

SECTION '2' – Applications meriting special consideration

Application No : 19/04888/FULL1

Ward:
Biggin Hill

Address : 9 Jail Lane Biggin Hill TN16 3SA

Objections: Yes

OS Grid Ref: E: 541876 N: 159537

Applicant : J.P. Whelan Homes Ltd

Description of Development:

Demolition of No. 9 Jail Lane and redevelopment (including land to the rear of No.7 Jail Lane) to provide 8 dwellings comprising two semi-detached and six terraced 3/4 bedroom houses with associated vehicular access, garaging, parking and landscaping

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 24

Proposal

It is proposed to demolish the existing bungalow and garages at No.9 Jail Lane and redevelop the site (including land to the rear of No.7 Jail Lane) to provide 8 new dwellings comprising 2 semi-detached 3/4 bedroom dwellings at the front of the site, and a row of 6 terraced 3/4 bedroom dwellings at the rear. The development would be laid out as a cul-de-sac and the access road from Jail Lane would run along the side boundary with No.7.

The frontage dwellings would have two car parking spaces each, with the eastern house having its own separate access from Jail Lane, whilst the rear dwellings would each have a single garage with a parking space in front.

A scheme of hard and soft landscaping is proposed which includes screen planting to the side and rear boundaries, and each property would have a minimum 10m deep rear garden.

The application was supported by the following documents:

- Planning, Design and Access Statement
- Transport Statement
- Tree Survey Report
- Preliminary Ecological Appraisal
- Bat Survey and Mitigation Strategy.

Location and Key Constraints

The application site is located on the northern side of Jail Lane and is occupied by a detached bungalow with garages located either side. It also includes the rear part of the neighbour's garden at No.7 Jail Lane which is a two storey detached property located to the west currently operating as a Bed & Breakfast.

No.15 to the east is a two storey detached dwellinghouse with a single storey side extension which was converted from its previous use as a garage to habitable accommodation.

The surrounding area comprises a mixture of different housing types including two storey semi-detached properties and detached bungalows.

Comments from Local Residents and Groups

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

Objections

- The previous grounds for dismissing the appeal against the Council's refusal have not been overcome
- The hedgerow to be retained adjacent to 15 Jail Lane is deciduous and would not therefore provide cover all year round, and it could be removed by future occupiers of the development
- Overdevelopment of the site
- Out of character with the surrounding area
- Loss of privacy to dwellings to the rear in Koonowla Close
- Increased traffic congestion in Jail Lane
- Inadequate parking provision
- Loss of outlook and light from adjacent dwellings
- Loss of trees
- The frontage dwellings would be closer to No.15 than the dismissed scheme
- The rear dwellings would still overlook No.15
- Vehicular movements would still cause noise and disturbance to neighbouring properties
- Detrimental impact on wildlife
- Too little soft landscaping provided
- Would set an undesirable precedent.

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

Comments from Consultees

Drainage Engineer: There is no public surface water sewer near the site, therefore standard conditions are recommended.

Highways: The previous application (ref.18/05679) was refused and dismissed at appeal. Initially a highway ground for refusal was included, but following receipt of additional information, this was withdrawn before the appeal. One issue was whether a Road Safety Audit should be carried out. The information provided by the applicant argued that "no Stage 1 Road Safety Audit should be required for this minor access scheme in such a location as Jail Lane where volumes of traffic are light and observed traffic speeds are low." I would not necessarily agree with this as the proposal includes a new access onto a classified road which is busy at times, particularly given there are 2 schools in the road. However, given that the Inspector agreed that there were no highway issues with the previous scheme, it would be difficult to revisit this.

There are 2 parking spaces proposed for each dwelling which is in line with the Local Plan standards. Some of the parking spaces are provided as garages and these are of a good size. The internal road layout has altered since the previous application, and the turning area has been reduced. The swept path for the turning of the refuse vehicle would not be practical as there would be too many manoeuvres required. It would also be too far to reverse. With the current layout there needs to be a refuse collection area located near the back of the footway in Jail Lane.

Trees: There is no objection to this in principle. If the acceptability of the proposal is influenced by the quality of the tree planting (to cover the privacy and screening issues commented on by the Inspector in the previous appeal), then further details should be submitted regarding size, species and root type.

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 '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.

London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture

Bromley Local Plan

- 1 Housing supply
- 3 Backland and Garden Land Development
- 4 Housing Design
- 8 Side Space
- 30 Parking
- 32 Highway Safety
- 37 General Design of Development
- 72 Protected Species
- 73 Development and Trees

Supplementary Planning Guidance

- SPG1 - General Design Principles
- SPG2 - Residential Design Guidance

Planning History

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

Permission was refused in March 2019 (ref.18/05679) for the demolition of No.9 Jail Lane and the redevelopment of the land to provide 8 dwellings comprising 2 semi-detached and 6 terraced houses with associated vehicular access, parking and landscaping on the following grounds:

- 1 The proposal constitutes an unsatisfactory sub-division of the plot resulting in a development by its design that is out of character with the surrounding area, resulting in a retrograde lowering in the spatial standards to which the area is at present developed, thereby contrary to Policies 3, 4 and 37 of the Local Plan and Policies 7.4 and 7.6 of the London Plan.
- 2 The proposed development by reason of its design and layout would provide an inadequate form of parking ie garages, narrow access, poor visibility, mouvering and sightlines to ensure adequate parking, servicing of refuse vehicles and safe access and egress to the site contrary to Policy 30 and 32 of the Local Plan and Policies 7.4 and 7.6 of the London Plan.
- 3 The proposed development by reason of its design, layout and height would lead to overlooking and a loss of privacy between the first floor windows of the proposed new residential properties and the gardens of resents in No.7 and 15 Jail Lane, 4, 6 & 8 Dowding Road and 2, 4, 6 & 8 Koonowla Close and would therefore be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to continue to enjoy contrary to Policies 3, 4 & 6 of the Bromley Local Plan.

The subsequent appeal was dismissed in July 2019 on grounds relating to the detrimental impact on the character and appearance of the surrounding area, the visually overbearing impact on No.15 Jail Lane and Nos.4 and 6 Dowding Road, and loss of privacy to No.15 Jail Lane. A further highways statement was submitted by the applicant at appeal stage, and it was subsequently accepted by the Council and the Inspector that the proposal would make adequate and suitable provision for on-site parking, sightlines, visibility, safe access and egress to the site and servicing of refuse vehicles.

Considerations

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

- Resubmission
- Principle
- Density
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Sustainability
- Landscaping, Trees and Ecology
- CIL

Resubmission

The current proposals differ from the scheme that was previously dismissed on appeal in the following main ways:

- The height of the dwellings has been reduced by 0.65m
- The roofs of the dwellings on Plots 1 and 6 (either end of the rear terrace) are now fully hipped to the side rather than half-hipped and the front gables have been removed - no second floor accommodation is now provided in these dwellings
- The garage attached to Plot 1 has been omitted and the two garages between Plots 3 and 4 have been set 5.3m further back
- Two detached double garages are now proposed to serve the rear terraced dwellings (Plots 1-6) and are located adjacent to the boundaries with 4 Dowding Road and 5 Jail Lane to the west and 15 Jail Lane to the east
- The front dwellings (Plots 7 and 8) are set 1-2m further back in the site but would be 0.8m closer to the eastern boundary with No.15 Jail Lane (would still be set back 1m from the boundary)
- The front gable to Plot 7 and front dormer to Plot 8 have been removed
- The amount of hard surfacing has been reduced and additional soft landscaping provided including along the western boundary with 4 and 6 Dowding Road and to the southern boundary with 7 Jail Lane
- The existing boundary hedge between the site and 15 Jail Lane would be retained.

Principle

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 8 dwellings, 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.

Policy 3 advises that new residential development will only be considered acceptable on backland or garden land if all of the following criteria are met:

- a) There is no unacceptable impact upon the character, appearance and context of an area in relation to the scale, design and density of the proposed development;
- b) There is no unacceptable loss of landscaping, natural habits, or play space or amenity space
- c) There is no unacceptable impact on the residential amenity of future or existing occupiers through loss of privacy, sunlight, daylight and disturbance from additional traffic
- d) A high standard of separation and landscaping is provided.

Policy 4 advises that new housing developments will be expected to meet all of the following criteria in respect of; layout; space standards; amenity space; parking; density and layout.

In the previous appeal, the Inspector considered that the site is in an accessible residential area where, in principle, new residential development is acceptable, and that this is reflected in other infill and redevelopment schemes within Biggin Hill. She acknowledged that the density of development proposed (37 dwellings per hectare) would comply with The London Plan standards, and although the intensity of the proposed development would be materially greater than that of the surrounding area and a significant proportion of the site would be either built on or hard surfaced, she considered that this would not in itself necessarily weigh against the scheme.

The current scheme is again for the provision of 8 dwellings on the site, and is similarly considered acceptable in principle.

Density

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan gives an indicative level of density for new housing developments. In this instance, the proposal represents a density of 37 dwellings per hectare with the table giving a suggested level of between 35-95 dwellings per hectare in suburban areas with a 2 PTAL location. The revised proposals would therefore still result in an intensity of use of the site that would be within the thresholds of the London Plan.

Design

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

Paragraph 124 of the NPPF (2018) 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 (2018) 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 8 of the Local Plan requires a minimum 1 metre side space to be retained to the flank boundaries in the case of a two or more storey development; or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.

In dismissing the previous appeal, the Inspector considered that the proposals would unacceptably harm the character and appearance of the surrounding area for the following main reasons:

- The roofs of the dwellings would be uncharacteristically high, deep and bulky and the dwellings would therefore appear prominent and out of keeping with their surroundings when viewed from both the street scene and the rear garden environment
- The mass, depth and height of the roofs of the frontage dwellings (Plots 7 and 8) would appear out of context with the row of dwellings along Jail Lane
- The dwellings on Plots 7 and 8 would appear unduly cramped due to the forward siting and proximity to the adjacent dwelling at No.15, and would therefore materially detract from the character and appearance of the street scene
- There would be limited opportunities for soft landscaping.

The current proposals have been revised to try to overcome these reasons and include; a reduction in the height, size and bulk of the roofs with no second floor accommodation provided for 3 of the dwellings; the setting back of the frontage dwellings (Plots 7 and 8) so that they align more with No.15; and the provision of less hard surfacing and more soft landscaping particularly to the boundaries with neighbouring properties which improves the setting of the development. Although the dwelling on Plot 8 would now be set closer to the flank boundary with No.15, it

would still provide a minimum 1m separation to the boundary, and given its set back and the significant reduction in the height and bulk of the roof, the relationship between these dwellings is not considered to be unduly cramped when viewed in the street scene.

The revised proposals are therefore considered to satisfactorily overcome the Inspector's previous concerns with regard to the impact on the character and appearance of the surrounding area.

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 Government's 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 proposals comprise 3 four bedroom 7 person dwellings for which The London Plan suggests that the minimum size should be 121sq.m. in floor area, and 5 three bedroom 6 person dwellings for which The London Plan suggests that the minimum size should be 102sq.m. in floor area for the dwellings with 2 floors and 108sq.m. in floor area for the dwellings with 3 floors. The four bedroom 7 person dwellings would provide 141sq.m. floorspace, and the three bedroom 6 person dwellings would provide between 108-109sq.m. floorspace, and would therefore achieve this standard.

All residential units should benefit from private amenity space which should comply with the requirements set out in the Mayor's Housing SPG. The proposed site

layout plan shows that each of the properties would benefit from a private rear garden of approximately 10m in depth which is considered acceptable to serve dwellings of this size.

Highways

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

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

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

Given the previous appeal decision, no highways objections are raised to the proposals in principle, subject to the provision of a refuse collection area close to the back of the footway in Jail Lane as there would be insufficient turning area on site for the manoeuvring of refuse vehicles.

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.

In dismissing the previous appeal, the Inspector considered that the proposals would have a visually overbearing impact on No.15 Jail Lane and Nos.4 and 6 Dowding Road, and would result in loss of privacy to No.15.

With regard to No.15 Jail Lane, the Inspector considered that the 3 front bedroom windows of the dwelling to the rear on Plot 6 would diagonally overlook the rear garden, patio and rear windows of No.15 to an unacceptable degree, and that the proposed dwellings at the rear of the site would be visually overbearing from this property. However, the second floor accommodation has now been removed from Plot 6, and there would now be only one first floor bedroom window diagonally facing the rear of No.15 (the other window serves a bathroom), whilst the overall size and bulk of the roofs of the rear dwellings have been significantly reduced and would not therefore have such an overbearing effect.

With regard to the impact of the adjacent frontage dwelling (Plot 8) on No.15 (in particular on the existing side bedroom window), the Inspector considered that although Plot 8 would be taller than the existing dwelling on the site, it would be set further forward and further away from the flank boundary with No.15, and it was not therefore considered to result in a significant loss of light or outlook. In the current scheme, the dwelling on Plot 8 would be 0.8m closer to No.15 and set approximately 2m further back, but given the reduction in height of the dwelling and hipped roof design, the proposals are not considered to result in any significant additional harm to No.15.

Concerns were also raised by the Inspector about noise and disturbance from manoeuvring and parking adjacent to the rear garden of No.15, but the layout has been revised so that a detached garage would now lie adjacent to No.15, and would largely shield parking and vehicle movements from the neighbour's garden. Furthermore, the applicant has confirmed that the existing boundary hedge between the site and No.15 would be retained.

With regard to Nos.4 and 6 Dowding Road, the Inspector's main concerns were the overbearing impact of the dwelling on Plot 1 on outlook from the dwellings and their rear gardens due to the combined height, depth and mass of the dwelling and its proximity to the rear gardens and rear-facing habitable rooms of the dwellings at Nos.4 and 6. In the current scheme, the dwelling on Plot 1 has been significantly reduced in height, the second floor accommodation has been removed, and the roof has been hipped to the side to reduce the overall bulk of the building. The side garage has also been removed, and although the side wall of the two storey house will now be 2m closer to the western boundary, it would still be set back 1.8-2.2m from this boundary. Overall it is considered that the height, depth and mass of the dwelling on Plot 1 has been sufficiently reduced to overcome the Inspector's concerns about its overbearing impact on Nos.4 and 6.

The Inspector also had concerns about noise and disturbance from manoeuvring and parking adjacent to the rear gardens of Nos.4 and 6, but the layout has been revised so that a detached garage would now lie adjacent to the boundary with these properties, and would largely shield parking and vehicle movements from the neighbours' gardens.

With regard to the Impact on Nos.2, 4 and 6 Koonowla Road situated to the rear of the site, the Inspector considered that with effective tree/hedge screening, the proposals would not result in significant loss of privacy, daylight, sunlight or outlook from these properties. The current proposals would reduce the height and bulk of the dwellings and tree screening is proposed along the boundary.

The revised proposals are therefore considered to satisfactorily overcome the Inspector's previous concerns with regard to the living conditions of neighbouring properties.

Sustainability

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

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

Landscaping, Trees and Ecology

Landscaping is an integral part of development and is fundamental to ensuring that the development responds appropriately to the character of the site and surrounding area and provide a high standard of amenity space for future occupiers. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils, minimising impacts on biodiversity and providing gains in biodiversity where possible.

Policy 73 of the Bromley Local Plan requires proposals for new development to take particular account of existing trees on the site and adjoining land, which, in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

Policy 70 & 72 takes account of Wildlife and Protected Species which may be present on a site. Planning Authorities are required to assess the impact of a development proposal upon ecology, biodiversity and protected species. The presence of protected species is a material planning consideration. Natural England has issued Standing Advice to local planning authorities to assist with the determination of planning applications in this respect as they have scaled back their ability to comment on individual applications. Natural England also act as the Licensing Authority in the event that following the issue of planning permission a license is required to undertake works which will affect protected species.

This application was accompanied by a preliminary ecological appraisal and concluded that no protected species were seen on site.

No objections are raised to the proposals with regard to the impact on trees within the site, subject to the provision of adequate screening along the boundaries which can be dealt with by condition.

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 provision of 8 new dwelling units on this accessible residential site would make a minor but valuable contribution towards meeting the Council's housing targets, and the revised proposals are considered to adequately overcome the previous Inspector's concerns regarding the detrimental impact on the character and appearance of the surrounding area, the visually overbearing impact on No.15 Jail Lane and Nos.4 and 6 Dowding Road, and the loss of privacy to No.15 Jail Lane.

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 18.02.2020

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 (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

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 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.

- 7 (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

8 (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

9 (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.

10 (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

- 11 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.

- 12 Before any part of the development hereby permitted is first occupied that part of a sight line of 43m x 2.4m x 43m which can be accommodated within the site shall be provided in both directions at the junction with Jail Lane and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed 1m in height in advance of this sight line, which shall be permanently retained as such.

Reason: In order to comply with Policy 32 of the Bromley Local Plan and to ensure that the proposal does not prejudice the free flow of traffic and conditions of general safety along the adjoining highway

- 13 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.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure, extension, enlargement or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy 37 of the Bromley Local Plan

- 15 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter

Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure

that the development provides a high standard of accommodation in the interests of the amenities of future occupants

- 16 No windows or doors (other than those shown on the plans hereby approved) shall at any time be inserted in the first floor flank elevations of the dwellings hereby permitted.

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

You are further informed that :

- 1 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

- 2 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