Street and the mixed character of the area, is difficult to categorise and that wider factors should also be taken into account as well as pure density calculations. Council Officers consider that the description of the 'urban' character in Policy 3.4 is most appropriate for this site. This generates a density range of between 200-700 habitable rooms per hectare and 45-260 units per hectare depending on the unit sizes.

The site is within PTAL zone 5 (where the 1 is the lowest and 6a is the highest) and with a site area of 1.9ha. The development results in a density of 126 units per hectare and 410 habitable rooms per hectare which is within the density threshold ranges in the matrix.

A detailed assessment of the impact of the proposed building in terms of its relationship with neighbours, impact on the street scene and the character of the area is carried out in the section of this report entitled 'Design and impact on the adjoining Elm Road Conservation Area' below.

Design and impact on the adjoining Elm Road Conservation Area

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.

Local Plan Policies 4 and 37 requires that new development is of a high standard of design and layout. 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

Consistent with Policy 37 of the Local Plan, the London Plan Policy 7.1 requires developments to be designed so that the layout, tenure and mix of uses interface with the surrounding land and improve people's access to infrastructure, commercial services and public transport. The design of new buildings and the

spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood.

The site is adjacent to the Elm Road Conservation Area and, as such, Policy 42 of the Local Plan seeks essentially to preserve and enhance the setting of the adjacent conservation area and not obscure views into or out of the conservation area.

The character of development in the surrounding area includes detached and semi-detached dwellings and flatted developments interspersed with clusters of commercial units along Beckenham Road. The adjacent property is an educational institution called Kings London. In principle this is an area where flatted residential development is considered acceptable with the site currently housing a flatted development of a smaller nature.

The existing building on the site is a 2 storey, unattractive 1960's building with no particular design merit and the loss of the existing building is considered to be acceptable.

A previous proposal for a modern 'wraparound' development was refused on the following ground (plus a highways ground which is discussed elsewhere) and the appeal dismissed.

'The proposed development would result in a cramped overdevelopment of the site by reason of its footprint and overall site coverage, bulk, design and density of residential use, which would be out of character with surrounding development, and would fail to provide satisfactory outdoor amenity space for future occupiers, contrary to Policies BE1 and H7 of the Unitary Development Plan, Draft Policies 4 and 37 of the Proposed Submission Draft Local Plan and Policies 3.4, 3.5, 7.4 and 7.6 of the London Plan and the Mayor's Housing SPG.'

The current scheme proposes 2 separate blocks with Block A facing Hayne Road and Block B facing Beckenham Road. Each would comprise 3 storeys with steep pitched roofs. Plans show the ridge height of Block A as slightly lower than No 22 Hayne Road and Block B at the same height as 25 Beckenham Road. The blocks will be 10.3m apart at the front edge of the blocks where they face Hayne Road narrowing to 7.6 at the rear end of Block A. The separation between Block A and the boundary with 22 Hayne Road will be 1m at the front widening to 1.6m at the rear.'

In terms of the impact on character and appearance, the Inspectors decision letter found that the greater building height compared with the existing would reduce the existing spaciousness to the detriment of the area's character. In addition the building's frontage would appear larger and longer than the relatively narrow neighbouring buildings. Together the length and height would contribute to a significantly bulky appearance, which would be at odds with neighbouring buildings and dominant in the street scene. Residential density ranges should not be applied mechanically but the overbearing nature of the proposed building would suggest an inappropriate residential density. The Inspector concludes that the 2017 proposal would have a harmful impact on the character and appearance of the area, which includes the adjoining Elm Road Conservation Area.

The current scheme has been submitted to overcome these reasons on for refusal. The points of refusal and conclusions of the Inspectors decision letter will be discussed in the following sections of the report.

Pedestrian access will be via a front door into Block A and front and rear doors into Block B.

Vehicular access will be provided between Blocks A and B with parking for 12 cars in a rear courtyard area. Five spaces will be provided with electric vehicle charging points; 3 active and 2 passive and 2 spaces will be dedicated disabled spaces for the wheelchair units. A total of 43 cycle parking spaces will be provided in 4 separate cycle stores - a typical brick built bike store enclosure with timber doors and sedum roof is illustrated in the Design and Access Statement (DAS).

Two separate bin stores will be provided fronting on to Hayne Road. The stores will provide bins sizes and numbers in accordance with Council guidelines. A secure and accessible wooden structure is illustrated in the DAS.

In terms of siting, the development will be further forward than the existing buildings but will respect existing building lines in both Hayne Road and Beckenham Road. At the junction of Hayne Road and Beckenham Road, the elevation of Block B is set back further than the previously refused scheme. This results in the provision of a substantial landscaped area along the frontage of both blocks. Two cycle stores and 2 bin stores are provided within this frontage area but the landscaped area is considered to be substantial enough to accommodate these structures without its impact being significantly compromised.

In terms of the impact of the siting on the character of the area and the street scene, the existing landscaped area on this and neighbouring sites is an important feature of this area with buildings along Hayne Road and Beckenham Road set back from the pavement with landscape settings resulting in a spacious character to the area and the street scene. This contributes to the openness of both roads and the applicant has recognised this and has retained the generous setting that is shown on the submitted plans.

With regard to the spacing between the buildings, the proposal does exceed the requirements of Policy 8: Side Space in terms of providing a minimum space of 1m from the side boundary of the site for the full height and length of the building for both the southern and western elevations.

The side space separation of Block A to its southern boundary will be 1m at the front increasing to 1.6m at the rear. The flank to flank elevation separation distances for Block A to the 22 Hayne Road at ground level will be approximately 1.9m at the front and 2m at the rear. At first floor level this separation will be 4.3m and 4.4m respectively. The side space between Block B and the boundary with 25 Beckenham Road will be 1.2 m at the front widening to 1.4m at the rear.

In considering the impact of the side space provided for this proposal, there are numerous examples of similar side space dimensions between large Victorian villas in Hayne Road. As such it is considered that the proposed separation between Blocks A and B and their respective flank boundaries is not out of

character with the prevailing pattern of development in terms of side space separation.

As such, it is considered that the proposed development will not appear incongruous within its setting and the development addresses the relationship with adjacent existing buildings on its boundary satisfactorily.

In terms of height, the proposed blocks will each be 3 storeys high with the ridge height of Block A slightly lower than the ridge height of No 22 Hayne Road with similar eaves height comparisons. For Block B the proposed ridge and eaves height is the same height as 25 Beckenham Road. For both new blocks the articulated roof design and lower level link elements helps to minimise the bulk of the overall building in relation to neighbouring properties and within the overall street scene. The development, when viewed from outside the conservation is new block would not appear unduly prominent when viewed from the west.

In terms of appearance, the proposed blocks are designed to replicate the characteristics of local Victorian villas with the use of traditional buff brick and slate roof with bay windows, stone banding, contrasting red brick details, decorative bargeboards with white painted timber windows. Together with a mix of pitched, ridge and gable end roofs with small dormers windows in the roof, the appearance of the buildings would complement the character of the area and the appearance of the street scene and would not look out of character in Hayne Road or Beckenham Road.

In summary, the provision of blocks of flats is characteristic to the varied nature of residential development in the area and in the street scene with numerous examples on new build flatted development and conversion of existing houses to flats in the locality. The siting of the buildings in the plot results in a footprint that is larger than the existing structures but smaller than the scheme refused in 2017 and this is considered to be an acceptable layout of the blocks with acceptable side space to the boundaries and separation between the 2 blocks.

The height, scale and massing of the buildings has been designed to replicate the existing buildings on either side and the visual impact of the proposed buildings is considered to be significantly reduced compared to the refused 2017 scheme. The proposed ridge and eaves height and use of local design features and materials such a bay and dormer windows ensures that the blocks will not be domineering or overbearing to occupants of neighbouring properties or within the street scenes.

Taking all of these matters into account, it is considered that the development will introduce a compatible form of development in this part of Beckenham Road and Hayne Road and will not have an adverse impact on the adjoining Elm Road Conservation Area and, as such, it is considered acceptable.

Standard of Accommodation and Amenity Space

In terms of the provision of housing, Local Plan 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.

The London Plan Policy 3.9 seeks communities that are to be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment. Policy 3.4 encourages the optimising of housing potential and provides guidance as to the density of development through the density matrix. Policy 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.

- 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 6x1bed units and 18x2 bed units. It is considered that the proposed mix reflects the mixed character of the area and the provision of smaller units maximises the number of units that the site can support.

The unit size of each unit meets or exceeds the requirements of Policy 3.5 of the London Plan.

- Dual Aspect

The submitted plans show that all of the units in Block A will be dual aspect.

Fifteen of the 18 units in Block B have windows to habitable rooms in 2 different facing elevations.

However 3 units in Block B are fully single aspect. Whilst this is not ideal, these units are located to the rear of Block B and will be facing the side of Block A and the rear courtyard area. It is considered that this location is relatively well protected from excessive noise and activity when compared to other units facing the frontages of the site. As such it is considered acceptable to provide these 3 units as single aspect in this part of the site.

- Impact of noise on future residents

The applicant has submitted an acoustic assessment that considers the impact of road noise from Beckenham Road on the amenity of future residents of the development.

The assessment considers the 'worst case scenario' which would apply to living and bedrooms facing Beckenham Road. The survey shows that, taking account of standard construction design there would be noise ingress through windows and ventilators. Therefore, acoustically upgraded double glazing and specific acoustic window vents will be required to meet the internal noise criteria set out in the BS 8233:2014: Guidance on sound insulation and noise reduction for buildings.'

A condition requiring the submission of detailed design for the mitigation of acoustic impact for future residents is recommended.

- Amenity Space and Play Space

All units must benefit from private amenity space which must comply with the requirements set out in the Mayors Housing SPG. A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. Dwellings on upper floors should all have access to a terrace, roof garden, winter garden, courtyard garden or balcony.

For playspace the requirement for this provision is set out in the Mayors SPG Shaping Neighbourhoods: Play and Informal Recreation. For all new residential developments with a child yield of more than 10 children (as determined by the application of child occupancy assessments) suitable play space should be provided as part of the development scheme. Where the child yield on the site is less than 10, where the play space cannot be provided on-site the SPG makes provision for an appropriate financial contribution towards play provision within the vicinity of the development.

In terms of amenity space the proposed apartments would all have access to a private balcony or patio area that meet the minimum space requirements. In addition, residents will have access to the frontage lawned area and small pockets of lawn in the rear courtyard area.

The Appeal Inspector for the 2017 application considered the Council's concerns regarding the provision of amenity space in the 2017 scheme and concluded that 'despite the Council's concerns regarding a lack of privacy of the communal space and other parties' concerns regarding potential effects of pollution, there is an absence of clear qualitative adopted standards for space provision. As such, I cannot consider the amount and location of space to be inappropriate.'

The current application similarly provides amenity space around the building and it is considered that the current scheme is not significantly different to the 2017 scheme. As such it is considered that the amount and location of the amenity space would not be inappropriate.

In terms of playspace, the applicant has not addressed this matter in their submission.

However the Appeal Inspector for the 2017 application considers the matter and advises as follows:

'The appellant has used the methodology set out within Appendix 2 of the Mayor's Play Space SPG to calculate the proposal's potential child yield, which is 2.3 children. This may be higher if an affordable housing component were to be incorporated. Many of the flats are capable of family accommodation, and although the actual number of children may be higher, there is no substantive evidence for this. Although I agree with the Council that the appellant's suggested child play

area locations would be inappropriate for similar reasons as set out in the previous paragraph, the play space SPG does state that on-site play space need only be provided within new development resulting a child yield of greater than ten children.

For the current development the child yield for the site is based on an updated calculation method (June 2019) and is now 4.5 children. There is no affordable housing provision but many of the flats are capable of family accommodation. It should be noted that the SPG only requires on-site play provision where the yield exceeds 10 children.'

The Mayors Play and Informal Recreation SPG refers to requirements for playspace to be provided in new development where the child yield is less than 10. Using the 2019 child yield calculator, a child yield of 4.5 generates the demand for 46 square metres of play space on-site. Discounting the frontage, the site provides limited opportunities for providing playspace on site. As the child yield is less than 10 the policy allows the opportunity to seek a financial contribution for play facilities in the locality.

The applicant has agreed to provide a financial payment for off-site play facilities and details of the provisions will be verbally reported to Members.

The Inspector goes on to conclude 'that the proposed development would provide living standards for future occupiers that would not be inappropriate with regard to the provision of outdoor space. There would be no conflict with UDP Policies BE1 or H7, or Policies 3.5 and 3.6 of The London Plan, which together include a requirement for development to achieve a high standard of design which includes the appropriate provision of outdoor space.'

On the basis of the information above, the proposed development would not be in conflict with policy requirements in terms of the provision of playspace on site.

- Accessible housing

All new housing will be 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. .

The floor plans show that ground floor units 1 and 2 in Block A will be allocated as adaptable M4(3) wheelchair user dwellings and they exceed the minimum floorspace requirement for a 2bed/3person unit. This allocation meets the 10% threshold for wheelchair accessible unit. A condition requiring the compliance with Buildings Regulations Part M4(3)(2)(a) for wheelchair adaptable housing is recommended.

Two disabled car parking spaces is shown in the rear courtyard area.

Impact on Neighbour Amenity

Policy 37 of the Local Plan 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.

- Loss of privacy for neighbours and future residents
- Loss of Daylight and Sunlight for existing neighbours
- Noise and disturbance for existing neighbours

The residential property most likely to be affected by the development site is No 22 Hayne Lane which is located on the southern side of the site. The property is a substantial detached Victorian house of 2 storeys plus a steeply pitched roof with rooms in the roof. A single storey extension between this property and the development site has recently been added which sits on or close to the shared boundary.

The other property principally affected is No 25 Beckenham Road which is used for education purposes by Kings London international school

In terms of loss of privacy for neighbours and future residents, there will be no windows in the southern flank elevation of Block A and the rear elevation will be set forward approximately 3.6m from the ground floor rear elevation of No 22 Hayne Lane. This juxtaposition will reduce the opportunity for new residents to be able to see directly into the rear garden of No 22. In addition all of the rear balconies and the ground floor patio area proposed for Block A are shown to have privacy screens and the submission of details of these will be secured by condition.

In addition existing trees within the site on the adjoining boundary with No 22 are shown to be retained and will provide some screening in the summer months. This is also the case for the relationship between No 25 Beckenham Road where the physical separation to windows and balconies that can overlook the site will be greater.

In light of the above circumstances and proposed mitigation measures it is considered that there will not be a significantly harmful loss of privacy for either of the nearest neighbours to the development site.

In terms of the impact on daylight, sunlight and overshadowing, there are no windows in the side boundary of the new extension at No 22 but there are 4 small roof lights. In the side elevation of the main building there is 1 full height window at first floor level and a fanlight type window at ground floor level. None of these windows are principle windows to habitable rooms.

The Daylight and Sunlight Analysis advises that the windows in the side elevation serve circulation space and as such do not meet the criteria for analysis as determined by the BRE 'Site Layout planning for daylight and sunlight' Second

Edition 2011. Technical analysis of a rear bay window has been undertaken which demonstrates no substantive effect on this window.

In respect of overshadowing, the development site is on the north side of No 22 and the above report finds that there will be no overshadowing of the garden of No 22. For No 25 Beckenham Road, the report shows that there is no particular overshadowing after 10am which meets the criteria of the BRE standards which requires at least 2 hours sunlight on the garden on March 21 at both the centre line and for 50% of the garden area.

On this basis it is considered that there will be no significant impact of the development in terms of daylight, sunlight or overshadowing.

In terms of the impact of noise and disturbance on existing residents, the proposed vehicle entrance to the site is centrally placed between Blocks A and B facing Hayne Road. This is set away some distance from the boundary of No 22. The previous scheme showed the vehicle access immediately adjacent to the No 22 and the car park would have held 15 cars. It is considered that this revised location is better placed and the impact of vehicles moving to and from the site will be lessened.

The rear courtyard will be used for car and cycle parking and there will be 2 car parking spaces and a cycle store located along the boundary with No 22. A maximum of 12 car parking spaces are provided and it is acknowledged that there will be some disturbance from vehicle movements, but the majority of the spaces are set away from the boundary with No 22.

While it is not possible to remove noise transfer altogether, it is possible to mitigate the impact of noise with the provision of a suitable boundary along this southern boundary. Details of the boundary treatment for the site has not been provided at this stage so the recommended landscaping condition includes a requirement for details of the boundary treatment to be submitted to and approved by the Local Planning Authority.

With regard to the impact of noise on the Kings London site, given that the site is in educational use it is considered that any harm from the proposed car parking area will not be significantly detrimental to the amenities of users of this site. .

Highways and Traffic Matters (including Cycle Parking and Refuse)

In policy terms, the relevant Local Plan policies include 31 (relieving congestion) and 32 (road safety). In addition Local Plan Policy 30 sets out car parking standards for residential development. One in 5 spaces should make active provision and 1 in 5 should make passive provision for electric vehicle charging points and provision should be made for a car club if the development is above the minimum parking thresholds. Cycle parking sufficient to meet the requirements of the London Plan policy 6.9 should be provided.

- Impact of the highway network
- Trip generation and mode of travel

Trip generations by the development have been forecast based on the 14 additional units over and above the 6 existing flats and the 4 additional flats approved under ref 16/03105/FULL1. The data indicates that an additional 9 two-way all person trips in the peak hour (08.00-09.00) and 5 two-way all person trips in the peak hour (17.00-18.00) are forecast which the applicant advises will have an insignificant impact on the transport network.

- Car Parking

A total of 12 car parking spaces plus one on-street car club parking space will be provided for this development. This equates to 0.5 spaces per unit. Two of these spaces will be disabled parking bays to provide for the proposed wheelchair units .

In addition to the information in the Transport Assessment relating to car parking, a Parking Stress Survey of local roads was carried out on 2 occasions in January 2019 between 01:00 and 05:00. The data shows that they vacancy rates are 37% and 42% on these respective occasions.

The Council's Local Plan requires a maximum of 0.7-1 spaces for 1-2 bedroom units and, taking into account the findings in the Parking Stress Survey and current Local Plan standards, the provision of 0.5 car parking spaces for 24 units is considered to be satisfactory.

To further mitigate the possible impact of the development on local streets, the applicant has also agreed to provide a car club space on Hayne Road with car club memberships for all residents not allocated an on-site parking space and this measure will be secured in a S106 legal agreement. A condition stating that residents shall not be able to apply for parking permits in the Controlled Parking Zone that operates in the area is also recommended.

Transport for London has commented on the car parking provision for this development as follows:

Given the site's high PTAL, and in accordance with draft London Plan T6.1, TfL would expect the development to be car-free with the exception of the proposed 3 Blue Badge Only parking spaces. The car parking for the site should therefore be reduced accordingly to reflect the site's high PTAL and proximity to frequent public transport services.

The comments above refer to the draft London Plan that has been to Examination but is not yet adopted. The Council consider that the parking standards set out in the Local Plan which was adopted In January 2019. These are the most up to date parking standards and should apply at this time.

The previous application was refused on the grounds of the impact of potential on street generated by the development on highway safety and the Inspector addressed this in the decision letter as follows:

The 2017 scheme provided 0.5 spaces per dwelling (which is the same ratio as the proposed scheme). The parking standards that applied at the time were the previous UDP standards and the scheme proposed parking provision that was half of the policy requirement. In considering the proposed parking levels the Inspector takes into account the night time vacancy rates in a Parking Stress Survey carried out at the time, the local parking ratio of 0.71 cars per dwelling and the very high public transport accessibility level of the site. The conclusion of the Inspector is that 'the evidence before me, in this instance, does not conclusively suggest that the proposal would result in additional parking congestion of a level that would be harmful to the safety of pedestrians and vehicle users.'

In addition it is recommended that a Travel Plan is secured by condition to provide residents with information and measures to reduce reliance on car borne travel.

Taking all of the above into account it is considered that the proposed level of car parking for the current development is acceptable. The submission

- Electric Vehicle Charging Points

In accordance with the requirements of the London Plan, the fitting car parking spaces with 20% active and 20% passive electric vehicle charging points shall be carried out and a condition securing this provision is recommended. .

- Cycle parking

The London Plan requires the provision of 43 cycle parking spaces and the plans show the provision of 46 cycle parking spaces. These will be accommodated in 4 locations around the site and the Design and Access Statement indicates a brick structure for 43 cycles.

Three of the cycle stores will be located within the frontage area that wraps round the building. It will be necessary to design the stores to minimise the visual impact, particularly when viewed from the Elm Road Conservation Area, whilst providing appropriate structures to store and keep secure the cycles. A condition requiring the submission of details of the design and appearance is recommended to ensure that the form of the store is acceptable.

- Refuse and Recycling

Two bin stores will be located in the frontage area facing Hayne. On collection days refuse vehicles will wait on Hayne Road as per the existing arrangement for other residents. The bin capacity is provided in accordance with the Council's requirements. A condition requiring the submission of details of the design and appearance is recommended to ensure that the proposed stores are not overly intrusive in the visual amenity of the frontage area along Hayne Road.

- Construction Method Statement

This document sets out proposals for managing and supporting the project and identifies particular approaches that will be taken for certain key aspects of the construction process including site logistics, deliveries and parking site management and security, measures to deal with dust and debris, site safety, noise control and waste management.

The report has been reviewed by the Council's Environmental Health Officer who advises that the report is sufficient from an environmental health aspect. The Council's Highways Officer and TfL require the submission of additional information to supplement the existing content and a condition requiring the submission of this information is recommended.

- Highway related sS106 contributions

The Council's Highways Officer requires the following S106 contributions:

- £5000 towards future traffic schemes within the vicinity of the development
- The cost of providing and implementing the car club bay which is up to £2,500 depending on the work involved
- Provision of a car club to include 2 years free membership for residents without an allocated car parking space plus 20 hrs free drive time and information for all residents.

The applicant has agreed to these terms.

Overall it is considered that the development, as proposed, would not give rise to any significant on street parking or associated highway impacts subject to recommended conditions and the signing of a legal agreement.

Trees and Landscaping

Local Plan 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. When trees have to be felled, the Council will seek suitable replanting of native species. In addition Local Plan Policy 43 relates to Trees in Conservation Areas in particular.

The submitted Arboricultural Report identifies seven individual trees and five groups of trees (1 individual class B, 6 individual Class C, 5 groups of Class C). The category B tree and 2 groups of trees are located on the site of 25 Beckenham Road which is within the Elm Road Conservation Area.

Three individual Class C trees and two small Class C groups of trees are to be removed to facilitate the development. This is one tree less than for the 2017 application. Minor incursions are proposed to 1 tree and 3 small groups of trees however mitigation details have been provided.

The 3 trees to be removed are a Norway Spruce and a Lawson Cypress facing Hayne Road and a Cherry tree behind the existing garage block. The tree groups are beside the garage block and adjacent to No 22 Hayne Road. It is considered that these trees and groups of trees do not significantly contribute to the character and appearance of the area or the street scene or provide valuable screening for local residents.

Details of work to provide footpaths and hardstanding for a cycle store within the RPA of the Oak tree in the front garden of 25 Beckenham Road are set out in the report.

The Council's Tree Officer has reviewed the submitted document which includes a Tree Survey, an Arboricultural Impact Assessment and Tree Protection Specifications and advises that the arboricultural submission has addressed the tree constraints and implements adequate protection measures. It is recommended that permission is granted subject to the carrying out of works in accordance with the submitted details and under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

The Proposed Site Plan provides some indicative landscaping for the site. A condition is recommended requiring the submission and approval of a detailed landscaping scheme, to include a low hedge around the frontage (as part of the air quality strategy) green roofs for the bin stores and replacement tree planting.

Planning Obligations and Affordable Housing

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 56) 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..

Local Plan 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.

In terms of affordable housing, 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.

A lower threshold of affordable housing can only be accepted where it is demonstrated that the viability of the scheme cannot support policy compliant provision. The applicant has submitted a financial appraisal to accompany the application which seeks to demonstrate that the provision of affordable housing would reduce the viability to such a degree that it would not be viable in planning terms.

The Council commissioned an independent consultant to scrutinise the applicant's appraisal and confirm whether the development would be able to provide any planning contributions including affordable housing. After scrutinising the applicant's submission, the Council assessor has adjusted some of the input figures and advises that the development would result in a deficit of £1.43m and is not technically viable in planning terms.

Notwithstanding the above, the applicant has agreed to pay contributions for health, education, a carbon offset payment and a payment towards the provision of off-site playspace.

In summary, the applicant has agreed to pay the following contributions should the application be considered acceptable:

- Carbon Off-Setting payment of £29,286
- Health £25,920
- Education £57,125.38
- Playspace contribution – to be advised
- Highways works totalling £5,000 for potential future highways requirements following completion of the development.
- The cost of providing the car club parking bay which is up to £2,500 depending on the work involved
- Provision of a car club to include 2 years free membership for residents without an allocated car parking space plus 20 hrs free drive time and information for all residents.

Other Technical Matters

- Sustainability and Energy

The applicant has submitted a Sustainability and Energy Statement and a Domestic Overheating Assessment which sets out measures to meet Local Plan Policy 124 and London Plan policies 5.2: Minimising carbon dioxide emissions and Policy 7.7: Renewable energy.

These policies require residential development to have zero carbon dioxide emissions beyond Building Regulations Part L 2013. The priority is to design development to use less energy in its construction and use. In addition the London Plan sets out the expectation that all major development will seek to reduce carbon dioxide emissions by at least 20% through on-site renewables.

The energy statement submitted demonstrates that scheme can achieve at least a 35% reduction in carbon emissions above the 2013 Building Regulations, through the use of a combination of building efficiency measures and an array of PV panels mounted on the flat roof element of the development. However the development cannot meet the requirement for zero carbon emissions in this manner. Therefore, the applicant has agreed to a cash in lieu payment of £29,286 to the Council to offset the remaining regulated carbon emissions up to 100%. This would need to be secured through the section 106 legal agreement attached to any subsequent grant of planning permission.

On this basis, the proposal is considered acceptable in respect of energy and sustainability.

- Air Quality

The application site is located within an Air Quality Management Area where London Plan policy 7.14 requires developments to be air quality neutral and not lead to further deterioration of existing poor air quality.

The applicant has submitted an Air Quality Assessment to support the application which concludes that the development is Air Quality Neutral. Following comments from the Council's Environmental Health Officer a revised Assessment has been received including additional calculation details. The EHO advises that the Assessment is acceptable in principle. Conditions are recommended requiring the monitoring of PM10 (particulate matter) for the duration of demolition and construction works on site and compliance with the approved Air Quality Assessment.

- Drainage and Sustainable Urban Drainage Systems

The site lies within Flood Zone. The applicant submitted Drainage Strategy with the original submission.

In terms of policy context the relevant Local Plan policies relating to drainage include Policy 115 Flood Risk, Policy 116 Sustainable Urban Drainage Systems (SUDS) and Policy 117 Water and Wastewater Infrastructure Capacity. All development should seek to implement Sustainable Urban Drainage Systems (SUDS) to manage surface water and development should be within the existing capacity for water and waste infrastructure.

A surface water strategy has been submitted and proposes to use soakaways and permeable paving in the driveway and parking area which are considered acceptable at this stage subject to further porosity testing. The Councils Drainage

Officer finds the submitted report acceptable but requests the submission and approval of the detailed design of measures identified in the submitted strategy.

Thames Water raise no objections in terms of waste and water supply and infrastructure. A condition requiring submission of details should piling methods be used on site is recommended.

- Contaminated Land

Local Plan Policy 118 requires the submission of desktop and detailed site investigation reports to include a proposed remediation strategy and closure report. Land should be remediated to a standard such that there is no appreciable risk to end users or other receptors once the development is complete. London Plan Policy 5.21 reiterates the requirements of the BLP.

The site has been in residential use since the 1890's. A conceptual model has been produced which highlights the following potential contamination sources (although risks are likely to be low, rising to moderate in the case of asbestos)

- possible made ground associated with the former and current buildings on site that may contain asbestos, heavy metals, petroleum hydrocarbons or polyaromatic hydrocarbons.
- Potential hazardous gas/vapours within the soil associated with the main ground.
- Potential for contamination of the shallow aquifer associated with the Harwich formation that may extend beneath the entire site.

It is recommended that a Phase II intrusive ground investigation should be undertaken primarily for geotechnical purposes but also to include confirmatory testing and inspection with respect to land contamination issues.

The Council's Environmental Health Officer has reviewed the submitted document and concurs with the report recommendation that a Phase Two Intrusive Study should be carried out prior to the commencement of any works including demolition. A condition to this effect is recommended.

- 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.

The proposed development would result in a cramped overdevelopment of the site by reason of its footprint and overall site coverage, bulk, design and density of residential use, which would be out of character with surrounding development, and would fail to provide satisfactory outdoor amenity space for future occupiers, contrary to Policies BE1 and H7 of the Unitary Development Plan, Draft Policies 4 and 37 of the Proposed Submission Draft Local Plan and Policies 3.4, 3.5, 7.4 and 7.6 of the London Plan and the Mayor's Housing SPG.

2 The proposal would have inadequate levels of off-street parking and has the potential to lead to an increase in local residents parking on surrounding streets, leading to a significant risk to road safety and added pressure on the already busy junction of Hayne Road and Beckenham Road, which would be prejudicial to the free flow of traffic and general conditions of safety in the highway, contrary to Policy T3 and T18 of the Unitary Development Plan, and Draft Policies 30 and 32 of the Proposed Submission Draft Local Plan.

Conclusions

The application has been assessed against the adopted development plan and all other material considerations.

As set out in the preceding sections of the report, having regard to the relevant policies of the development plan and all other material considerations, including the proposals that have previously been dismissed at the site; the layout, form, scale and appearance of the development is acceptable and would not have an adverse impact on the local character of the area, the street scene or the adjacent Elm Road Conservation Area.

Details of the standard and quality of accommodation including mix, unit size, accessible units, daylight and sunlight and noise are considered to be acceptable and together with the form of development

The impact on the amenities of existing residents close to the site and representations received have also been taken into account and it is not considered that the development lead to a significant loss of residential amenity.

The development in the form proposed is considered appropriate in highway and transport terms and would not lead to significant risk to road safety or the free flow of traffic in the area from traffic numbers or pressure for off-site car parking.

In addition the provision of amenity space and children's playspace has been reviewed and it is considered that the reasons for refusal for the 2017 application have been met in this respect.

Consequently, there are no material planning considerations which signify that the application should be refused. On balance 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. The application is recommended for permission, subject to conditions and the prior completion of a S106 legal agreement.

Background papers referred to during the production of this report comprise all correspondence on file ref: 19/01637/OUT, 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

5218 01A Site Survey

5218 02 Floor Plans

5208 04 Elevations

5208 04 Roof Plan

5802 05 Extended North Elevation (part)

5208 06 Extended North Elevation (part)

4396 PD1 Existing and Proposed Block Plan

4396 PD 2 Indicative Long Section Beckenham Road

4396 PD 3 Proposed Section A-A

4396 PD 4 Proposed Elevations Blocks A and B

4396 PD 5 Proposed Street Scene Elevations

4896 PD6 Rev D Proposed Ground Floor Site Plan

4396 PD 7 Proposed Floor Plans Block A

4396 PD 08 Proposed Floor Plans Block B

Documents

Acoustic Assessment by Cass Allen Ref 01-17295

Air Quality Assessment by XCO2 dated September 2019

Arboricultural Report by Sylvan Arb Ref SA/1318/17 – C dated 5.4.2019

Construction Method Statement by Acorn received 1.5.2019 (partial approval)

Daylight and Sunlight Assessment by Richard Staig Ref ROL.19DLR2

Design and Access Statement (incorporating Heritage Statement and Planning Statement) by bhd architects dated 20.3.2019

Domestic Overheating Assessment by Element Sustainability Ref 2019.021 dated April 2019

Sustainability and Energy Statement by Element Sustainability Ref 2019.021 dated April 2019

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

Drainage Strategy by Rossi Long Consulting Ref RLC 171132 Rev 03m dated April 2019

Financial Viability Report by Savills dated April 2019.

Phase One Assessment (Desk Study) by Idom Meerbrook dated January 2019

Subsidiary Planning Statement by bhd architects dated 15.10.2018

Transport Assessment by pulsar Transport Planning dated April 2019

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 The development permitted by this planning permission shall not commence until the detailed design of the measures in the submitted "Drainage Strategy" Report carried out by Rossi Long Consulting with Ref No. 171132 Rev 3 dated April 2019 have been submitted to, and approved by, the Local Planning Authority.**

Reason In order to comply with Policy 5.13 of the London Plan and to reduce the impact of flooding both to and from the proposed development and third parties.

- 4 Prior to the commencement of development the following details shall be submitted to and approved by the Local Planning Authority in consultation with Transport for London to accompany the submitted Construction Method Statement by Acorn Planning Management and the development shall be carried out fully in accordance with the approved details.**

- Full contact details of the site and project manager responsible for day-to-day management of the works.
- Details of the typical sizes of all vehicles and the approximate frequency and times of day when they will need access to the site, for each phase of construction, estimating the average daily number of vehicles during each major phase of the work, including their dwell time at the site. High numbers of vehicles per day and/or long dwell times may require vehicle holding procedures so the applicant should consider whether the roads on the route(s) to and from the site are suitable for the size of vehicles to be used.
 - Accurate scaled drawings of any highway works necessary to enable construction to take place (e.g. construction of temporary vehicular accesses)..
- 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.
- Details of any proposed parking bay suspensions and temporary traffic management orders which would be required to facilitate construction. If construction vehicles cannot access the site, details are required on where they will wait to load/unload.
- Expected construction timescales, including an expected start and completion date.
- Information on the expected number, frequency and expected types of vehicles that will undertake deliveries to the site per day.
- Information on the use of cranes (if required) including the collapsible radius.
- A commitment to use contractors registered on the FORS and CLOCS initiatives.

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 37 of the Local Plan and in the interest of the amenities of the adjacent properties.

- 5** Prior to commencement of development, an Air Quality Assessment (AQA) prepared in accordance with best practice guidance shall be submitted to and approved in writing by the local planning authority. NO₂ diffusion tube monitoring shall be carried out for a period of at least three months and the subsequent data report submitted to and approved in writing, by the local planning authority. Locations and methodology of monitoring shall be agreed by Bromley Council prior to commencement of monitoring. This baseline monitoring report will provide verification for modelling exposure levels and will establish whether a scheme of proposed air quality mitigation measures to protect the future occupiers from air pollution exposure shall be required to be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the air quality during the demolition and construction of the development meets the requirements of Policy 120 of the Local Plan.

- 6** During and after demolition and construction works (and one month prior to commencement of any works on site), PM10 monitoring shall be carried out on site. Parameters to be monitored, duration, locations and monitoring techniques shall be approved in writing by Bromley Council prior to commencement of monitoring.

Reason: To ensure that the air quality during the demolition and construction of the development meets the requirements of Policy 120 of the Local Plan.

- 7** Prior to commencement of development including demolition a contaminated land assessment and associated remedial strategy, together with a timetable of works shall be submitted to and approved in writing by the Local Planning Authority.

a) Parts b, c, d, e and f of this condition shall be carried out in accordance with the Phase One Assessment (Desk Study) produced by Idom Merebrook (ref DS- 20622-17-148 Rev B, January 2019) hereby approved.

b) A 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 Local Plan

- 8** Prior to the commencement of development details of the proposed slab levels and the existing site levels shall be submitted to and approved by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels.

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

- 9** Prior to the commencement of above ground works details of materials for privacy screening shall be submitted to and approved by the Local Planning Authority and shall be installed prior to the first occupation of any of the units and permanently retained thereafter.

Reason: In the interest of the amenity of the occupants of adjoining properties and to comply with Policy 37 of the Local Plan.

- 10** (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 and landscape features 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 and a low hedge around the frontage (as part of the air quality strategy) and green roofs for the bin stores;

2) location, type and materials to be used for hard landscaping including specifications, where applicable for:

a) permeable paving

b) tree pit design

c) underground modular systems

d) Sustainable urban drainage integration

e) use within tree Root Protection Areas (RPAs);

3) A schedule detailing sizes and numbers/densities of all proposed trees/plants including ;

4) Specifications for operations associated with plant establishment and maintenance that are compliant with best practice; and

5) Full details of retained and proposed boundary treatments

(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) Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting.

(iiii) 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 and 73 of the Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

- 11 Prior to the commencement of above ground works details of the design and appearance of the proposed cycle stores shown on Plan 4396-PD-06 Rev D shall be submitted to and approved by the Local Planning Authority and installed prior to the first occupation of any of the approved units.

Reason: To provide secure and covered storage, minimise the visual impact of the stores and to comply with Policies 32 and 37 of the Local Plan.

- 12 Prior to the commencement of above ground works details of the design and appearance of the proposed bin stores shown on Plan 4396-PD-06 Rev D shall be submitted to and approved by the Local Planning Authority and installed prior to the first occupation of any of the approved units.

Reason: To provide secure and covered storage, minimise the visual impact of the stores and to comply with Policies 32 and 37 of the Local Plan.

- 13 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 above ground construction 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 Policies H7 and 37 of the Unitary Development Plan.

- 14 (a) Prior to the construction of first occupation of any of the units, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include as a minimum:
- o Measures to promote and encourage the use of alternative modes of transport to the car;
 - o A timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating.

(b) The Travel Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to ensure appropriate management of transport implications of the development and to accord with Policy 31 of the Local Plan.

- 15 (i) Prior to the commencement of above ground works a scheme of glazing and ventilation shall be installed in accordance with the recommendations of Section 4 of the Acoustic Assessment produced by Cass Allen (doc ref RP01-17295, rev 5); and on completion a verification report shall be submitted to the Local Planning Authority for written approval. The Report should include photographs and measurements where necessary and shall be produced by a suitably qualified person to confirm that glazing

and ventilation has been installed in accordance with the approved scheme.

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

Reason: To meet the requirements of Policy 119 of the Local Plan and to protect the amenities of future residents from the impact of traffic noise.

- 16 Prior to first occupation of the development a minimum of 20% of car parking spaces will be provided with active electric vehicle charging points and a minimum of 20% car parking spaces will be provided with passive electric vehicle charging points and these shall be permanently retained thereafter. Details of the charging units and the location of the spaces fitted with EVCP shall be submitted to and approved prior to the installation of the EVCP units.

Reason: To minimise the effect of the development on local air quality in the vicinity of an Air Quality Management Area and to accord with Policies 6.13 and 7.14 of the London Plan 2015 and Policy 120 of the Local Plan.

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

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

- 18 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 30 of the 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.

- 19 Prior to first occupation of the development details of the location of 2 disabled car parking spaces for Block A units 1 and 2 shall be submitted to and approved by the local planning authority and permanently retained as dedicated disabled parking.

Reason: In order to comply with Policy 30 of the Local Plan and in the interest of pedestrian and vehicular safety.

- 20 Prior to first occupation of the development details of the allocation of car parking spaces hereby approved shall be submitted to and approved by

the Local Planning Authority and the approval allocations shall be permanently retained thereafter.

Reason: To protect the amenity of residents from car exhaust fumes and to comply with Policies 37 and 120 of the Local Plan.

- 21 The development shall be carried out in accordance with the details set out in the report entitled Sustainability and Energy Statement dated April,2019 Ref 2019.021 and the report entitled Domestic overheating Assessment dated April 2019 Ref 2019.021and the approved measures shall be permanently retained thereafter.**

Reason: To comply with Policy 124 of the Local Plan and to seek to achieve compliance with the Mayor of London's Energy Strategy.

- 22 Before commencement of the use of the development 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 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.

- 23 (i) With the exception of Units 1 and 2 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 market, social rented and affordable rent properties) and shall be permanently retained thereafter.**

(ii) Units 1 and 2 shall be built in accordance with the criteria set out in Building Regulations M4(3)(2a): Wheelchair user dwellings and permanently retained as wheelchair units

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. .

- 24 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.**

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

- 25 All Non Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases of the development shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance 'Control of Dust and Emissions During Construction and Demolition' dated July 2014 (SPG) or any subsequent guidance.**

All major development sites in Greater London shall keep an inventory on site and on the online register at: <https://nrmm.london/> of all NRMM between 37kW and 560kW. All NRMM shall meet Stage IIIA of EU Directive 97/68/EC (as amended) as a minimum within Greater London (Stage IIIB from 1st September 2020) and Stage IIIB of EU Directive 97/68/EC as a minimum within the Central Activity Zone and Canary Wharf (the Central Activity Zone, Canary Wharf and the GLA defined Opportunity Areas shall meet Stage IV from 1st September 2020). Constant speed engines such as those found in generators shall meet Stage V standards either by technology or by retrofit for both NOx and PM reduction from 1st January 2020.'

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policy 5.3 and 7.14, and NPPF 181.

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).**

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.

Further information about the Levy can be found on the attached information note and the Bromley website www.bromley.gov.uk/CIL.

- 2 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and Numbering.**
- 3 Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's**

apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

- 4 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.**