

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

**Application No :** 19/03042/FULL1

**Ward:**  
Hayes And Coney Hall

**Address :** Regal House 10 Letchworth Drive  
Bromley BR2 9BE

**Objections:** Yes

**OS Grid Ref:** E: 540264 N: 167683

**Applicant :** Mr Peter Handy

**Description of Development:**

Demolition of existing 2 storey part vacant offices and the construction of a flatted block comprising 9 x 2 bedroom apartments, together with demolition of 9 garages and the provision of off-street parking and refuse storage. Works also include the erection of a new external staircase to the side of 12 Letchworth Drive.

**Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 51

**Proposal**

This proposal is for the demolition of Regal House, which is a two storey office building and the construction of a flatted block comprising 9 two bedroom flats, together with the demolition of 9 garages to the rear and the provision of 9 off-street parking spaces.

Works are also proposed to the side of Number 12 Letchworth drive, with the removal of the existing link bridge from Regal House and the creation of a set of new external stairs and refuse storage area.

**Location and Key Constraints**

Regal house is a two storey office building of 1960s construction, which sits alongside Letchworth Drive. It has a modernist architectural design and forms part of a wider Hayesford Park estate development, including development to the south. To the south are two three storey lateral blocks which are set perpendicular to Regal House. These face in towards a central pedestrianised courtyard with commercial units at ground floor level and residential accommodation above. Both Regal House and the commercial/residential units to the south are set behind a wide area of grass which separates the development from Letchworth Drive.

To the west of the site is a service road, leading to a row of garages and the rear courtyards of 12-24 Letchworth Drive.

On the opposite side of Letchworth Drive is Hurstfield Road and the wider development comprises mainly two storey detached residential dwellings.

The area is subject to a blanket Tree Preservation Order.

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

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

- Block light
- Loss of privacy
- Removal of garages will structurally weaken the supporting wall
- Close to electrical sub-station – health and safety concerns
- Noise pollution
- Reduction in greenspace
- Visually alter the architecture of Hayesford Park
- Closure of footpath will affect access of the shopping precinct and its visitor percentage.
- Additional cars
- A three storey building is out of keeping with the road. The three storey flats to the rear of the site are further away
- Overdevelopment of the plot
- Should be the same as existing
- Only reason the property is part empty is due to the owner not re-letting and allowing it to go into disrepair.
- Previous application was for the sympathetic conversion of an existing office block into residential units. This retained the unique style of the mid-century modernist architecture, retaining the light and airy spaces of the initial development.
- Architecture would will out-of-keeping with the integrity of the shopping precinct.
- A large block on the northern end will consume both the bath and part of the open greenspace.
- The street view will be that of a brutal box with inappropriate mass for the location.
- Fewer customers will use the precinct.
- A block of flats is not in keeping with other properties within the road or the Haysford Park Estate
- Lack of notification.
- Goes higher than the original building and foundations will have to go deeper.
- Impact on neighbouring foundations.
- Noise, disturbance and dust.
- Garages owned by other people included within blue boundary line. These owners have not received notifications.

- Parking issues with garages along access road.
- Owners of neighbouring garages denied access.
- No mention of where the businesses owner park now and will be able to park within the proposed scheme.
- No mention of neighbours being able to access their garages.
- Information about garages not included within the Transport Statement
- Impact on light, outlook and privacy to neighbouring properties
- Concerns about structural issues and subsidence
- Ownership boundaries are not correct
- Other flats have been built which do not fit with the area but they do not ruin an architecturally important building. Area has a charm which would not return. Would be ruined for a block of flats
- Loss of green space
- Hayesford Park estate is becoming overpopulated.
- Not in keeping with the estate
- Overdevelopment on such a small plot
- Block will tower over the existing small bungalows and will look awful.
- Increased traffic and parking issues
- Access to shops restricted
- Restrict garage access
- Eyesore in local area
- Excessive numbers of flats which have been recently built or still under development are putting a strain on roads around central Bromley. No (road) improvements to accommodation increased population.
- Parking restrictions may increase demand for street parking. Not great for current business or residents.
- Will spoil the look of the iconic 1960s Precinct.
- Object to the change of the business to residential
- Lack of infrastructure around surrounding area
- Fewer school places and doctor appointments
- The planning by Howards, was based on an Open Garden Estate, to enhance long term residents with families. The redevelopment would be out of place with the aesthetics of the area and level of development beyond what is elsewhere within the estate.
- Unclear how the existing green spaces will be used. They currently provide a good border between the road and shopping area. If the idea is to provide screening barrier – then plant out as a wildlife enhancing environment.
- Access from Letchworth Drive will be compromised.
- Any development should be in-line with the existing building – perhaps a two storey development with facades in line with the existing building to keep it in line with other buildings.
- Consideration needs to be given to nearby dwellings.
- Parking is appalling with commuters using surrounding roads. Increase in the size of Lotties nursery will have an impact on local residents.
- Area is becoming more enclosed.
- The many grassed areas contribute to its open and peaceful feel.
- Original architects were BDP and is one of largest examples in Greater London of a privately development estate, carefully planned as a whole to a

high standard. One features was the number of small opens spaces which intended to connect larger open spaces in the development. Noted by Pevsner that the estate 'depends for its character on the inclusion of small open spaces rather than one large park or common.' It is essential that if it is to keep its original character that these spaces are for public use.

- Previous attempts to development these small areas were previously dismissed at appeal.
- Council should reconsider Conservation Area designation.
- A smaller scheme which does not impose on the green, and at least attempts to integrate with the design of the 1960s ethos would be preferred.
- Revised documents might not be complete. Would like an explanation as to how the revised documents address concerns raised in several objections.
- Taking away greenery
- Loss of privacy
- Obstruct view and loss of house value
- Never would have purchased house 35 years ago if the flats had been there
- In favour of modernising the look of the existing buildings that are already there but not for building something so obstructive that will change the look of the whole road and precinct.
- Have right to put car in own garage and these plans prevent neighbours from doing this.
- Pleased to see some garages removed from boundary line.
- With removal of garages all plans and surveys should reflect the change including survey of traffic of the road, where the business are going to park and how current resident garage owners will access garages.
- Further transparency is needed around the area of parking in the service road now that they acknowledge that 8 other people own them.
- Plans need to show where the current precinct owners are going to park. It is unacceptable that current business owners park in front of privately owned garages.
- Concerns around bollard parking for new development and if business owners will park in front of garages.
- Service road is access only.

### **Summary Comments from Consultees**

Environmental Health Pollution Officer: No objections in principle. As this is not a major application, it is not situated in the Bromley AQMA, nor is it in an area with elevated NO2 levels; there are no comments to make in respect of air quality. The Transport Assessment has been reviewed and due to the modelled number of vehicle trips being very similar in number to the previous use, it is considered that there will be no impact for air quality from the proposed number of vehicle trips.

Drainage Engineer: The applicant is required to maximise the use of SUDs to attenuate for surface water run-off. Please impose a surface water drainage condition.

Highway: A secure cycle store has been included adjacent to the main entrance with individually lockable Sheffield type stands to meet Bromley Council's statutory provision. This is satisfactory but 18 cycle spaces are required in total.

Highways - 9 spaces for 9 2 x bedroom flats is acceptable. The required measurement of a parking bay is 2.4m x 5m with a clear manoeuvring space of 6m.

Refuse storage looks satisfactory but please consult LBB Waste Service.

Drainage to be provided within the access. This reduces the risk of surface water from a site running into the highway causing dangers for road users. Water draining onto roads can in itself be a safety hazard - in the winter months it can be even more serious if it freezes.

Drives should not surface with gravel or other loose material. This reduces the possibility of bits of loose stone being deposited in the highway by repeated movement of traffic over the drives. Small stones are a hazard on footways as they can cause pedestrians to slip. The stones can be propelled at relatively high speed (even by slow-moving traffic passing over them) and be a source of danger for road users. I would not have any objection to the application.

Please include the following with any permission:

Condition

OC03 (Satisfactory Parking)

PC14 (Turning area)

ND16 (Hardstanding for wash-down facilities)

AG11 (Refuse storage)

AG12 (Cycle parking) 18 spaces

AG13 (Lighting scheme for access/parking)

PC17 (Construction Management Plan)

AG24 (Highway Drainage)

Non Standard Condition

No loose materials shall be used for surfacing of the parking and turning area hereby permitted

Informative

DI16 (Crossover)

Non standard 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."

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

Waste Services: No comments received

Tree Officer - No objections. Recommend the inclusion of a tree protection plan.

## Policy Context

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

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

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

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

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

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

### London Plan

Policy 3.3 Increasing Housing Supply.  
Policy 3.4 Optimising Housing Potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable energy  
Policy 5.10 Urban greening  
Policy 5.13 Sustainable drainage  
Policy 5.17 Waste capacity  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 8.2 Planning obligations  
Policy 8.3 Community infrastructure levy

### Local Plan

Policy 1 Housing Supply  
Policy 4 Housing Design  
Policy 30 Parking  
Policy 32 Road Safety

Policy 37 General Design of Development  
Policy 73 Development and Trees  
Policy 83 Non-designated Employment Land  
Policy 96 Neighbourhood Local Centres, Local Parades and Individual Shops  
Policy 116 Sustainable Urban Drainage Systems (SUDS)  
Policy 123 Sustainable Design and Construction

Supplementary Planning Guidance

SPG1 General Design Guidance  
SPG2 Residential Design Guidance

Housing SPG

Housing Technical Standards - Nationally Described Space Standards (NDSS).

## **Planning History**

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

17/03187/RESPA - Change of use of ground and first floors from office Class B1(a) to residential Class C3 dwellinghouse to form 5 flats (56 day application for prior approval). Granted.

## **Considerations**

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

- Principle
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Trees
- CIL

### Principle

The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

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 Bromley Local Plan have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025.

A planning appeal decision was issued on 26th June 2019 that has implications for the assessment of planning applications involving the provision of housing. The appeal at Land to the rear of the former Dylon International Premises, Station Approach Lower Sydenham SE26 5BQ was allowed. The Inspector concluded that the Local Planning Authority cannot support the submission that it can demonstrate a five year housing land supply having given his view on the deliverability of some Local Plan allocations and large outline planning permissions. According to paragraph 11d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'.

In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) 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.

This application includes the provision of 9 new dwellings, which would represent a moderate contribution to the supply of housing within the Borough. This aspect of the proposal will be considered in the overall planning balance set out in the conclusion of the report having regard to the presumption in favour of sustainable development.

Regal House is used as office accommodation with the ground floor currently occupied. The first floor is vacant. Accordingly Policy 83, which relates to Non-designated employment land is considered to be applicable. This policy states that a change to a non-employment generating use will be considered on the following criteria:

- a) whether there is a demonstrable lack of demand for the existing permitted uses, including evidence of recent marketing for reuse,
- b) whether all opportunities for reuse or redevelopment for employment generating uses have been explored, and
- c) where the site is capable of accommodating a mixed use scheme, whether the proposal includes the provision of a similar quantum of floor space for an employment generating use.

In this case the applicant has supplied a 'Marketing Statement' which states that the existing ground floor tenant is expected to vacate the building by the end of October and has been offered alternative accommodation in order that their business can continue locally, but no further marketing information has been provided.

The statement goes on to explain that the existing offices are in a poor condition with evidence of water ingress, inadequate insulation, single glazed windows and the services require renewal. The costs which would apparently be involved with bringing the accommodation back to a lettable standard have therefore led to redevelopment being the applicant's preferred option.

Additionally, there is an extant permission under the prior approval regime for the conversion of the existing office block into 5 self-contained flats. This was granted in September 2017 and they have until September 2020 under that Approval to commence works.

The site itself forms part of the wider Hayesford Park estate, which comprises detached houses, bungalows, terraces and flats. Additionally, many of these are centred round a small shopping precinct set to the south of the development site. The site is also situated around 1 mile to Bromley Metropolitan Town Centre which includes various forms of office accommodation. It has a low Public Transport Access Level (PTAL) of 2 and is not therefore considered to be readily accessible. There are a number of parking restrictions on Letchworth Drive in the vicinity of the site, including a marked loading bay and various single yellow lines. Nine garages are due to be demolished in association with the proposed development. There is a large car-park to the east which is associated with the precinct, but the extent to which it is available for the office use is unknown. On-street parking availability does however appear to be at a premium.

The lack of marketing is contrary to Policy 83; however the site is within a mixed residential/commercial area and a residential use would not be out of character within the context. The building is already partially vacant and is in need of investment in order to bring it up to a lettable standard. Additionally, it is within a good distance of Bromley Town Centre which has a better supply of office accommodation, and is within a more sustainable location supported by various transport modes. The parking pressures surrounding the locality, proximity of Bromley town centre and investment needed to bring the unit back to a lettable standard, are all factors that minimise the prospect of future occupation. It is acknowledged that there is currently an existing company within the property and the applicants marketing statement notes that this tenant 'has been offered suitable alternative accommodation to enable their business to continue locally' suggesting they perhaps would continue to operate out of the building. However in this case, when weighing up the likely prospect of it is being let by a similar B Use going forward, against the above limiting factors and the extant development for the building, the change of use is considered to be on balance acceptable.

## Design, Layout and Scale

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 BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policy 37 states that all development proposals should be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas.

The application site is a rectangular plot, which currently houses a two storey 1960s commercial building. The upper and lower floors are off-set, with part of the first floor set on pillars, which over sails a paved walkway providing access from Letchworth Drive into the central shopping precinct to the south.

To the south, there are two three storey lateral blocks, set perpendicular to the application building. These buildings comprise commercial units at ground floor level and residential maisonettes above. The first and second floor maisonettes are set forward of the ground floor units, creating an overhang, similar to the application building.

To the south of the shopping precinct there is a higher density residential block of flats, known as Fair Acres which ranges between 5 and 7 storeys in height.

Immediately in front of the site to the north and west, there is a large and relatively deep area of grass, which separates the more commercialised aspect of the precinct to the south, with the lower density two storey residential dwellings to the north. This area of open green space contributes positively to the character and more open appearance of the streetscene.

Finally, to the east of the site, there is a service road providing access to the rear of the commercial units to the south and a single storey garage block. Behind this garage block there are two storey residential properties.

At present the overall scale of development steps down from the Fair Acres estate to the application site, which is more comparable with the two storey residential dwellings on the opposite side of Letchworth Drive. The off-set form of the structure currently sits forward of the established building line of the commercial units to the south, but this is mainly at first floor. The off-set form and provision of the walkway below, helps to break up the massing of the office block within the streetscene as it provides open views into the shopping precinct beyond.

The proposed building would have a similar footprint to the existing office block, but its massing would be substantially greater. It would also now extend up to three storeys, similar to the precinct buildings to the rear. It would have a contemporary appearance with the use of render and brick banding. The base ground floor would have a brick finish and the brick banding would extend upwards to emphasise the balconies. The upper floors would have a render treatment with a colour finish to complement the treatment of the maisonettes above the commercial units to the south.

The wider estate surrounding the site is of typical 1960s design and the existing office block is very much of this time. It is however noted that the Fair Acres flatted development to the south has been extended by way of a number of more modern 'wings'. The area also has a mixed character and residential properties are located above the commercial units immediately to the south, therefore the introduction of a more modern residential flatted block within this location is not considered to be out of character with the area in general. Additionally, the overall density of the development at 60u/ha and 180 hr/ha accords with London Plan density ranges for a suburban context.

The proposed building would extend out over into the rear service yard and on the opposite end it would also match the furthest extent of the existing first floor projection. The existing paved walkway, which currently sits beneath this overhanging upper floor, would be relocated more centrally within the area of green space to the east. The proposed building would therefore now extend from the ground floor level up to three storeys. Visually, this would have a more grounded appearance and would in turn emphasise the mass of the building as the visual link from the road to the shopping precinct to the north at this point would be lost. Generally, the existing building is relatively unassuming within the streetscene as a result of its position behind the grass frontage, modest height, lighter appearance and provision of visual links to the precinct beyond.

The proposed building would however continue to sit behind a large area of grass and this degree of set-back from the pavement would provide some relief from the greater mass and scale of the development. However, the position and extent of the building would have an enclosing effect on the shopping precinct and units immediately to the rear. Additionally the building would be far more prominent within the streetscene as a result of its larger scale, greater number of windows and wider facades. The applicant has however sought to try and address the relationship between the proposed development and the commercial precinct by introducing large glazed windows on the north east corner of the building to create a gateway feature, which seeks to visually lighten the mass of the building at this key corner and draw the eye to the space beyond. Additionally, the proposed walkway from Letchworth Drive to the shopping precinct would be relocated more centrally within the grass frontage. A row of trees is then proposed either side of the walkway to create a 'boulevard' type arrangement. This walkway would not be as enclosed as the existing arrangement and would ensure that a linkage between Letchworth Drive and the commercial units is still provided.

The area of grass to the north and east of the site is substantial and contributes positively to the appearance of the streetscene. The development, as a result of the scale of the built form and newly created walkway would result in the loss of some of this greenspace, but a significant portion would still be retained and any loss is not considered to be of a substantial degree.

The proposed development would be more prominent within the streetscene as a result of its heavier set appearance and larger scale and massing. Additionally, certain visual linkages would be lost. However, the relocation of the walkway and glazed corner feature of windows would off-set some of the above harm. Therefore, the harm identified to the overall character and appearance of the streetscene as a result of this development is modest and is not considered to be of a significant degree.

### Standard of residential accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

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

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

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 (2015).

The minimum standards for the development proposed are as follows:

Two bedroom 3 person unit - 61sqm

Two bedroom 4 person unit - 70sqm

The proposed dwellings would meet the minimum floor space spaces.

Each unit would be provided with balconies with their own amenity area.

All units would achieve an acceptable level of light and outlook.

The submission includes a Part M4(2) compliance statement.

The proposal would therefore provide an acceptable standard of accommodation.

### Highways

Policy 30 (Parking) sets out the Council's standards for residential parking for new development. Moreover, Policy 6.13 (Parking) of the London Plan also sets standards for new residential development. The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking.

The application site has a PTAL rating of 2 where car ownership will be expected for new residential development.

In accordance with Policy 30, developments providing 1-2 bedrooms should have a minimum of 1 parking space per unit.

The proposal includes the demolition of 9 existing garages located on the service road. The development would then provide 9 off-street parking spaces for the proposed units, which accords with Local Policy standards. In line with Policy 6.13 of the London Plan, 20 percent of the spaces should provide electric charging points, with a further 20 percent providing passive provision for future demand. A condition could be imposed to ensure these spaces meet the above standard.

The proposal is supported by a transport statement. This highlights that a similar office use on an edge of town centre/suburban location could generate on average 6.08 two way trips per 100sqm of floor space. Based on the existing floor space this could equate to 48 two way daily trips. In respect of the proposed development a similar TRICS database assessment was used and this suggests that a suburban residential flatted development could generate 1.9 two-way vehicular trips per unit on an average weekday. Therefore the development could generate 18 two-way vehicular trips and this equates to fewer potential vehicular trips that could be generated from the established office use.

The Council's highways team has not objected to the proposed development in respect of additional on-street parking stress, trip generation or the creation of unsafe highway conditions. The transport statement demonstrates that there would likely be fewer trips generated by a residential use when compared to the established office use. Therefore, it is not considered that the development would have an unacceptable highway impact.

Refuse storage is provided on the ground floor of the development. This storage area is 30m away from the road side and Council standards require this distance to be no more than 18m. The applicant has therefore confirmed within the Transport Statement that the management company will be responsible for ensuring that bins will be presented within 10 metres from Letchworth Drive. No objections or comments have been raised by the Council's waste team to this arrangement.

### Neighbouring amenity

Policy 37 of the BLP 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.

The proposed site is situated on the south side of Letchworth Drive and would sit adjacent to the commercial units and upper floor maisonettes which surrounding the shopping precinct to the south. The building would be larger in scale than the existing office block. However it would still be situated around 29m away from the residential properties to the north and approximately 18m to the residential dwellings to the west. This degree of separation would be sufficient to prevent the development appearing unacceptably overbearing or visually intrusive. Additionally it would ensure that there was no unacceptable loss of light or overshadowing.

The commercial units and maisonettes to the south are detached from the development. This relationship would mean that there would be a minimal loss of light and overshadowing. Additionally, the level of projection beyond the frontage of these southern units would not be significantly intrusive given the degree of separation. The public space between Number 12 Letchworth Drive and the proposed development would be enhanced and there would be greater natural surveillance over this space as a result of development. Access to the flats above the commercial units to the south would be provided in the form of a newly erected external staircase and this would replace the existing link bridge. In respect of the

neighbouring buildings, the windows facing this public space to the side of Number 12 would not result in material overlooking.

The proposed windows within the west side of the building would look out onto an access road, garage block and a number of residential properties. There is already an established degree of overlooking to the west from existing built development, link-bridge, terraces and windows which are within the rear of the three storey commercial precinct buildings. Whilst the proposed windows and building would be closer to the residential dwellings to the west, there would still be an adequate degree of separation of around 18m.

The windows to the east would primarily overlook the area of grass and the public realm. Finally, the windows and balconies proposed within the north elevation facing on to Letchworth Drive would also face onto the public realm and the approximate degree of separation would be around 29m, as such no material loss of privacy or overlooking is anticipated.

There have been representations made in respect of the development and a number have raised objections about the access to the garages. A number of these are outside of the applicant's ownership but are serviced by the same access road. The applicant has confirmed that measures will be put in place to ensure access is maintained during construction. However, rights of access over privately owned land are civil matters between the interested parties and go beyond the scope of this assessment.

Concerns have also been made in respect to possible damage to party walls and structural concerns surrounding the removal of the garage. However, these are matters covered by different legislative regimes and also go beyond the scope of this assessment.

The newly created walkway linking Letchworth Drive and the shopping precinct would ensure that there was still sufficient access to the commercial units from the main road.

Therefore, the impact on the residential amenities of neighbouring properties is considered to be acceptable.

### Trees

Policy 73 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. When works are proposed to be carried out to protected trees and woodlands the Council will seek appropriate management to ensure that they remain in a healthy condition and visually attractive.

The site is subject to a blanket tree preservation order. A number of trees are located in front of the site, along the north west boundary with Letchworth Drive. These trees would be retained. The Council's tree officer has not objected to the scheme and has requested the submission of a tree protection plan via condition.

This is considered reasonable and necessary to protect these trees during construction. The north east boundary will be defined and reinforced by shrubs and new trees are proposed alongside the newly created walkway. To the south west boundaries raised planters are proposed to define the public and private approaches to the new main entrance. The submission notes that it is the applicant's intention to appoint a landscape architect to provide advice on the detailed landscape design. Given the importance of this green and landscape frontage to the character and appearance of the streetscene, it is considered necessary and relevant to condition the submission of a full landscaping strategy to ensure the detailed design is of a high quality.

### CIL

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

### Conclusion

It has been found that the development would not comply with Policy 83 in respect of marketing but this was considered to on balance acceptable as a result of the fall-back position in respect to the previous grant of prior approval to residential use, condition of the office block and proximity to Bromley Town Centre. Additionally, it would also result in a modest degree of harm to the character, appearance and connectivity of the streetscene as a result of its scale, design and position. However, it would also provide 9 two bedroom residential units, which all achieve a good standard of accommodation with private amenity space. The development would also comply with Local Plan parking standards and no harm has identified in respect of the highway. Finally, the development would not result in harm to neighbouring residential amenities and is within a good distance to Bromley Town centre. In respect of the Council's 5 year housing land supply and the Inspectors conclusions surrounding the recent appeal outlined within the 'principle' section above, paragraph 11d (ii) of the Framework would be applicable. In this case, whilst a modest degree of harm has been found in respect of the character and appearance of the area, the harm identified is not considered to significantly and demonstrably outweigh the benefits of the development. Therefore, in the planning balance the proposal is considered to acceptable.

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 29.10.2019  
**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** (i) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

**Specific issues to be dealt with in the TPP and AMS:**

- a) Location and installation of services/ utilities/ drainage.**
- b) Methods of demolition within the root protection area ( RPA as defined in BS 5837: 2012) of the retained trees.**
- c) Details of construction within the RPA or that may impact on the retained trees.**
- d) A full specification for the installation of boundary treatment works.**
- e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.**
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.**
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.**
- h) A specification for scaffolding and ground protection within tree protection zones.**

**i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.**

**j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires**

**k) Boundary treatments within the RPA**

**l) Methodology and detailed assessment of root pruning**

**m) Arboricultural supervision and inspection by a suitably qualified tree specialist**

**n) Reporting of inspection and supervision**

**o) Methods to improve the rooting environment for retained and proposed trees and landscaping**

**p) Veteran and ancient tree protection and management**

**(ii) The development thereafter shall be implemented in strict accordance with the approved details.**

**Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy 37, 73 and 74 of the Bromley Local Plan and pursuant to section 197 of the Town and Country Planning Act 1990**

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

**(a) Dust mitigation and management measures.**

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

**(c) Measure to reduce demolition and construction noise**

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

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

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

**(iii) Measures to deal with safe pedestrian movement.**

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

**(v) Parking for operatives during construction period**

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

**(e) Hours of operation**

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

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

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

- 5 Prior to commencement of development (excluding demolition) details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority . The development shall be completed strictly in accordance with the approved levels.**

**Reason: Required prior to commencement in order to ensure that a satisfactory form of development can be undertaken on the site in the interest of visual amenity and to comply with Policy 37 of the Bromley Local Plan**

- 6 (a) Prior to commencement of the development hereby approved (excluding demolition) details of turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority.**

**(b) The turning area(s) shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.**

**Reason: Required prior to commencement of development to satisfy the Local Planning Authority that adequate arrangements can be secured in order to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety and to comply with Policies 30 and 32 of the Bromley Local Plan**

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

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

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

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

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

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

**8 i) Prior to commencement of above ground works details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:**

**1. A scaled plan showing all existing vegetation to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock (where possible) and no invasive species**

**2. Proposed hardstanding and boundary treatment**

**3. A schedule detailing sizes and numbers of all proposed trees/plants**

**4. Sufficient specification to endure successful establishment and survival of new planting.**

**(ii) There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.**

**(iii) Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details**

**Reason: In order to comply with Policies 37, 73 and 74 of the Bromley Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.**

**9 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.**

**(b) The development shall be carried out in accordance with the approved details.**

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

**10 (a) Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works.**

**(b) The approved scheme shall be self-certified to accord with BS 5489 - 1:2003**

**(c) The lighting scheme as shall be implemented in full accordance with details submitted under Part (a) before the development is first occupied and the lighting shall be permanently retained thereafter.**

**Reason: In order to comply with Policies 30 and 37 of the Bromley Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.**

**11 (a) Surface water from private land shall not discharge on to the highway.**

**(b) Prior to the commencement of above ground works details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority.**

**(c) Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the details approved under Part (b) and shall be retained permanently thereafter.**

**Reason: To ensure satisfactory implementation of the surface water drainage proposals can be secured before additional pressure is placed on existing arrangements and to accord with to London Plan Policy 5.13 Sustainable Drainage and Policies 115, 116 and 117 of the Bromley Local Plan**

**12 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the details as set out in this planning permission and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out**

on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

**Reason:** In order to comply with Policy 30 of the Bromley Local Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 13 Prior to occupation of the development hereby permitted a refuse management statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include details of how refuse and recyclable materials will be managed on collection days and the management of refuse/recyclable materials and storage arrangements shall be carried out in strict accordance with the details set out within the approved statement and permanently retained thereafter.

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

- 14 Notwithstanding the information indicated on Drawing 2242-CAL-XX-ZZ-DR-A-103-P01.1 Rev D before the development hereby permitted is first occupied electric car charging point(s) shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces.

**Reasons:** To minimise the effect of the development on local air quality within an Air Quality Management Area and to comply with Policy 120 of the Bromley Local Plan and Policies 6.13 and 7.14 of the London Plan.

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

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

- 16 The development hereby permitted shall be built in accordance with the Part M criteria set out in the Schedule of Building Regulations Part M4(2) submitted with this application.

**Reason:** To comply with Policy 3.8 of the London Plan 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.

- 17 The arrangements for the storage of refuse and recyclable materials hereby permitted 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

- 18 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

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

- 19 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

Reason: In the interest of pedestrian and highway safety and to comply with Policy 37 of the Bromley Local Plan.

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](http://www.bromley.gov.uk/CIL)
- 2 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.
- 3 With regard to the laying out of the crossover(s) and or reinstatement of the existing crossover(s) a Vehicle Crossover Application will need to be made to the Highway's Department. The application fee is a non-refundable £100 pounds and the forms can be found through the webpage

[https://www.bromley.gov.uk/info/200083/roads\\_highways\\_and\\_pavements/279/access\\_to\\_your\\_drive\\_crossovers\\_dropped\\_kerbs/2](https://www.bromley.gov.uk/info/200083/roads_highways_and_pavements/279/access_to_your_drive_crossovers_dropped_kerbs/2)