

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

Application No : 19/04972/FULL1

Ward:
Penge And Cator

Address : 3 Wiverton Road Sydenham London
SE26 5JA

Objections: Yes

OS Grid Ref: E: 535383 N: 170877

Applicant : Mr A Glabay

Description of Development:

Demolition of existing garage and erection of a two storey building (with accommodation in the roof) to provide 1 no. three bed house, together with associated landscaping, bin and cycle store.

Key designations:

Smoke Control SCA 25

Proposal

The application is for the demolition of the existing garage and erection of a two storey building (with accommodation in the roof) to provide 1 no. three bed house, together with associated landscaping, bin and cycle store.

Location and Key Constraints

The application site is a triangular parcel of land to the side of 3 Wiverton Road. Number 3 is a two storey Victorian semi-detached residential dwelling. The surrounding area is residential in character and Wiverton Road comprises primarily semi-detached dwellings, however terrace properties are noted within the wider area.

The development site houses a single storey garage structure.

Comments from Local Residents and Groups

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

- The development is not in keeping with the character of the surrounding area
- Effective of further development on parking
- Possible loss of light and overshadowing.
- Already difficult to park in Wiverton Road and congested road conditions.
- Previous objections to past planning applications should be considered.

- Although majority of the design has been altered to bring it more in-line with the existing streetscene, the flat roofed side addition is not in-keeping with the other properties and would look out of place.
- Black window frames are not in keeping with adjoining properties.
- The building is lower in height than the adjoining property and will have a negative impact on the streetscene.
- Development is too big for the plot, which is irregular in shape. Negative impact on those properties with common boundaries.
- Parking is an issue. Appeal did not find parking to be a reason to reject the proposal but it needs to be taken into account. Appeal Inspector made one visit and this is not enough to assess the current parking situation.
- Smaller distribution of notifications.
- Should have an extension to the consultation period.
- Planning Inspectorate appeal decision does not reflect the serious problems with parking and traffic. The traffic survey full of mistakes.
- The current traffic survey also has mistakes.
- Agreed with Bromley Planning to refuse previous applications. Department are familiar with the area but now assessed by a planning Inspector who comes from a different part of the country. The Inspectorate report should be disregarded.
- Highway safety concerns. Vulnerable groups located close to site.
- Builds up the boundary. There is not a sufficient level of separation.
- Impact on privacy for neighbours.
- All period properties have a standard 'L-shape' extending at the back with a garden also at the back. Can see the reason for the side extension as there is not enough space at the rear.
- Outside space doesn't match.
- No one has a garden at the front.
- The garden at the back is not a usable space and not large enough for a family.
- An authentic period property would never show a flat roof side extension. It looks awkward/
- Internal layout does not reflect period design.
- Would create a terrace, whereas the houses are set in semi-detached pairs.
- The existing houses offer quality accommodation. The new development would not. Donating part of the land of which number 3 sits would cause harm to the quality of the accommodation at Number 3. No longer semi-detached with a sufficient garden and separation.
- Overlooking
- Garden would be next to a bin store.
- The inspector visited the site on 10th September, which is still just the holiday season or just outside. Gives a false impression.
- Comments regarding the content of the Inspectors assessment/report.
- Disagree with inspectors conclusions surrounding on-street parking conditions
- The on-street parking conditions are not a 'slight annoyance' but do affect neighbouring amenity.

- Misleading comments about the use of the existing garage and off-street parking area not being used. They are regularly used. Photo evidence provided.
- Other neighbours have created off-street parking spaces due to parking pressures.
- Concerns about access for emergency vehicles.
- Inspector accepted parking survey which was incomplete and full of mistakes.
- Only undertaken survey during the night not during the day.
- Query about the survey date of the current survey
- The Lambeth Methodology states that anything over 90% is classed as a highly stressed area. Wiverton Road is 91%, Venner Road 95% and Byne Road 93%.
- The three connection roads are highly stressed and this was only overnight, which are lower than day time. This proves during the day would be in excess of 100%.
- Inconvenient and unsafe parking occurs on double yellow line.
- The size of the house will likely have 2 cars.
- Real concerns with the appeal decision.
- The development will make problems of congestion even worse.
- Concerns about the impact on the road while development takes place, which could be for a considerable period of time.

The above is a summary of the comments received. Full copies can be found on the council's website.

Summary Comments from Consultees

Highways - The site is located in an area with PTAL rating of 4 on a scale of 0 - 6b, where 6b is the most accessible. The area subject to a high demand for on-street parking.

No car parking would be provided and the development will result in loss of a garage. Therefore the proposal will add to the parking pressures.

The applicant has carried out parking surveys on Wednesday 7th and Thursday 8th November 2018 at 0130 and 0100 respectively. The result demonstrates the observed average overnight parking stress of unrestricted parking opportunities within the survey area is 85%. It's important to note that Wiverton Road was 91% parked.

Parking stress levels of over 80% will be viewed as on-street parking coming close to being regarded as fully congested and stress levels of 90% or above as not acceptable which would not allow for visitors.

Moreover the applicant hasn't carried out parking any survey during the day between 10:00 and 12:00 noon.

The proposal will result in four additional cars, even with reinstatement of dropped kerb to footway level the stress level would increase to 87% which is unacceptable.

The Local Plan Chapter 4, Getting Around (Transport and Accessibility) sets out residential parking standards and three bed units in a PTAL of 2-6a should have 1(min) - 1.5(max) parking spaces.

I acknowledge that the lack of off-street parking could well add pressure on street parking in the area, based on my observations; the area is well used, and as results indicates particularly in the evening. Those circumstances could result in additional inconvenience as all vehicle owning residents in the area, as well as their visitors, compete for spaces. Therefore I conclude that proposal would cause parking difficulties, access problems or add to local vehicle congestion and cause harm to highway safety for the users of Wiverton Road.

Drainage - No objections request for surface water drainage condition.

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.

London Plan (Intend to publish)

The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application.

The draft new London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This is the version of the London Plan which the Mayor intends to publish, having considered the report and recommendations of the panel of Inspectors. Where recommendations have not been accepted, the Mayor has set out a statement of reasons to explain why this is.

Ahead of publication of the final plan, the SoS can direct the Mayor to make changes to the plan, and the London Assembly can veto the plan. These factors affect the weight given to the draft plan. At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations.

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

Bromley Local Plan

- Policy 1 Housing Supply
- Policy 4 Housing Design
- Policy 8 Side Space
- Policy 30 Parking
- Policy 32 Road Safety
- Policy 37 General Design of Development
- Policy 73 Development and Trees
- Policy 115 Reducing Flood Risk
- Policy 116 Sustainable Urban Drainage
- Policy 119 Noise Pollution
- Policy 123 Sustainable Design and Construction

London Plan Policies

- 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 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 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 7.15 Reducing and Managing Noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 7.19 Biodiversity and Access to Nature
- Policy 7.21 Trees and Woodlands
- Policy 8.3 Community infrastructure levy

Draft London Plan

- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach

D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
H1 Increasing housing supply
H2 Small sites
SI 12 Flood risk management
SI 13 Sustainable drainage
T5 Cycling
T6 Car Parking

Supplementary Planning Guidance

SPG No.1 - General Design Principles
SPG No.2 - Residential Design Guidance

Housing: Supplementary Planning Guidance. (2015)

DCLG: Nationally Described Space Standards (NDSS) (2015)

Planning History

18/03687/FULL1 - Demolition of existing garage and erection of a two storey building (with accommodation in the roof) to provide 1 no. three bed house, together with associated landscaping, bin and cycle store. Refused for the reasons outlined above:

1. The proposed development, as a result of its design, width, layout and restricted plot would result in an incongruous form of development harmful to the character and appearance of the streetscene contrary to Policy 7.4 of the London Plan (2016); Policies BE1, H7 & H9 of the Unitary Development Plan (2006); Policies 4, 8 & 37 of the Emerging Local Plan (2017) and Supplementary Guidance No 1.
2. In the absence of a parking survey to demonstrate the contrary the proposal would result in additional on-street parking pressures, which could be prejudicial to highway safety contrary to Policies 6.13 Parking of the London Plan (2016); T3 Parking and T18 of the Unitary Development Plan (2006).

18/05624/FULL1 - Demolition of existing garage and the erection of a semi-detached two storey, 3 bed (5 person) dwelling house, including landscaping, and bicycle and bin storage areas. Refused for the following reasons:

- 1 The proposed development, as a result of its design, width, layout and restricted plot would continue to result in a cramped and incongruous form of development harmful to the character and appearance of the streetscene contrary to Policy 7.4 of the London Plan (2016); Policies 4, 8 & 37 of the Emerging Local Plan (2017) and Supplementary Guidance No 1.
2. The proposal would result in additional on-street parking pressures, which could result in parking difficulties, access problems and generally lead to

local vehicle congestion, being inconvenient to local residents and prejudicial to highway safety contrary to Policies 6.13 of the London Plan (2016) and Policies 4; 30 & 32 of the Bromley Local Plan.

The above application was subsequently dismissed at appeal under ref: APP/G5180/W/19/3232282 on the 30th September 2019.

The Inspector concluded that 'On the matter of character and appearance, I have found that the proposed development would cause harm to the character and appearance of the area. On the matter of highway safety and living conditions with regard to parking, I have found that the development would not cause demonstrable harm to highway safety or have an unacceptable impact on the living conditions of residents.'

Considerations

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

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

Consideration will also be given to previous reasons for refusal and appeal history.

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 1 new dwelling which would represent a minor 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.

Design

Policy 4 of the BLP outlines the criteria that applications for new housing must meet. All new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places. They will also need to respect local character, spatial standards, physical context and density. Bromley's Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

Wiverton Road comprises mainly two storey semi-detached Victorian Villas. There are examples of infill development, such as the dwelling at Number 6, which has resulted in a terrace but these examples generally replicate the architectural detailing of their adjoining neighbours and overall, terraces are not considered to be the defining pattern of development within this particularly street.

The current scheme is a resubmission following the refusal of planning permission and a dismissed appeal.

The Inspector of that appeal observed that 'Number 3 is a grand semi-detached property with a significant amount of architectural detailing that positively adds to its character and appearance. This design, combined with the adjacent property, is unique in the street-scene which is predominantly made up of other grand semi-detached and terraced properties.'

Similar to the refused application, the application proposal would be attached to the gable of 3 Wiverton Road, creating a terrace of three properties. The existing garage would be demolished to allow for the construction of the proposed dwelling.

The refused scheme sought permission for a dwelling of a modern architectural style, with the inclusion of frameless glazing and dark grey and zinc cladding. However these were not found to be prevalent features in either the adjoining dwelling or surrounding properties. The Inspector considered that whilst there may be 'some architectural merit in the design of the proposal in isolation, in the context of the surrounding area, particularly the adjoining properties...it would appear harmfully out of character. The contemporary design would jar with the ornate design of the adjoining properties, disrupting their symmetry and substantially dilute the positive impact they have on the streetscene.'

However, whilst the design was considered to be harmful, the Inspector concluded that 'The proposal would not, by reason of its width, layout or plot size, directly result in a cramped or incongruous form of development.' The plot width on the street frontage was found to be consistent with other properties in the street. The plot at the rear was observed to be smaller than others surrounding the site, but this was not considered to be significantly objectionable, as it would not be 'particularly apparent' from the streetscene and as such would not cause harm.

The applicant has therefore sought to address objections in relation to the design, by now proposing a building which is more in-keeping with the traditional Victorian vernacular of adjoining development and streetscene in general. It would include a front bay projection, which reflects the adjoining bay at Number 3. Similarly, the proposed window proportions and pattern are more in-keeping with the arrangement found on the adjoining dwellings. The building would continue to have a two storey flat roof side addition; however no specific objections were raised by the Inspector to this element. Indeed the Inspector found that the width and plot arrangement was not materially harmful. This element, whilst visible from wider vantage points, would be set back marginally from the frontage. The dwelling would incorporate a brick facades and grey aluminium windows. The use of brick for the external elevations is considered to be a sympathetic and acceptable design approach.

The plot arrangement is very similar to the previous submissions. The depth of the proposed dwelling continues to be comparable to its adjoining neighbour. This would leave a small triangular wedge garden to the rear. A separate enclosed garden would also then be created to the front of the property. However, no objections were raised by the Inspector to this arrangement under the appealed scheme.

Therefore, when weighing up the amendments to the design with the Inspectors conclusions, the revised proposal is now considered to be acceptable and has satisfactorily addressed previous objections in relation to design and layout.

Standard of residential accommodation

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

Policy 4 of the BLP 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.

The scheme proposes a three storey three bedroom dwelling. The layout comprises two doubles/twin rooms and a single which would allow for 5 occupants.

A three bedroom 5 person dwelling over three storeys should have a minimum GIA 99sqm and the proposal would comply with this standard.

Amenity space is provided by way of a private rear garden and also a partitioned area to the front.

The property is dual aspect and all rooms would achieve an acceptable level of light and outlook.

No objections were previously raised in respect of the proposed standard of accommodation and given the similarities outlined above, no objections are raised to this proposal.

Highways

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

The site has PTAL rating of 4 on a scale of 0-6b, where 6b is the most accessible. The host property benefits from off-street parking with the garage and frontage.

The applicant has submitted a Parking Assessment in support of the application.

The previous application was refused by the Council on highway grounds and the reasons are outlined within the History section of this report. The highway objections were subsequently assessed by the Planning Inspector at appeal.

The current application remains similar to that scheme in that the proposal includes the loss of the existing garage associated with Number 3 Wiverton Road, which could provide off-street parking for one/two vehicles. Additionally, no replacement parking is proposed for the donor property or for the new three bedroom dwelling.

The Inspector of the appeal acknowledged that the road experienced a high level of on-street parking. This was supported by a parking survey which demonstrated a high capacity of on-street parking, with limited spaces remaining. The parking survey submitted in respect of the current application also demonstrates a similar level of demand, with high parking stress.

The Inspector also considered that the neighbouring representations made in respect of the refused application, and stated that it was clear from both the evidence and the representations that the area experienced a high level of on street parking throughout the day.

However paragraph 15 of the appeal decision states that 'I do not consider that the addition of one dwelling would make the existing situation significantly worse, nor has it been shown that the addition of one dwelling would cause demonstrable harm to highway safety. There is no evidence to suggest that the proposal would lead to congestion.'

The Council are still of the view that the development could generate a parking demand for up to four vehicles, with demand coming from the existing dwelling and also from the proposed house. However, at the time of the appeal, the applicant stated that the garage was not used for parking and the Inspector highlighted that there was no evidence to that the garage had to be retained for this purpose. A search of the planning history for the site can find no history for the garage or restrictive conditions requiring its retention. Weight was also given to the fact that the proposal would remove the dropped kerb, which would allow for at least one additional parking space on street.

The Inspector did not agree that a lack of parking provision would have a harmful effect in the form of parking stress, annoyance, and inconvenience for existing residents. Finally, the Inspector found that the parking survey methodology, survey

area, and also the times at which the surveys were carried out to be generally reasonable. The Council raised concerns about a lack of a parking survey undertaken during the day, which is acknowledged in the appeal decision, but the Inspector does not raise this as an issue as he was 'Able to visit the area around the appeal site during the day to observe the parking situation.'

Weight was also given to the location of the site, which was considered to be sustainable; being less than 250m from a railway station and bus stops.

The Inspector therefore concluded that 'The proposal would not result in additional parking demand that would cause demonstrable or unreasonable harm to highway safety or the living conditions of residents '.

Similar to the refused application, there are objections from residents about the parking difficulties within the area, and many of these representations raise concerns with the Inspectors conclusions in relation to parking.

The Councils highways officer also remains concerned with the lack of parking provision and pressures which could arise on street as a result of the development, as the area is known to be well used in terms of on-street parking and this is supported by both the parking survey and neighbouring objections.

However, considerable weight is given to the Inspectors conclusions. It is acknowledged that stopping up of the kerb would allow for the re-provision of one additional on-street parking space. Additionally, the site is within a sustainable location, being within walking distance of a train station and bus routes. However, as there are no parking restrictions on street the road likely suffer from parking pressures as a result of commuters.

Nevertheless, Policy 6.13 of the London Plan (2016) sets out maximum parking standards and the Inspector noted that a development of this size would have a maximum requirement of 1.5 spaces. However, this policy also outlines that all developments in good public transport accessibility (all parts of London) should aim for significantly less than 1 space per unit. The Inspector therefore found that there was no conflict with this policy.

Therefore in the case, when taking into account the similarities to the appealed scheme, the parking impact is considered to be on balance acceptable.

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 dwelling would extend up to southern boundary of the site, which forms part of the rear boundary for the gardens of 155-163 Venner Road.

These rear gardens generally have a depth of around 10-11m. However, it appears some of the gardens have been sub-divided.

The proposal would bring the bulk of built development closer to these rear gardens and visually, the overall appearance would be quite prominent due to the closer relationship. However, the lower side addition would be mainly set adjacent to these boundaries and the side elevation would be staggered in terms of its height and general massing, with the two-storey side element being positioned where there is greater distance to the boundary. Whilst the proposal would be highly visible, given the separation and staggered nature of this flank elevation, it is not considered that there would be a significant loss of outlook or undue harm by way of an overbearing impact. Additionally, it is not considered there would be a material loss of light or overshadowing due to the orientation of the site in relation to these properties. No objections were raised by the Inspector at appeal in relation to harm to neighbouring residential amenities.

No windows are proposed within the side elevation and the windows to the front and rear would look out onto areas where there is already an established degree of overlooking. The windows would also be set at an oblique angle to the rear elevations and gardens of the Venner Road properties. Therefore it is not considered there would be a material loss of privacy or overlooking.

CIL

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

Conclusion

The current proposal seeks to address the previous objections in relation to design, and the impact on the character and appearance of the streetscene has now been found to be acceptable. The highway officer remains concerned with the lack of parking provision and the subsequent highway impact, however the parking arrangements and lack of parking provision has been found to be acceptable at appeal. The development would provide an additional residential unit, which represents a minor increase in the boroughs overall housing provision. The unit would also provide a good standard of accommodation and the impact on neighbouring residents is considered to be acceptable. 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, when weighing up benefits of the development and the Inspectors conclusions surrounding the 2019 appeal on this site, it is not considered that any harm arising from the proposal would significantly and demonstrably outweigh the benefits of the development. Therefore, in the planning balance the proposal is considered to be 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.

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) 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

5 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.

6 (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

7 (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.

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

Reason: In order to comply with Policy 34 of the Bromley Local Plan and in the interest of pedestrian and vehicular safety.

9 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.

- 10 The facing brickwork used for the external surfaces of the development hereby permitted shall as far as is practicable match the existing dwelling at 3 Wiverton Road.**

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.

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**