

SECTION '2' – Applications meriting special consideration

Application No : 19/01532/FULL1

Ward:
Crystal Palace

Address : 4 Elder Oak Close Penge London SE20
8BJ

Objections: Yes

OS Grid Ref: E: 534555 N: 169722

Applicant : Mr S CINAR

Description of Development:

Part one/part two storey side/rear extension, roof alterations incorporating rear dormer and rooflights to front roofslope, external elevations and conversion into two residential units (2 x 3-bed flats)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 32

Proposal

Planning permission is sought for a part one/part two storey side/rear extension, roof alterations incorporating rear dormer and rooflights to front roofslope, external elevations and conversion into two residential units (2 x 3-bed flats).

A revised car parking layout was submitted to the Council on 23rd October 2019 along with a swept path analysis.

Location and Key Constraints

The site comprises a three bedroom semi-detached property located in the south west corner of Elder Oak Close, Penge. Elder Oak Close is a cul-de-sac which is accessed from Anerley Road (A214).

The property is not listed and not located in a conservation area.

Comments from Local Residents and Groups

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

- Although some conversion of this property has been allowed I would like to reiterate my objection to that on the grounds that our privacy, outlook and light will all be compromised.
- As far as this new application is concerned I feel that this would be out of character with the rest of our small close and also out of character with quite

a lot of the surrounding area, the external appearance will be considerably changed.

- In the drawing showing the proposed ground floor plan it shows provision for three car parking spaces, I assume that this will mean knocking down the existing garage, it will also mean leaving access room to drive into the spaces which will mean that parking spaces may well be lost in the close, there is also the issue of safety, we have children who rightly or wrongly often play in the close and with two three bedroom flats the likely hood is that there will be more than just three more cars and this could adversely affect safety here.
- I think that our privacy and outlook will be adversely affected.
- The proposal is for a transformation that's completely out of character with the existing single family dwellings in Elder Oak Close.
- The allocation of vastly increased internal floor space disproportionately in favour of bedroom accommodation (Increasing the number of bedrooms and potential occupancy to 12 or more) compared to living space, and the tripling of car parking provision at the property, whilst dramatically reducing garden area is surely a plan for multi-occupancy.
- Elder Oak Close is already very congested. Constructed in the 1950s, the Close of family homes is designed to facilitate very low volumes of traffic (at the time very few families owned a car and almost none had more than one). It is quite narrow and with vehicles typically parked along one side, drivers of larger vehicles (e.g. delivery vans) face difficult manoeuvres and often need residents to move cars (refuse collection vehicles no longer attempt to enter the close).
- Pavements in the Close are not comprehensive: residents of/visitors to houses (1 to 4) at the far end of the Close have to cross the road to access them. Even where pavement is provided vehicles, especially larger ones, park onto it forcing pedestrians into the road space if they have shopping, a child's buggy, or similar.
- If multi-occupied, most likely by adults as relatively short term tenants, the property would need frequent maintenance and upkeep visits by the landlord in addition to the coming and going of tenants resulting in a large increase in traffic of all sorts. This increase in traffic to the farthest-most corner of the small, already congested, cul-de-sac would far exceed what the limited access and services of the cul-de-sac were designed to cope with. The considerable increase in danger to pedestrians, dirt/noise pollution and disruption is surely unreasonable.
- There is a major subsidence issue at No4 Elder Oak Close which has already had a bad affect on my property, No 3 Elder oak close and is continuing to do so, it is also affecting the block of garages adjacent to No 4.
- So far my surveyor has not had any access to relevant drawings or technical specifications to assure that relevant underpinning or groundwork's will be done to stop this ground movement and prevent any further from happening and to support the extra weight load that would be put on my property if any, let alone this proposed work goes ahead.

Please note the above is summary of the comments received and full text is available on the council's website.

Comments from Consultees

Highways: The revised plan received on 23 October 2019 showing 2 off street parking spaces. The swept path analysis indicating that the car parking number 2 (adjacent to the existing garage) would be able to manoeuvre in and out the space, therefore on balance I raise no objection to the proposal.

Please include conditions relating to parking layout, refuse, cycle storage and a construction management plan.

Environmental Health Pollution Officer: Site is not on land with contamination. The site is in the Air Quality Management Area (AQMA) and so this should be addressed in the mitigation measures during the construction phase. A Construction Management Plan (CMP) which is appropriate for the proposed development should be proposed that would cover noise, hours of work, noise, dust, etc showing how the work would not become a source of nuisance to residents in the area.

EH response is to propose an appropriate CMP as a condition.

Drainage Engineer: No comment

Thames Water: On the basis of information provided Thames Water would advise that with regard to waste water network, waste water process infrastructure capacity, water network and water treatment infrastructure capacity we would not have any objection to the above planning application, and have requested informatives which have been included in the report.

Network Rail: The Developer must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The developer should comply with the requirements for the safe operation of the railway and the protection of Network Rail's adjoining land as set out in the informative section of this report.

Policy Context

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

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

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

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

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

London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity.
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality

7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.

8.3 Community Infrastructure Levy

Bromley Local Plan (2019)

- 1 Housing supply
- 4 Housing design
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 37 General design of development
- 113 Waste Management in New Development
- 117 Water and Wastewater Infrastructure Capacity
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

Planning History

Under planning application ref:- 16/04280/FULL6 planning permission was granted for Part one/two storey side/rear extension, roof alterations incorporating rear dormer and rooflights to front roof slope and elevational alterations. Decision notice issued: 25.11.16

Under planning application ref:- 16/02083/FULL6 planning permission was refused for a single storey rear and two storey side extensions, conversion of roof space to form habitable accommodation with rear dormer, 2 roof lights and elevational alterations. Decision notice issued: 28.06.16

The reasons for refusal stated as follows:

- 1 *The proposal does not comply with the Council's requirements for a high standard of side space separation to be maintained to the flank boundaries in respect of two storey development in the absence of which the extensions would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the Unitary development Plan.*
- 2 *The proposed extension by reason of its overall design, bulk and mass would be detrimental to the character and appearance of the host dwelling*

and general street scene. This would be contrary to Policies BE1 and H8 of the UDP.

Considerations

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

- Principle
- Design
- Standard of residential accommodation
- Neighbouring amenity
- Highways
- Refuse
- Sustainability
- CIL

Principle

Policy 9 (Residential Conversions) outlines that proposals for the conversion of a single dwelling into two or more self-contained residential units will be permitted provided that:

- The amenities of occupiers of neighbouring dwellings will not be harmed by loss of privacy, daylight or sunlight or by noise and disturbance
- The resulting accommodation will provide a satisfactory living environment for the intended occupiers
- On street or off street parking resulting from the development will not cause unsafe or inconvenient highway conditions
- the character and appearance of the area is not adversely affected

Furthermore, Policy 3.5 of the London Plan seeks to ensure that housing developments should be of the highest quality internally, externally and in relation to their context and their wider environment. In addition, development proposal should seek to protect and enhance London's residential environment and attractiveness as a place to live. In addition, London Plan Policies 7.4 and 7.6 seek to enhance local context and character, when assessing the overall acceptability of a proposal.

The application is a resubmission of planning ref: 16/04280/FULL6 in which planning permission was granted for a part one/two storey side/rear extension, roof alterations incorporating rear dormer and rooflights to front roof slope and elevational alterations.

The current application is broadly the same the approved application albeit the application now seeks planning permission to be converted into 2 x 3 bedrooms flats and incorporates side and rear extensions which are similar to those previously approved. There are also some external changes as set out on the proposed elevations which show the ground floor window (front elevation) will be a door. A smaller door is now proposed to the ground floor rear extension and a larger window on the ground floor flank elevation. The approved first floor partial rear extension is now shown to be 1m deeper.

The acceptance of the principle of some form of redevelopment of the site has been established in the previous applications (ref: 16/04280/FULL6).

Policy 1 of the Bromley Local Plan sets out The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. Policy 4 sets out a list of criteria which proposals will be expected to meet, the criteria is clearly aligned with the principles of the NPPF as set out above.

The proposed may be acceptable in principle subject to an assessment of the impact on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications and refuse arrangements.

The subdivision to flats would not in itself result in significant external changes to the property and the subdivision of the building would not adversely affect the character of the road.

Design

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

Paragraph 124 of the NPPF (2019) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually

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

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

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy 37 of the Bromley Local Plan states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy 6 of the BLP states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

Policy 8 of the Bromley Local Plan states that when considering applications for new residential development, including extensions, the Council will normally require the following:

(i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or

(ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

The Council considers that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's

residential areas. Proposals for the replacement of existing buildings will be considered on their merits.

The site is located in an urban location. The properties in the vicinity of the site are characterised by predominantly semi-detached dwellinghouses. Nine houses occupy the cu-de-sac.

Concerns have been raised over the design of the extension, however the extension is considered to be sympathetically designed to complement the host building and is similar to that previously approved under ref: 16/04280/FULL6. The two storey side extension is set off the north-western boundary by 1m, the first floor is set back and the ridge height lower than the host building, as such it is considered that the extension would not appear overly bulky or dominant within the street scene, and would not detract from the character and appearance of area generally.

For these reasons, it is considered that the proposed development is acceptable and complies with policy on design.

Standard of Residential Accommodation

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

Policy 3.5 of the London Plan and the Housing SPG (2016) Standard 24 states the minimum internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Technical housing standards - nationally described housing standard (NDSS) (2015).

The proposal would provide 2 x 3 bedroom flats.
Flat 1 (3 bedrooms) - 74.14sqm – Ground Floor
Flat 2 (3 bedrooms) – 99.64sqm – First Floor + loft

As noted above this comprises a three bedroom dwelling on the ground floor and a three bedroom dwelling set over the first floor and loft.

The NDSS provides the following minimum space standards:-

- 1 bedroom 2 person unit - 50sqm
- 1 bedroom 2 person unit (over two storeys) - 58sqm.
- 2 bedroom 3 person unit (over two storeys) - 70sqm

The two 3 bedroom units would comply with the above standards.

Private amenity space would be provided to the rear of the properties. The arrangement is considered to be acceptable.

Neighbouring Amenity

Policy 37 of the Bromley 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. This is further supported by Policy 7.6 of the London Plan.

Concerns have been raised over loss of privacy, the existing house already has windows at first floor level, the new units would only have windows to the front, rear and side overlooking the railway line and such it is considered that the proposal would not give rise to significant overlooking/loss of privacy at neighbouring sites over and beyond the current situation and the extant permission.

With regards to loss of light and overbearing impact, given that a similar sized extension has already been granted planning permission under application ref: 16/04280/FULL6 it is considered that the changes proposed (the increased depth of the first floor rear extension) would not have a significant visual impact for occupiers of adjacent residential development nor result in a loss of light.

In terms of increased noise and disturbance, an additional residential unit would inevitable generate activity that would increase the potential for noise and disturbance as a result of having two dwellings within a single plot, however given the location and the overall size of the two units proposed the development would not be harmful to the existing living conditions of the neighbouring occupants in this instance.

Having regard to the scale, siting, separation distance, orientation of the development, it is not considered that a significant loss of amenity with particular regard to noise, light, outlook, prospect and privacy would arise.

Highways

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

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

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

Objections have been raised from local residents concerning parking, pedestrian and vehicular safety as set out above in the consultation section. The Council's Highway Officer has reviewed the application and has raised no objection to two car parking spaces being provided (one will be in the existing garage) which lies within the red line boundary of the site and one space will be in front of the property. A revised car parking plan received on 23rd October and a swept path drawing has been provided to the Council to show that a car can manoeuvre in and out of the space.

An area has been provided for cycle storage on the ground floor. A condition has been included which requires the bike storage facilities to be completed in accordance with the plans prior to occupation in accordance with Policy 37 of the Bromley Local Plan.

As such the proposal would be in accordance with Bromley Local Plan Policy 30 and Policy 6.13 of the London Plan.

Refuse

The applicant has shown details on the submitted plans which show the provision for a refuse store. A condition has been included which requires the refuse facilities to be completed in accordance with the plans prior to occupation in accordance with Policy 37 of the Bromley Local Plan.

Sustainability

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

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

CIL

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

Conclusion

Taking into account the issues discussed above it is considered that the development is not too dissimilar to that approved under the previous application. The conversion to flats is not considered to be detrimental to the character and appearance of the area or have an unacceptable impact on the amenity of neighbouring occupiers. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

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.

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

as amended by documents received on 23.10.2019

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:**

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

4 (a) Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

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

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

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

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

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

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

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

- 7 A side space of 1m shall be provided between the flank wall of the proposed side extension and the boundary of the site (closest to the Railway).**

In order to comply with Policy 8 of the Bromley Local Plan and in the visual amenities of the area.

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 under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL**
- 2 You should consult the Street Naming and Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk**

- 3** A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality
- 4** 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. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>
- 5** There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>. 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.
- 6** Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 7** Network Rail strongly recommends the developer contacts Network Rail Asset Protection London South East at AssetProtectionLondonSouthEast@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at

<https://www.networkrail.co.uk/communities/lineside-neighbours/working-by-the-railway/>

- 8** The development must ensure any future maintenance can be conducted solely on the applicant's land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space, and therefore all/any building should be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. The reason for the 2m (3m for overhead lines and third rail) stand off requirement is to allow for construction and future maintenance of a building and without requirement for access to the operational railway environment which may not necessarily be granted or if granted subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works. The applicant / resident would need to receive approval for such works from Network Rail Asset Protection, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land. No structure/building should be built hard-against Network Rail's boundary as in this case there is an even higher probability of access to Network Rail land being required to undertake any construction / maintenance works. Equally any structure/building erected hard against the boundary with Network Rail will impact adversely upon our maintenance teams' ability to maintain our boundary fencing and boundary treatments.
- 9** Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to Network Rail Asset Protection. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 - 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the

new development shall be investigated and remedied at the applicants' expense.

- 10 All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.**
- 11 Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.**
- 12 Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for approval to Network Rail Asset Protection prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.**
- 13 In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.**
- 14 Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's approval of their detailed proposals regarding lighting.**
- 15 The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing**

railway must be assessed in the context of the National Planning Policy Framework which hold relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

- 16 Where a proposal calls for hard standing area / parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.**