

Committee Date	24 th September 2020		Agenda Item:	
Address	Lubbock House 1 Northolme Rise Orpington BR6 9RF			
Application number	20/01280/OUT	Officer: Claire Brew		
Ward	Farnborough and Crofton			
Proposal (Summary)	Demolition of existing building and construction of a new building to create a part 3 / part 4 storey block of 43 x 1 bedroom flats as specialist housing for the elderly, with associated parking, refuse store and landscaping (OUTLINE APPLICATION)			
Applicant		Agent		
McCulloch Homes		Mr Laurence Mineham Ubique Architects		
Reason for referral to committee	Major development 10 + units			

RECOMMENDATION	PERMISSION SUBJECT TO LEGAL AGREEMENT
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KEY DESIGNATIONS Groundwater source protection zone TPOs

Residential Use – See Affordable housing section for full breakdown including habitable rooms					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total
Market	0	0	0	0	0
	43	0	0	0	43

Affordable (London Affordable Rent)					
Total	43	0	0	0	43

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	5	22	+17
Wheelchair accessible car spaces	0	2	+2
Cycle	0	8	+8

Electric car charging points	22 active
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Representation summary	Neighbour letters were sent on 28/04/2020 and 01/07/2020 A site notice was posted from 05/05/2020 and a press ad was displayed in the News Shopper on the 29/04/2020. Initial consultation was for a minimum of 21 days.
Total number of responses	31
Number in support	0
Number of objections	31

Section 106 Heads of Term	Amount	Agreed in Principle
Affordable Housing	43 units	yes
Early stage review mechanism	-	yes
Wheelchair accessible dwellings	10%	yes
Health contribution	£32,675	yes
Carbon offset payment in-lieu	£41,400	yes
Vegetation clearance/removal contribution	£1000	yes

Obligation monitoring fee	£3000	yes
Total	£78,075	yes

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal to re-provide specialist accommodation at the site, specifically for persons aged 55 and over, would comply with policy 11 of the Bromley Local Plan.
- The provision of housing, all London affordable rent, would make a significant contribution to the Borough's supply of affordable housing.
- The impact on the character and appearance of the area is acceptable.
- The impact on the amenities of adjoining residential sites is acceptable.
- The proposed access and parking arrangements are acceptable and, overall, the proposal would not give rise to significantly adverse highways impacts.

1. LOCATION

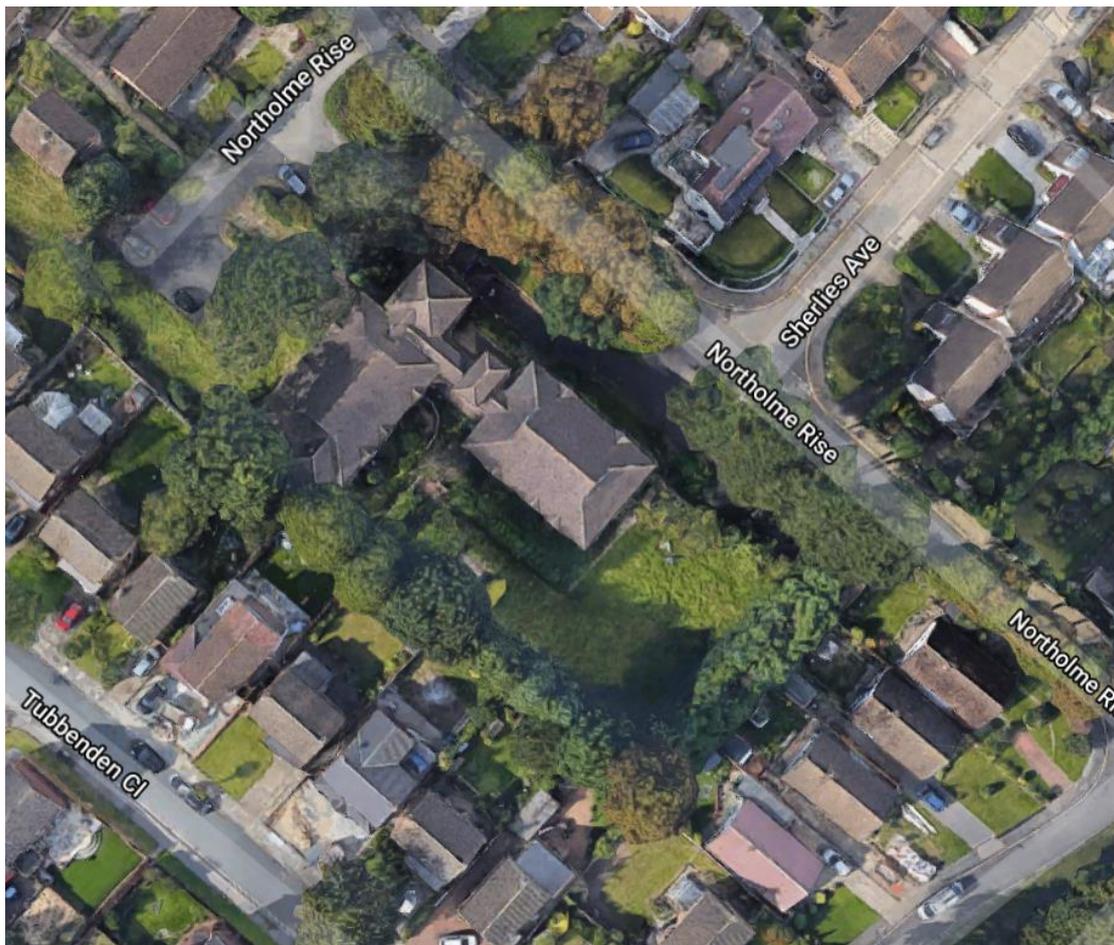


Fig 1: Existing Site (credit: Google Maps)

- 1.1 This 0.29ha site is located on the south-western side of Northolme Rise with ground levels sloping down from the north to the south across a rectangular plot running parallel with the road.
- 1.2 Access to the site is from Northolme Rise, leading to a small surfaced road and 5 car parking spaces. There is a small parking area signposted as visitor parking to the north-west of the site, which is also accessed off Northolme Rise; however, it is outside of the red line site boundary.
- 1.3 The site currently contains a three storey block, formerly a sheltered housing scheme containing 30 flats which was built under planning ref: 86/3422 and is now vacant. On closure Lubbock House was recognised as Extra Care Housing and is termed as such in the London Borough of Bromley's Older Persons Accommodation Evidence Base (pg 26).
- 1.4 The building is set into the sloping ground with retaining walls towards the northern end to first floor level. Ground levels gradually drop to the south with the building being approximately L shaped with garden areas to the south-west and south.
- 1.5 The property has been unoccupied for a number of years with lawns heavily overgrown and shrub borders generally unmaintained. Along the boundaries of the site and between the building and the visitor's car park are numerous deciduous and evergreen trees, many of them mature specimens, forming linear features framing the site, some of which are protected by tree preservation orders (TPO No. 1089 and 949).
- 1.6 The character of the surrounding area is predominantly two storey detached and semi-detached rows of houses (some with a third storey of accommodation in the roof space) with private front and rear gardens and off-street parking. The application site is an exception to this pattern of development, being a large three storey block, set on a spacious plot containing extensive garden land and a number of mature trees.
- 1.7 The site is has a Public Transport Accessibility Level (PTAL) of 5 (on a scale of 0-6b with 6b being the most accessible) and is approximately 400m from Orpington Station which lies to the north east of the site.
- 1.8 The nearby roads are subject to a one hour weekday restriction to deter commuters so it is possible to park on-street overnight and at weekends although Northolme Rise itself is relatively narrow.
- 1.9 The site is not located within a conservation area.



Fig 2: Existing Site Plan

2. PROPOSAL



Fig 3: Proposed site plan

2.1 The proposed development comprises the demolition of the existing building and the construction of a 4 storey building to provide 43 x 1 bedroom retirement flats for rent, for people over the age of 55 years, with associated car and bike parking, refuse & recycling storage and landscaping.

- 2.2 The proposal is for a London Affordable Rent scheme and all units would be rented and managed by a partnering Registered Social Landlord (RSL).
- 2.3 The application is in outline with 'appearance' reserved for future consideration. The following matters are submitted for consideration as part of this application:
- Layout;
 - means of access;
 - landscaping; and
 - scale.
- 2.4 Summary of proposed works:
- Demolition of the existing building
 - Construction of 4 storey building
 - Communal amenity space
 - Car parking for 22 cars accessed via the existing access from Northolme Rise, 100% of which will incorporate electric vehicle charging points
 - Internal cycle/buggy store
 - External refuse storage facility
 - Planting and landscaping

3. RELEVANT PLANNING HISTORY

- 3.1 86/03422/LBB: Planning permission was granted 16/07/1987 for the construction of a three storey building comprising of 30 sheltered housing flats.
- 3.2 16/04956/FULL1: Demolition of existing building and construction of nine 2-storey 4-bedroomed dwellings with accommodation in the roof, within three terraces of three units each, with associated access, car parking and landscaping: PERMITTED ON 08.03.2017.
- 3.3 This permission lapsed on 08.03.2020 and, at the time of writing, the applicant has not implemented the permission.
- 3.4 18/00735/RECON: Minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow variation of Condition 2 pursuant to permission ref. 16/04956/FULL1 (granted on the 08.03.2017) for the demolition of existing building and construction of nine 2-storey 4-bedroomed dwellings with accommodation in the roof, within three terraces of three units each, with associated access, car parking and landscaping to allow for the for site level to be raised to provide level access to provide compliance with Condition 15 of permission ref. 16/04956/FULL1: APPROVED ON 25.05.2018

- 3.5 19/04439/FULL1: Demolition of existing building and construction of part 3/part 4 storey block of 34 flats with associated car and bicycle parking, refuse and recycling storage and landscaping: REFUSED ON 22.05.2020 for the following reason:

1. The proposal would result in the loss of a site currently providing specialist accommodation and insufficient evidence and information has been provided to demonstrate that there is no demand for the existing accommodation and no demand for such sites from alternative providers. The proposal is therefore contrary to policy 11 of the Bromley Local Plan and policy 3.8 of the London Plan (2016) and would result in harm to the Borough's supply of specialist older person's accommodation, for which there is a recognised need.

4. CONSULTATION SUMMARY

a) Statutory:

4.1 Highways – No objection

- Estimates of vehicular trip generation using TRICS showed a reduction in daily vehicular trips from 67 with Care Home to 55 with the 43 retirement flats.
- The existing site had 2 accesses and as the site is no longer in use the split between the use of the 2 accesses cannot be determined. Therefore, it cannot be established that the proposed access will have a reduction in the number of trips.
- The access to this development currently has very poor visibility due to trees and vegetation and a Stage 1 Road Safety Audit raised the issue of the sightlines.
- There was no speed survey to indicate the required sightline but in the current circumstances a speed survey is unlikely to be practical as vehicle flows are likely to be much lower than normal and a representative survey may be difficult to obtain.
- A further drawing was produced, 19-0269/105 rev B, which showed the available 2.4m x 43m (30mph) sightlines with the vegetation removed and the trees remaining.
- The site was subsequently cleared of vegetation so the actual sightline could be assessed. The trees do cause a shadow so there is not a 100% sightline. However, there is a sightline available at various distances from the stop line between and behind the trees and, given the relatively low flows and low speeds, this is considered adequate.
- By the time the development is built the vegetation will have grown again and a sightline condition is recommended – the vegetation in the site can be dealt with by the applicant; that within the highway verge will need to be addressed by the Council.
- The applicant should be required to pay for the first clearance of the vegetation and thereafter it will be the responsibility of the Council.
- The possibility of a separate pedestrian/mobility scooter access was raised however no detailed drawings or assessment have been provided.

- Looking at other matters, the parking at 0.51 spaces per unit is in line with the similar application allowed at appeal in Station Road and given the high PTAL I would accept that.
- The refuse vehicle can enter the site, albeit being a slightly tight manoeuvring space.
- 8 cycle parking spaces are proposed which is well below the standards in the London Plan for residential units but above those for care homes. The justification is there are a number of other factors to be considered including the older age and physical capability of the residents. There are also 11 mobility scooter parking spaces.

4.2 **Drainage (lead local flood authority) – No objection**

- The development permitted by this planning permission shall not commence until the detailed design of the measures in the submitted "Flood Risk Assessment incorporating Surface Water & Foul Drainage Strategy" Report carried out by ODYSSEY Developing Journeys with Project No. 19-269 dated March 2020 have been submitted to, and approved by, the Local Planning Authority.

4.3 **Thames Water – No objection**

- No objection provided the developer follows the sequential approach to the disposal of surface water
- Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

b) Local groups:

4.4 **Bromley RSPB**

- If Bromley Council intends to grant permission for the above planning application, we recommend you make installation of at least nine (9) integral swift nest bricks a planning condition
- The reason for this condition is to protect and enhance the borough's biodiversity, and people's access to nature, in accordance with Policies 70, 72 and 79 of the Bromley Local Plan and Appendix F of the Bromley Biodiversity Plan
- The swift is a rapidly declining bird species that needs our help. It is listed as a priority species in the Bromley Biodiversity Plan
- This is a large development that has the potential for multiple swift bricks – as swifts prefer to nest near each other, large developments provide ideal opportunities to install multiple integral swift nest bricks that could support a new thriving swift colony
- Integral swift nest bricks are inconspicuous, simple and inexpensive to install, have no requirement for ongoing maintenance and are popular with housing occupants
- The installation of integral swift nest bricks in new developments will provide new homes for swifts, maintaining and expanding existing colonies and starting new colonies.

c) Adjoining Occupiers:

4.5 Design/density (addressed in paragraphs 6.3.1 – 6.3.43)

- Overbearing on the area and out of character
- Not in keeping with the existing house types
- No flats in area
- Unattractive
- Over-dominant
- 34 flats has increased to 43 flats - so more flats with less space
- The slightly improved space is not being enough for 1 house little 43 flats
- Increase in gross floor area of building
- Not a generous or considerate separation between block of flats and houses
- the pamphlet suggests a 'generous' separation between the enormous block of 43
- External stairs at each end of the building gives a more dominate effect
- Spiral Staircase as a Fire Exit on a property designed for elderly residents is unrealistic and unworkable
- The height of the building is significantly above that of the existing building
- Drawing is misleading because it suggests the existing Lubbock House building is wider than the building application
- The footprint is considerable larger than Lubbock House or the approved houses
- It is recognised that elevation B has been reduced compared to the footprint proposed in 19/04439/FULL1 and is different at this extent due to the removal of the existing L shape. However, the mass has been placed on Northolme Rise both vertically and horizontally
- The design should incorporate breaks to provide relief in the frontage so the building is not read as one large block
- There are no true 3 storey properties in the area other than the existing building, only 2 storey properties with loft conversions, with roof or reduced height windows etc.
- The existing building, in terms of the top floor of accommodation, is lower than both the proposed development and the approved 9 terraced houses
- The entire 4th storey needs to be removed and replaced with a low - profile roof like the existing building
- Opportunity to replace an incongruous building with a building/buildings more in keeping with the vicinity
- The drawing PD13 Proposed Street Scene seems to suggest the flats will be hidden by trees, which will not be the case and is inaccurate
- Security risk for local residents
- Additional access would be a security risk and should only be accessible from within the building

4.6 Highways/parking (addressed in paragraphs 6.3.25 – 6.3.34 and 6.6.1 – 6.6.18)

- Insufficient parking
- inadequate parking for visitors, trades, delivery vehicles, carers, etc
- Inadequate disabled parking
- Don't agree that our elderly citizens would not have a car and/or visitors
- Residents can be from the age of 55, not 60, and the over 55 do drive and ride bicycles too
- The former elderly residents of the existing building which provided sheltered accommodation were not mobile nor were they car owners
- Increasing the parking to 20+ spaces for a much larger property is clearly not going to reduce vehicle movements but significantly increase it
- Bromley has a particularly high ownership level of cars even for older people and nationally older drivers are increasing
- Likelihood of there being a maximum of two people living in each flat so potentially a maximum of 86 people altogether resulting in considerably more car parking spaces being required than the proposed number
- Traffic with previous use was associated with staff/carers and a low volume of visitors which meant parking was adequate and traffic not too overwhelming
- Northolme rise is very narrow with parking restrictions
- Roads are not suitable for parking or safe due to their layout and width
- Passing lorry or a car that is not parked up against the kerb causes problems and can make it impassable.
- Parking for the station, weekdays and weekends already uses up lots of the local road space
- The location is unsuitable for elderly people to access public transport
- Increase in road traffic accidents
- The previous vehicle sweep analysis is no longer valid
- Safety concerns re the entrance/exit, road width and street parking have in no way been addressed
- The report stated the visibility at the entrance could be improved by clearing of vegetation but this does not appear to be supported by any professional or formal analysis consistent with published standards
- Cutting down the vegetation (which has grown up while the site has been abandoned for 5 years) will clearly not resolve the issue when there are large trees up-against the kerb-line which blocks visibility
- It will need to be made clear that visitors to any redevelopment are not permitted to park in existing visitors car park
- Danger from construction vehicles
- A Construction Management Plan should be provided

4.7 Neighbouring amenity (addressed in paragraphs 6.4.1 - 6.4.18)

- Loss of privacy

- Overlooking
- Overshadowing
- Intrusive and overbearing in a residential setting
- Will impose on the area and neighbouring gardens and houses excessively
- Noise pollution, light pollution and volume of people
- Increased surface water flooding for properties in Woodhead Drive due to planned car parking spaces along boundary
- No green buffer between car parking spaces and neighbouring properties as previously presented
- Odour impact from refuse storage in close proximity to properties in Woodhead Drive
- The provision of a waste management plan should be conditioned prior to occupation to ensure there are no negative impacts on local residents.
- Construction dirt, dust and noise
- The demolition of this building and reconstruction could fall onto our homes and cause serious harm
- Should provide site levels
- Given the significant slope on the site, any change to the site levels will have a significant impact on the amenity of surrounding residents and the street scene given the proposed heights

4.8 **Trees (addressed in paragraphs 6.7.1 – 6.7.6)**

- Excessive trees have already been removed unnecessarily
- New application is closer to the boundary with Northolme Rise and likely to be touching the trees

4.9 **Biodiversity (addressed in paragraphs 6.8.1 – 6.8.10)**

- There is a badger set in the grounds of the existing flats
- the June 2016 Ecological Survey implies that there are no ponds within 800 metres of the site: I have had a small pond in my garden for some thirty years

4.10 **Pre-application Consultation (addressed in paragraphs 6.4.17 – 6.4.18)**

- Terminology in the small pamphlet was non-committal
- Was not made aware of the Community Involvement process, provided the consultative leaflet or their "reply" statement until I received the letter from the Council 1st May 2020
- How many residents were consulted and in which roads? How representative was it?

4.11 **Other**

- The floor areas submitted in the proposals are misleading and erroneous (**addressed in paragraph 6.5.3**)

- It is not clear from the plans where the refuse store/s will be situated **(addressed in paragraph 6.4.3 and Fig.10)**
- Not clear whether there will be a representative of the renting company living permanently on site to ensure that the residents are secure, are able to obtain help when required and to ensure that the common areas are kept clean **(addressed in paragraph 6.1.5)**
- Unclear from the documents how these flats will be available to local residents at an affordable cost **(addressed in paragraphs 6.2.4 - 6.2.9)**
- Access and affordable housing elderly for low cost rent is good for our area and population
- 'buggy parking' infers that the subsequent use will be changed to allow all age groups **(addressed in paragraphs 6.1.11 and 6.4.14)**
- Why are both applications running in parallel? **(addressed in planning history section)**
- The applicant has not shown that the existing foul drain from the site is capable of handling the increase waste **(addressed in paragraphs 6.9.1 – 6.9.3)**

5. POLICIES AND GUIDANCE

5.1 National Policy Framework 2019

5.2 NPPG

5.3 The London Plan

- 2.18 Green Infrastructure: the multi-functional network of green and open spaces
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.4a Electricity and gas supply
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening

- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public Realm
- 7.6 Architecture
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.19 Biodiversity and access to nature
- 8.2 Planning obligations

5.4 Draft London Plan

5.4.1 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.

5.4.2 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 was version of the London Plan which the Mayor intended to publish, having considered the report and recommendations of the panel of Inspectors.

5.4.3 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.

5.4.4 After considering the 'Intend to Publish' Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor identifying directed changes to a number of policies in the draft plan. The SoS considered these changes were necessary to address concerns regarding inconsistencies with national policy. The Mayor cannot publish the New London Plan until the directed changes have been incorporated, or until alternative changes to address identified concerns have been agreed with the SoS. This could affect the weight given to the draft plan with regard to the directed policies.

5.4.5 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. However, where no modifications have been directed the draft London Plan policies are capable of having significant weight (as seen in a recent SoS call-in decision in the Royal Borough of Kensington and Chelsea). Where specific draft London Plan policies have been given particular weight in the determination of this application, this is discussed in this report.

5.5 Mayor Supplementary Guidance

- Homes for Londoners (2017)
- Housing (March 2016)
- Accessible London: Achieving an Inclusive Environment (2014)
- Sustainable Design and Construction (2014)
- Shaping Neighbourhoods: Character and Context (2014)
- Providing for Children and Young People's Play and Informal Recreation (2012)

5.6 Bromley Local Plan 2019

- 1 Housing Supply
- 2 Affordable Housing
- 4 Housing Design
- 11 Specialist & Older Peoples Accommodation
- 30 Parking
- 31 Relieving Congestion
- 32 Road Safety
- 33 Access for all
- 37 General Design of Development
- 70 Wildlife Features
- 72 Protected Species
- 73 Development and Trees
- 74 Conservation and Management of Trees and Woodlands
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 113 Waste Management in New Development
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction

- 124 Carbon reduction, decentralised energy networks and renewable energy
- 125 Delivery and Implementation of the Local Plan

5.7 Bromley Supplementary Guidance

- Affordable Housing (2008) and subsequent addendums
- Planning Obligations (2010) and subsequent addendums
- SPG1 General Design Principles
- SPG 2 Residential Design Guidance

6. ASSESSMENT

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

- Land Use/Principle of Development
- Housing mix and Affordable Housing
- Design (including layout, scale, landscaping & access)
- Impact on Neighbouring Amenities
- Standard of Amenity for future occupiers
- Transport and Highways
- Trees
- Biodiversity
- Flooding and Drainage
- Energy and Sustainability
- Environmental Health - Air Quality and Contamination

6.1 Land Use/Principle of development

Acceptable

Need for Specialist and Older Persons Accommodation

6.1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Bromley Local Plan (BLP) was adopted January 2019 on the basis of sound evidence relating to the need for older persons accommodation, as evidenced in the *Older Persons Accommodation - Draft Submission Local Plan Evidence Base* (2016).

6.1.2 Bromley has the largest elderly population in of all London boroughs and that is set to continue to grow over the Local Plan period. 12.9% of over 75s in Bromley live in the Farnborough and Crofton Ward alone. However, the numbers of specialist older person's accommodation falls well below the annual strategic benchmark figure in the London Plan of *205 new units/year*.

- 6.1.3 Draft London Plan (Intend to Publish) 2019 Policy H13 addresses specialist older person's accommodation. The Policy has no outstanding objections from the Secretary of State and therefore has weight in determining applications. The ItP London Plan has increased the benchmark figure in Bromley to 210 new units/annum.
- 6.1.4 The current/last use of the site is as a site providing specialist accommodation. Policy 11 'Specialist and Older Persons Accommodation' resists the loss of sites currently providing specialist accommodation unless there is re-provision (clause b) or unless it can be demonstrated that there is no demand for the existing accommodation and no demand for sites from alternative providers.
- 6.1.5 The proposal provides self-contained units for those 55yrs + (without care). It is therefore a C3 development of specialist older persons housing. A member of staff will not live permanently on site. However, the building is to be managed on a 24hour basis, so whilst no staff will live on site there would always be a manager present on call.
- 6.1.6 The redevelopment of this site for specialist older persons accommodation accords with Local Plan Policy 11 which resists the loss of such sites and supports specialist housing across all tenures.

Housing Supply

- 6.1.7 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.
- 6.1.8 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'. A draft/update 5YHLS is being prepared at the time of writing this report and is due to be published confirming the 5YHLS position is that there is a significant undersupply.
- 6.1.9 For decision taking this means 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.

6.1.10 Policy 11 'Specialist and Older Peoples Accommodation' relates to delivery in respect of an element of housing provision form which there is a clear and current demonstrated need, rather than in respect of housing numbers. This need has been assessed in accordance with the requirement of NPPF (para 61) and the policy was developed on the basis of evidence in the London Borough Bromley's *Older Persons Accommodation - Draft Submission Local Plan Evidence Base* (2016). It is therefore considered that policy 11 is up-to-date and has full weight.

6.1.11 To conclude, the application for the provision of 43 units of specialist accommodation would meet an identified housing need and would significantly boost the Borough's supply of housing. The proposal is supported in principle, subject to the application meeting the requirements of the development plan policies as a whole. A condition restricting the occupation of the proposed development to persons ages 55 and over is recommended.

6.2 Housing mix and Affordable Housing **Acceptable**

6.2.1 New development is expected to provide mixed and balanced communities. Policies within the Bromley Local Plan do not set a prescriptive breakdown in terms of unit sizes. Individual sites will be considered on a case by case basis. However, paragraph 2.1.17 of the Local Plan advises that proposals of 5+ units should provide a mix of unit sizes and will be considered on a case by case basis.

6.2.2 There is a significant need for affordable housing in the Borough. Policy 2 of the Local Plan sets out the policy requirements for affordable housing for sites capable of delivering 11 units or more. It states that the Council will seek 35% provision with 60% social-rented/affordable rented housing and 40% intermediate provision, unless it can be demonstrated that a lower level should be sought or that the 60:40 split would not create mixed and balanced communities.

6.2.3 Intend to Publish (ItP) London Plan policy H13 sets out a number of criteria (at clause B) in relation to specialist older persons housing. Notably, it states that:

Specialist older persons housing provision should deliver: 1) affordable housing in accordance with Policy H4 Delivering affordable housing, and Policy H5 Threshold approach to applications.

- 6.2.4 The application proposes 43 x 1 bed two person units, the entirety of which will be 'London Affordable Rent', all rented and managed by a partnering RSL. London Affordable Rent housing is for households on the waiting list for social housing with rents around 50% less than a typical market rent for a 3-bed property. London Affordable Rent is described by the Mayor as 'Genuinely Affordable Rent'.
- 6.2.5 In this instance, given the nature of the proposed use as C3 retirement flats, the proposed unit sizes are considered acceptable.
- 6.2.6 In accordance with policy H5D of the ItP London Plan, developments which provide 75 per cent or more affordable housing may follow the Fast Track Route where the tenure mix is acceptable to the borough or the Mayor, where relevant. Fast tracked applications are not required to provide a viability assessment at application stage.
- 6.2.7 There are no planning policy reasons to resist a 100% London Affordable Rent scheme, which, with regard to the general provision of affordable housing, would support the Borough's provision for those over 55yrs and would support the Mayor's strategic target for 50 per cent of all new homes delivered across London to be genuinely affordable.
- 6.2.8 While the applicant has set out a commitment in the application to providing 100% affordable housing, as the policy only requires a minimum of 75% to qualify for the fast track route, it would only be reasonable to secure 75% through the S106 legal agreement.
- 6.2.9 To ensure an applicant fully intends to build out the permission, the requirement for an Early Stage Viability Review will be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by the borough).
- 6.2.10 The proposals have also been designed to respond to BLP Policy 4 which requires 10% of new dwellings to comply with Part M4 (3) 'wheelchair user dwellings' and 90% to comply with Part M4 (2) 'accessible and adaptable dwellings', of the Building Regulations. Units 37-43 have been identified as M4 (3), with the remainder of units M4 (2).
- 6.2.11 Given that this is a London Affordable Rent scheme, the Council will have nomination rights over the dwellings. Therefore, the M4(3) units will need to be built-out as 'wheelchair accessible' (a home readily useable by a wheelchair user at the point of completion) in accordance with Part M4(3) (2)(b) of the Building Regs. In accordance with policy 4 ten per cent of the units will therefore need to be secured as 'wheelchair accessible' through the Section 106 legal agreement.

6.3 Design

Acceptable

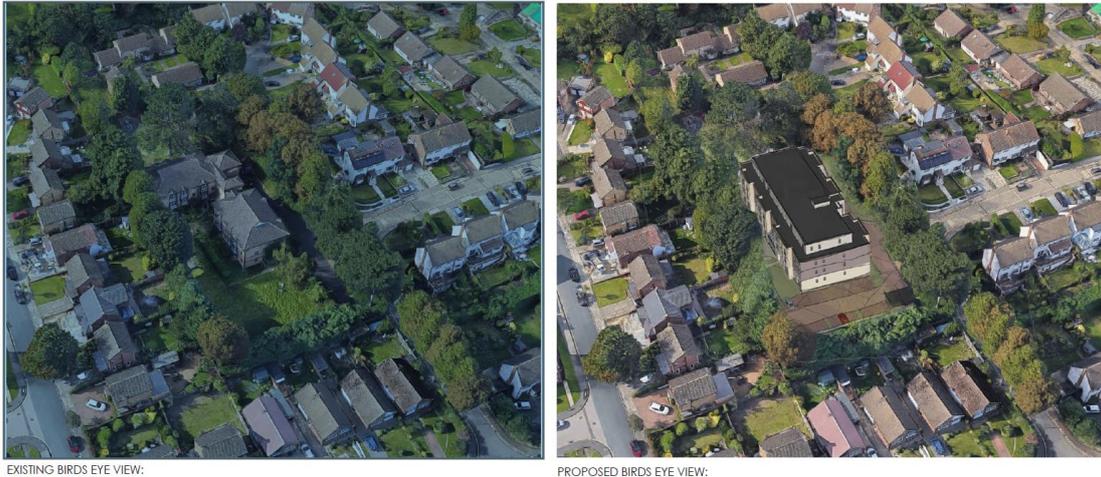


Fig 4: Existing and proposed birds eye view of site (Design and Access statement)

Layout

- 6.3.1 According to the Design and Access Statement, the applicant did initially explore the idea of refurbishing, converting and extending the existing building to create a revitalised sheltered housing scheme to current standards. However, according to the applicant it was not possible to achieve a satisfactory internal layout due to the structural constraints of the existing building.
- 6.3.2 The appraisal evolved to considering demolition of the existing building to ground floor level and rebuilding on that existing footprint and substructure. However, bearing in mind that an extension was also being planned, the applicant decided to demolish the building and clear the site to allow a new sheltered accommodation scheme to be designed without arbitrary and inconvenient structural and associated constraints.
- 6.3.3 The proposed building is planned to be sited over the perimeter outline of the existing building but overlapping it modestly in order to optimise the layout whilst occupying a comparable footprint area within the site as it would not project so far rearward as one of the wings of the existing building.
- 6.3.4 The open area at the southeast end of the site will be retained as largely open for car parking and bin storage purposes. The building itself will maintain generous separation to adjoining residential properties in Woodhead Drive (between 16 and 17m to the rear boundaries of the neighbouring sites). This is a significant increase in separation from that proposed under the previous application (ref.19/04439) which was only 5m, although it is noted that the application was not refused on design/amenity grounds.
- 6.3.5 A total of 22 parking spaces are proposed on site, 21 of them along the south-eastern side adjoining residential gardens in Woodhead Drive

Tubbenden Close. Refuse storage facilities will also be situated in this part of the site, with one further parking space located towards the north-west corner of the site.

6.3.6 The new building footprint would extend approximately 6m closer to the rear boundary of the site compared to the main south-west rear elevation of the existing building. The proposed rectangular footprint would result in a bulkier form of development than the existing 'L-shaped' building design. However, overall, the building would not project so far rearward as the existing south-western 'wing' section and would still retain around 11.5m separation to adjoining residential sites in Tubbenden Close.

6.3.7 The building would extend approximately 3m closer to the south-western side of the site with a further addition containing a stairwell extending in close proximity to the flank boundary. At the front the building would project further forward by around 1.7m - 3m compared to existing.

6.3.8 It is acknowledged that the development, as proposed, would result in additional built development at this site, encroaching into previously undeveloped garden land in the south-eastern part of the site, however, the Council have previously approved housing development in this part of the site under the 9 unit residential scheme.

6.3.9 The proposed layout would still maintain a generous set-back from the back edge of the highway to the front building line, ensuring the retention of the mature tree-lined frontage. The development would also provide a large communal garden area to the rear and space around the building for an attractive landscaped setting (including enhancing biodiversity).



/ISTA 06:

Fig 5: CGI of proposed rear and south-east facing elevation (Design and Access Statement)



Fig 6: CGI of proposed front elevation (Design and Access Statement)

Landscaping

6.3.10 A communal patio area is provided at ground floor level accessible from the community lounge. This then provides access onto the communal lawn to the rear of the building. Additional detail regarding the setting out of the communal garden to enable inclusive and level access can be secured through the submission of a detailed hard and soft landscaping plan.

6.3.11 The landscape masterplan confirms the retention and reinforcement of the existing understorey planting along the boundary of the site with Northholme Rise. Existing trees along this boundary and the north-west boundary are to be retained, with a new hedgerow along the north-west boundary proposed to provide more screening and improve biodiversity. New specimen tree planting is proposed along the south east boundary with the understorey consisting of a shade-tolerant wildflower and grass seed mix.

Scale

6.3.12 The existing building has a strong visual presence in the street scene in terms of bulk and height but that presence is softened and mitigated by topography (a sloping site), the tree-lined and landscaped setting and the spatial separation to surrounding properties. The same considerations would apply to the proposed new replacement building.

6.3.13 The proposed building would effectively be part three / part four storey with the fourth storey set-back from the main façade. It would incorporate a flat roof. Fig.7 shows a massing comparison of the existing and proposed buildings, the development refused under application 19/04439/FULL1 and the permitted townhouses scheme.

6.3.14 While this would result in an increase of one storey height when compared to the existing building, overall, the proposed development

would measure up to 1m taller than the highest part of the roof ridge of the existing building, which incorporates a traditional pitched roof.

Purple denotes outline of existing building

Red denotes outline of 9 previously approved houses

Blue denotes outline of refused application for 34 flats (ref.19/04439/FULL1)



Fig 7: Massing comparison of existing, proposed and approved buildings (application drawings)

6.3.15 The external spiral staircase has now been omitted in favour of an enclosed staircase which Building Control have confirmed is acceptable, in principle, subject to additional fire issues being considered at a later date under the Building Regulations.

6.3.16 It is acknowledged that the proposal is a bulkier form of development than that which currently occupies the site, however, the setting-back and in of the fourth storey from the main elevations, together with the 'breaks' in the façade, all help to create visual interest and reduce the overall bulkiness.

6.3.17 Furthermore, the perception of the height of the building would also vary depending on where the building is viewed from. From the north the building appears as 3 storeys due to the land falling to the south (see fig.8 (proposed street scene)).

6.3.18 Given the proposed separation to site boundaries, the building's flat roof design and subservient fourth storey; when viewed in the context of the street scene and in relation to neighbouring buildings, the proposed development would not appear unduly overbearing.

6.3.19 Given the topography of the site, an existing and proposed slab levels and finished floor levels condition is recommended.



Fig 8: Proposed Street Scene (Design and Access statement)

6.3.20 Appearance is a reserved matter. Appearance comprises of the aspects of a building which determine its visual impression, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

6.3.21 Local resident's concerns over the buildings scale and form and the fact that appearance is a reserved matter are acknowledged. However, the drawings submitted with the application provide a considerable level of detail, indicating the use traditional brick and render for the external materials and a well-articulated façade.

6.3.22 There are no planning policy reasons to resist a contemporary style of building in this location. While it would clearly appear as a contrast to the traditional housing typologies in the area, at the reserved matters stage the applicant will need to demonstrate a high-quality design which, owing to the right materials and detailing, will fit harmoniously with its surroundings.

6.3.23 Sustainability measures are addressed later in the report.

Access

6.3.24 Development proposals should achieve the highest standards of accessible and inclusive design, taking into account London's diverse population (policy D5 ItP London Plan). Vehicular and pedestrian access to the site will remain as existing, from Northholme Rise, leading to the site's car park and servicing area and the main entrance on the front of the building.

6.3.25 Lubbock House previously benefitted from the use of two car parks – one being the area to the north-west of the site in Northholme Rise

(being signposted as a visitor's car park) and 5 spaces within the site itself. As such, trips from the previous use were split over the 2 accesses. The Northolme Rise parking area is not included in the red line site boundary, is not public highway and appears to be used by residents of Northolme Rise.

- 6.3.26 The existing retained southern access into the site has very poor visibility due to trees and vegetation and there are concerns that the increased use of the access could be detrimental to road safety.
- 6.3.27 While there was no highway objection to the access in respect of the 9 houses with 18 parking approved under application ref.16/04956, the assumption at the time was that, although the existing site had 2 accesses, the majority of the traffic movements used the remaining southern access. Furthermore, the Transport Assessment showed a reduction in trips over the existing use which mitigated the concerns about the sub-standard sightline.
- 6.3.28 The applicant still contends that the proposal would result in fewer vehicle trips than the previous use of the site as Extra Care housing, however, the data used to estimate the number of vehicle trips with the Extra Care housing use was taken from TRICS and is an average for that particular use and this estimate is now in doubt.
- 6.3.29 The trip levels for the previous use of the site are too high, given the number of beds, and the turnover during the day would seem to indicate this was not staff parking but visitors, either professional or personal. However, as the site is vacant the split between the use of the 2 accesses cannot be determined and therefore it cannot be concluded that the proposed use will result in a reduction in the number of trips compared to the previous use.
- 6.3.30 The proposed access arrangements would therefore result in an increase in the use of the one remaining access within the red line site boundary, which the Road Safety Audit highlighted as a particular issue, given the sub - standard sightlines.
- 6.3.31 In order to try and address these concerns, the applicant has undertaken further investigation and analysis and has provided an updated the visibility drawing (No.19-269-105B), which shows the total visibility envelope to a maximum of 43m, as required for a road with a 30mph speed limit. This is on the basis that the overgrown vegetation in the highway verge and those areas within the site immediately adjacent to the access are cleared but the trees are retained.
- 6.3.32 Subsequently, the applicant has cleared the vegetation (not trees) around the site entrance which highways officers have visited and assessed. While the trees do cause a shadow and there is not a 100% sightline available, there is a sightline available at various distances from the stop-line between and behind the trees. Given the relatively

low traffic flows and low speeds in the road this is considered adequate.

- 6.3.33 A sightline condition is recommended to ensure that vegetation is cleared, as required, prior to the development being occupied. As part of this land is outside of the applicant's control a 'Grampian condition' is required. The applicant has confirmed acceptance of such a condition and has agreed, in principle, to pay a commuted sum to the Council for undertaking this work.
- 6.3.34 Pedestrian access into the main building is directly facing the site access from Northolme Rise. The main entrance doors lead residents and visitors to the main lobby, 2No. lifts and stairwell core with a direct and short link beyond through to the communal lounge area and access to the communal gardens at the rear.
- 6.3.35 All of the building's circulation has been designed to simple and step free, to suit those older residents who may have mobility issues. Step-free access is also proposed to the parking and amenity areas from the rear of the building. Additional details of the external areas should be secured through a landscaping condition.
- 6.3.36 Local residents have raised concerns over security and the potential risk to neighbouring residential properties arising from the new development. BLP Policy 37 requires safety and security measures to be included in the design and layout of buildings and public areas. A Secured by Design condition is therefore recommended.

Density

- 6.3.37 The site's setting can be described as 'suburban' being just over 800m walking distance from Orpington town centre and surrounded by predominantly lower density development such as, for example, detached and semi-detached houses, typically two storeys. The 2016 London Plan gives a range of 70-130 u/ha and 200-350 hr/ha as appropriate for this setting, provided the site is well designed, providing a high-quality living environment for future occupier's, whilst respecting the spatial characteristics of the surrounding area.
- 6.3.38 A total of 43 units are proposed with 86 habitable rooms equating to a residential density of 148 units per hectare and 297 habitable rooms per hectare which would just exceed the density ranges in the current London Plan for units but would be within the appropriate range for habitable rooms. However, it is noted that the existing density matrix is not being taken forward into the Intend to Publish London Plan and instead site capacity should be optimised through a design-led approach.
- 6.3.40 While this contemporary building form would represent a change and would result in a larger and denser form of development compared to

the prevailing housing typologies in the area, there are no material considerations which would prevent the replacement of the existing flatted development with another flatted development.

- 6.3.41 Furthermore, the application has demonstrated that the development, at the form, scale and density proposed would not result in undue harm to the character or appearance of the area.
- 6.3.42 The final appearance will need to be resolved to the Council's satisfaction at the reserved matters stage, in order to ensure a high-quality development which compliments local context and character.
- 6.3.43 Impact on neighbouring amenities and accommodation standards are considered in the following sections of the report.

6.4 Impact on Neighbouring Amenities

Acceptable

Impact on Woodhead Drive

- 6.4.1 The main building would be sited between 16 and 17m away from the rear boundaries of the adjoining sites in Woodhead Drive. In the previous application (ref.19/04439/FULL1) only 5m separation to these boundaries was proposed, although the application was not refused on amenity grounds. The separation distance from the flank wall of the proposed development to the rear of the closest dwelling in Woodhead Drive is sufficient enough to ensure no overbearing impact would occur.
- 6.4.2 At the first and second floors there are no habitable windows on the flank elevation to give rise to overlooking. All upper floor windows on this elevation are obscure glazed. At the third floor level secondary windows to the main living areas for flats 33 and 34 are proposed, however these are set back from the building edge by a further 2.7m to ensure no unacceptable overlooking. Privacy screens are also proposed for the terraces to these flats to further restrict overlooking opportunities. Details of the appearance and specification of the screens can be secured at the reserved matters stage.
- 6.4.3 The proposed refuse/recycling storage compound be sited directly adjacent to the boundary with 13 Woodhead Drive, around 11m away from the rear elevations of the neighbouring houses. The bin/cycle store would measure approximately 6m long, extending to around half the width of the garden of No.13, with a maximum height of 2.5m. Given the elevated site levels compared to the adjoining gardens in Woodhead Drive, the roof of the bin store would be around 4.5m higher than the gardens of the adjoining sites. However, as fig.9 illustrates, the roof would be inversely pitched which would help to mitigate its visual impact.

- 6.4.4 Furthermore, the bins would be housed in well-designed brick-built enclosure with a roof which would meet the minimum height required by the Council in its guidance on the *Storage and Collection of Refuse from Residential and Commercial buildings* which states “*The minimum height for the enclosure is 1.5 metres but ideally the height should be 2.5m to enable lids to be fully opened and refuse placed in the containers freely*”. This would help to minimise any odour nuisance at neighbouring sites.
- 6.4.5 Concerns from local residents regarding the visual and odour impacts of the bin store are duly noted, however, given the overall scale and design of the structure and its separation to the adjoining houses, on balance, the refuse store would not be significantly detrimental to the amenities of adjacent occupiers.

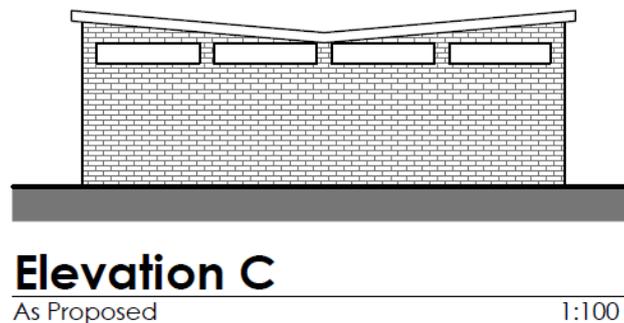


Fig 9: Proposed bin store elevation facing Woodhead Drive

- 6.4.6 Nine car parking spaces would also be positioned along this boundary, interspersed with planting pockets. Previously, under application ref.19/04439/FULL1, the parking bays were set-back from this boundary and spread-out horizontally along the rear site boundary adjacent to properties in Tubbenden Close.
- 6.4.7 While the proposed layout pushes the majority of parking to the south-eastern edge of the site, it would enable a more meaningful landscaped amenity area to be laid-out to the rear of the building and the planting in-between the bays would help to soften any visual impact from neighbouring sites. The proposed 1.8m high retaining wall on the boundary with neighbouring sites would further reduce the visual and any potential noise impacts associated with the parking of vehicles in this area.
- 6.4.8 Concerns have been raised from residents regarding increased surface water run-off in this part of the site. The provision of suitable hard and soft landscaping in this area and a sustainable urban drainage system (SuDS) (to be secured via condition) will all ensure that run-off from the development is controlled.

6.4.9 Landscaping, drainage and boundary treatments would all need to be secured through planning conditions.

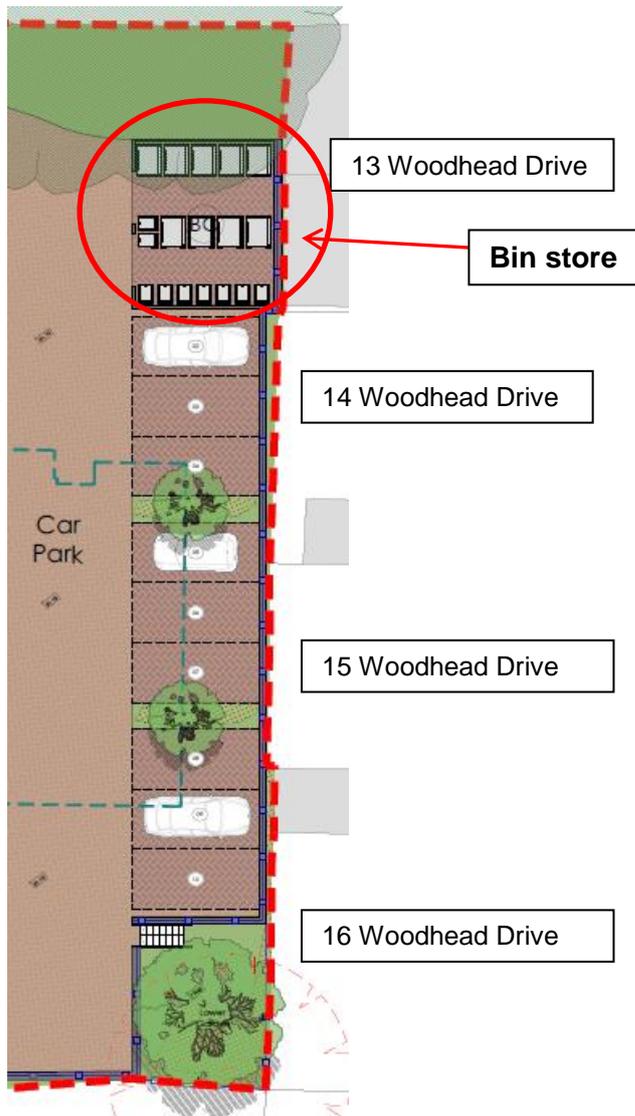


Fig 10: Proposed layout of bin store and car park in relation to neighbouring sites in Woodhead Drive

Impact on Tubbenden Close

6.4.10 To the south-west, the rear wall of the building is set back between approximately 11 and 12m from the boundary with the rear gardens of dwellings in Tubbenden Close, giving a minimum separation of around 23m between proposed habitable room windows and existing habitable room windows at the neighbouring houses. At third floor level three balconies are proposed to the rear elevation. However, they would be set-back from the façade, maintaining even greater separation to neighbouring habitable room windows. Furthermore, the mature trees along the south-western boundary of the site would be retained, ensuring that any potential views into the neighbouring sites are minimised.

6.4.11 Given the separation distances and tree screening, the development would not appear dominant or overbearing in the outlook from windows or from the gardens of the existing residential properties in Tubbenden Close, nor would any significant overlooking between existing dwellings and the proposed flats ensue.

Impact on Northolme Rise

6.4.12 The north-west boundary of the site is defined by existing planting and a parking area that previously served the former care home as well as local residents but is now outside of the red line site boundary. The separation distance between the proposed development and the closest dwelling on Northolme Rise is sufficient to ensure no unacceptable impacts on amenity.

6.4.13 The properties on the opposite, north-eastern side of Northolme Rise would also be well-separated from the development and at a higher ground level so as to ensure no significant impacts would arise.

Daylight and Sunlight impacts

6.4.14 A daylight/sunlight assessment has been carried out in order to assess the impact of the development on the light receivable by the neighbouring properties at 27 Sherlies Avenue, 13 to 16 Woodhead Drive and 10, 12, 14 & 16 Tubbenden Close. The assessment demonstrates that the proposed development will have a low impact on the light receivable by its neighbouring properties and that all of the gardens in the properties assessed will receive at least two hours sunlight on 21st March before and after the development, which passes the BRE overshadowing to gardens and open spaces test.

Noise impacts

6.4.15 Noise has not been formally assessed by the applicant as part of the application. However, given this is a residential area, the provision of residential units at the density proposed is unlikely to lead to undue levels of noise and disturbance at adjacent sites, particularly in view of the nature of the C3 use for retirement living.

6.4.16 Overall, the proposed design and layout of the development, together with the positioning of its outside areas, car parking and habitable room windows or balconies would not give rise to any significant amenity issues at neighbouring residential sites.

Community Consultation

6.4.17 In February 2020 the applicant distributed a leaflet to the local area describing the proposals and providing a site layout and CGIs. Residents were given an opportunity to respond with their views and by email or post. It is not clear how many homes the leaflet was

distributed to, however, a number of residents have noted receipt of the leaflet in their representations.

6.4.18 Furthermore, as part of the Council's own consultation process, letters were sent out to 91 local addresses: once when the application was validated and once again following the receipt of revised drawings.

6.5 Standard of Amenity for Future Occupiers

Acceptable

Internal Layout

- 6.5.1 The layouts have been amended to drastically reduce the number of single aspect dwellings. 40 of the 43 units are now dual aspect by virtue of side windows, roof lights or additional windows added to bays. The remaining 3 units are positioned so as they face south west, so will enjoy a good level of natural light throughout the day in any case. In addition, the dwellings will also be provided with mechanical ventilation/extraction.
- 6.5.2 The energy statement also confirms that an overheating analysis has been undertaken and passed. As such there should be no undue overheating and the scheme would not require mechanical cooling or similar.
- 6.5.3 The proposed 1 bed two person units are all designed as 56sqm GIA which represents a level of accommodation larger than the minimum size requirements of 50sqm. The applicant has also confirmed that the floor to ceiling heights are in excess of 2.5m for 100% of the GIA (as shown on the submitted sections), which will also help in terms of daylight penetration, ventilation and cooling, and sense of space.
- 6.5.4 The internal corridors are 1.5m wide which complies with the preferred minimum width in the Mayor's Housing SPG, and is particularly important where corridors are double loaded (they serve dwellings on each side) and where wheelchair accessible dwellings are provided.
- 6.5.5 The Mayor's Housing SPG also states that each core should be accessible to generally no more than eight units on each floor. Where dwellings are accessed via an internal corridor, the corridor should receive natural light and adequate ventilation. There are 10 flats on the ground floor, 13 flats on the first and second floors and 7 flats on the third floor, all accessed from single corridor on each floor.
- 6.5.6 A second enclosed staircase provided (as a means of escape) at the north-western end of the building is proposed. The applicant has confirmed that these could be used for everyday access, however, the management strategy for the building will be to encourage circulation to and from the reception area in order to allow control over visitors and also recording of residents coming and going.

- 6.5.7 The applicant has also tried to improve levels of light and ventilation by adding further windows to each end of the corridors and to the north-west elevation of the stair-core. The south-east and north-west windows are all obscure glazed to prevent any overlooking.
- 6.5.8 The ground floor also benefits from a large entrance and communal lounge which will transfer light and ventilation to the corridors. The first floor and second floors also benefit from light from the large central glazed stair.
- 6.5.9 Overall, the levels of natural light and natural ventilation which the private flats and communal areas of the building would receive are considered acceptable.

Amenity Space

- 6.5.10 Balconies or private patios are provided to 28 out of 43 units. All of the proposed private balconies and patios exceed the 1.5m minimum depth and the 5sqm minimum area which policy requires.
- 6.5.11 In order to maintain the optimum levels of privacy for occupiers of the adjoining sites, the applicant is not proposing balconies on the south/west facing units at first and second floor. However, as discussed, all units will be provided with an additional 6sqm of internal floor area over and above the minimum required GIA. This is considered an acceptable approach in accordance with the London Plan Housing SPG.
- 6.5.12 In addition to the private amenity space, the layout incorporates communal open space within the site as a formal landscape area between the car parking and building, and natural green spaces along the site perimeter.
- 6.5.13 Overall residents of the development would benefit from a high-quality standard of living accommodation.

6.6 Transport and Highways

Acceptable

Parking

- 6.6.1 The site is has a Public Transport Accessibility Level (PTAL) of 5 and is approximately 400m from Orpington Station which lies to the north east of the site.
- 6.6.2 The applicant is providing 22 car parking spaces at a ratio of 0.51 spaces per dwelling. Neither the LBB nor the London Plan prescribe specific parking standards for retirement living. The closest parking standard is the LBB's residential (C3) parking standard which

prescribes that for sites located in PTALs of 2-6a, one and two bedroom dwellings should be provided with a minimum of 0.7 and a maximum of 1 parking space per dwelling. This would equate to between 30 and 43 parking spaces for this development.

- 6.6.3 The Intend to Publish (ItP) London Plan, policy T6.1, is a material consideration. This states that new residential development should not exceed the maximum parking standards set out in Table 10.3. For all areas in PTAL 5 – 6 residential developments should be *Car free*, with the exception of disabled persons parking.
- 6.6.4 At another site in Orpington (in a PTAL 6a location), an appeal was allowed in June 2019 for a development of 27 retirement flats. It was agreed between the parties that, in the light of the evidence submitted in respect of parking demand at other developments operated by the appellant, as well as on-street parking demand in the area, that 14 car parking spaces would be adequate (at a ratio of 0.52 spaces per unit) (LPA ref.17/03505/FULL1 - *Ashling Lodge, Station Road, Orpington*).
- 6.6.5 The parking surveys at similar developments showed that the average level of parking demand was between 0.35 and 0.42 spaces per unit. The proposed parking ratio for Lubbock House would exceed the surveyed demand for parking at other retirement schemes and would be similar to the ratio allowed at Ashling Lodge.
- 6.6.6 Lubbock House is in a PTAL 5 location and in a convenient distance of Orpington town centre and Orpington station, with the nearest bus stops on Tubbenden Lane an approximate 10 minutes' walk away. On this basis, the occupiers of the development would not necessarily be dependent on private car use to meet their day to day requirements.
- 6.6.7 Therefore, while there is doubt over the accuracy of the estimated trip generation figures in the Transport Assessment, taking into account the scheme approved at Ashling Lodge and the particular circumstances of this site, on balance, the provision of 22 car parking spaces is acceptable, in so far as future residents who own cars would be able to park them on the site.
- 6.6.8 In respect of potential over-spill parking from the development onto Northolme Rise; Northolme Rise is relatively narrow, at just over 5m wide, while a car is about 2.1m wide and a refuse vehicle is 2.5m (plus mirrors). Highways officers confirm that it would be possible for a large vehicle, such as a refuse lorry, to pass any cars parked on Northolme Rise, provided they were correctly parked.
- 6.6.9 Furthermore, Northolme Rise is subject to a one-hour weekday restriction to deter commuters. Therefore, while it is possible to park on-street overnight and at weekends, residents of the development would be less likely to park on the road. Instead, any on-street parking would likely come about as a result of visitors or deliveries to the site.

There is potential for the waiting restrictions in the road to be limited further, however this would need to be the subject of a separate consultation by the Council's highways department.

6.6.10 It is accepted that some ad-hoc visitor parking could take place on Northolme Rise and the surrounding roads, however, it would not be significantly harmful to road safety. The effects of potential on-street parking from the development also need to be weighed against the effects of increased use of the access.

Access

6.6.11 As discussed in the preceding sections of the report, the access has now been provided with the sightlines adequate enough to ensure that it can operate safely and accommodate the likely increase in vehicular trips associated with this development. However, given the shadowing cause by the trees, its use should be kept to the minimum required. Accordingly, Officers would not support any increase in car parking for the development and the application is considered acceptable on the basis of the 22 spaces proposed.

Disabled parking

6.6.12 Two disabled parking bays are proposed which accords with the minimum requirement in ItP London Plan policy T6.1. A Parking Design and Management Plan, should be submitted to demonstrate how an additional seven per cent of dwellings could be provided with one designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient. A condition is recommended to this effect.

Electric Vehicle charging spaces

6.6.13 BLP policy 30 sets out a general requirement for developments to provide 1 in 5 car parking spaces with electric vehicle charging (EVC) points (both active and passive). Policy T6.1 of the ItP London Plan requires 20% of the spaces to incorporate active EVC and the remaining 80% spaces to include passive provision. The applicant has committed to 100% electric charging for all 22 parking bays. These can be secured by condition.

Cycle & mobility scooter parking

6.6.14 The proposed development is being provided with a shared cycle and 'buggy' store within the building, which is capable of accommodating 11 mobility scooters and eight bicycles. The store is for Mobility scooters, and or Cycles, so as to be flexible to any given need at the time.

6.6.15 While this is well below the standards for cycle parking spaces in the London Plan for C3 residential units, there are a number of other factors that must be considered when determining an appropriate provision of cycle parking, including the older age and physical capability of the likely residents to cycle. It was on this basis that the Inspector allowed a below-policy level of cycle parking at Ashling Lodge, Station Road.

6.6.16 It is acknowledged that residents of the development could feasibly cycle and own bikes, and, in the event that demand for cycle parking increases, the management company of the scheme will monitor the demand and increase provision if necessary. This can be secured by condition. Short-stay (visitor) cycle parking is also required at the site and would need to be secured as part of a planning condition.

Refuse storage

6.6.17 This is provided in accordance with the Council's guidance on the Storage and Collection of Refuse. As the two proposed enclosures would be sited over 30m from the highways it will therefore be necessary for refuse vehicles to enter the site. The swept path for the refuse vehicle entering the site is shown in the Transport Assessment. The refuse vehicle can enter the site, albeit being a slightly tight manoeuvring space.

Construction Traffic

6.6.18 Construction traffic and servicing and delivery of the development can be managed by way of condition.

6.7 Trees

Acceptable

6.7.1 The application is accompanied by an arboricultural assessment and a Tree Constraints Plan. A total of 39 trees and groups, including trees outside of the red line site boundary have been assessed. The Tree Constraints Plan has been provided which includes reference to the pine tree which neighbours have raised as a concern, as being omitted from the plans.

6.7.2 The existing building is situated close to boundary trees with pruning pressures already present. Boundary trees have been managed by way of crown reduction and lifting in the past and a number of trees have already been felled and pruned. The Council are currently investigating the impact on any TPOs as a result of these works.

6.7.3 Two trees require removal to facilitate the development: T13 (a Robinia) located at the front of the site to the north of the existing access and T30 (a Horse Chestnut) in the southern eastern corner of the site where car parking is proposed. The losses are mitigated by the

proposed tree planting, outlined in the Indicative Landscape Masterplan. All the other surrounding trees can be retained and will provide a mature setting to the site.

- 6.7.4 The main constraints remain on the periphery of the application site. However, future outlook from the proposed flats would raise no greater pressures to what currently exist.
- 6.7.5 Any future pruning required to maintain trees once the development is in situ will need to be set out in a method statement. The method statement, which should include supervision from an arboricultural consultant, should be required by condition to address precautions to be implemented where construction activity is close to trees and to minimise any risk of damage to retained trees.
- 6.7.6 Landscaping potential appears promising and will enhance the scheme, offering softening to the parking arrangement. Details of landscaping will need to be expanded upon and may be requested by way of condition. Trees planting specifications must be included in the submission. Species should be selected to fit the planting positions and have consideration to future nuisance issues. Tree and landscaping conditions are recommended.

6.8 Biodiversity **Acceptable**

- 6.8.1 The application is accompanied by a Preliminary Ecological Appraisal (PEA) undertaken in June 2016 and Bat emergence and re-entry survey, badger scoping survey and reptile survey dated June 2020.

Badgers

- 6.8.2 A badger scoping survey was carried out at the site 26/5/2020. Mammal runs were found on site and a well-worn single badger sett entrance was found, with badger hairs found around the entrance. The sett entrance was located underneath the main building in the south facing courtyard. Prior to development it will be necessary to apply for a low impact licence to close the sett and the sett should be closed using a one-way gate under licence. Once 21 days of no activity in the hole had occurred the sett could then be blocked.

Reptiles

- 6.8.3 A reptile survey was carried out at Lubbock House between March and May 2020. No evidence of reptiles on site was found. A survey in 2016 also found no evidence of reptile presence. It is concluded that they are likely to be absent from site and no further mitigation is required.

Great crested newts

6.8.4 While a local resident has commented that they have a pond in their garden there was no suitable habitat found on site for great crested newts on the site and no species were found on site. A 2km data search of existing records showed Great crested newts located over 500 metres away from the site to the north. No further surveys or mitigation are recommended.

Bats

6.8.5 A bat activity emergence and re-entry survey was carried out on site involving two dusk emergence surveys and one dawn re-entry survey. These took place on 12th May and 26th May 2020. This survey was carried out to update a previous emergence survey carried out in 2016. Both surveys identified bat roosts in the roof of the existing building. There were also low numbers of common bat species using the general area for commuting and foraging purposes.

6.8.6 As small bat roosts will be lost in the development a European Protected Species licence will be required to allow the demolishing of the building. The Preliminary Ecological Report also recommends various mitigation measures as part of the proposed development, including the provision of bat boxes on retained trees, the retention of the linear tree features and the creation of new features within the site including at least two bat tubes to be built into the walls of the new building. The ecologist recommends these being situated on the north-west elevation façade. Furthermore, all works affecting any nesting habitat should be scheduled to occur outside of the bird breeding season (March to August).

6.8.7 The recommendations and mitigation measures in the reports should be adhered to recommended should be secured by condition. Details of measures to be incorporated into the scheme to provide a biodiversity net gain are also required by condition.

6.8.8 If works are not carried out for more than a year it is recommended an update to the bat and badger sett survey be carried out to check if site conditions have changed. A reptile survey will be required again in two years if works have not been carried out by then and the site after two years still contains overgrown grass areas.

Birds

6.8.9 All nesting birds are protected under the Wildlife and Countryside Act (as amended) 1981. The hedging, trees and building all have the potential to be used by breeding birds. The report recommends all works affecting any nesting habitat should be scheduled to occur outside the nesting season, usually accepted as March to August. If this is not possible a check of the affected areas for nesting birds will need to be undertaken by an ecologist shortly before clearance. If an

active nest is found a buffer of no less than 5m will need to be installed until the young have fledged and the nest is no-longer in use.

6.8.10 Swifts are present in the area and nesting bricks should therefore be integrated into the building's construction and secured by condition.

6.9 Flooding and Drainage

Acceptable

6.9.1 The applicant has submitted a Flood Risk Assessment incorporating Surface Water and Foul Drainage Strategy. The site is in Flood Zone 1 (low risk) as defined by the Environment Agency.

6.9.2 In order to manage surface water drainage the applicant proposes a cellular storage tank beneath the parking area to the south of the site, discharging to the public surface water sewer to the south east of the site at a restricted rate. A significant reduction in flows compared to the existing runoff rates at the site will be achievable.

6.9.3 Foul water is covered under separate Building Regulations legislation (approved document Part H) and the applicant has confirmed that the foul water drainage system will be designed to meet these requirements.

6.10 Energy and Sustainability

Acceptable

6.10.1 The applicant has provided an energy strategy report which demonstrates that the development would achieve a 37.84% reduction of carbon emissions beyond the 2013 Building Regulations. This will be achieved through a combination of passive design measures to minimise energy consumption, low NOx boilers and the installation of approximately 128 Photovoltaics (PVs) on the flat roof of the building.

6.10.2 The remaining CO2 emissions (up to 100%) will therefore need to be off-set through a financial contribution towards the Council's carbon off-setting fund of £41,400. The applicant has agreed, in principle, to paying this should the application be granted permission.

6.10.3 A condition requiring the final design of the carbon saving measures including the location and design of the proposed PVs on the roof of the building would be necessary to ensure a satisfactory visual impact is achieved.

6.11 Environmental Health - Air Quality and Land Contamination

Acceptable

Air Quality

- 6.11.1 London plan policy 7.14 and policy SI1 of the Draft New London Plan state that development should be at least 'air quality neutral' and not lead to further deterioration in poor air quality (such as areas designated as Air Quality Management Areas (AQMAs)). The applicant has submitted an Air Quality Management Plan which includes and Air Quality Neutral Assessment.
- 6.11.2 The site is not currently in a designated Air Quality Management Area, however, since the assessment was submitted, Bromley has consulted on a new draft *Air Quality Action Plan 2020-25*. The plan is expected to be adopted shortly. Once adopted the development site will fall inside the expanded AQMA.
- 6.11.3 The fact that the development site is soon to be situated within the expanded AQMA is not considered to invalidate the Air Quality Assessment which was drawn up on the best available information at that time, and AQMA monitoring data is in any case not yet available for the expanded AQMA. It does, however, mean that regard should be had to the emission reduction themes in the Air Quality Action Plan 2020-25 and that much greater regard should be had to mitigating air quality impacts from this development.
- 6.11.4 The Air Quality Neutral Assessment finds that while the air quality neutral benchmark for buildings has been achieved; the air quality neutral benchmark for transport has been exceeded and agreement needs to be reached with the Council on how to minimise the air quality impacts of the proposal.
- 6.11.5 By way of mitigation, the applicant is proposing 100% electric vehicle charging points, cycle parking facilities and Ultra Low NOx boilers to help minimise pollution from the operational phase of the development. They are also providing site-wide planting and retention of mature trees.
- 6.11.6 In terms of the viability of a green roof, a large number of photovoltaic panels are proposed upon the roof. The applicant considers that this would leave no *meaningful space* for planting on the remaining roof space. Likewise, they consider that the numerous largescale existing trees that enclose the site, would make the success of green walls "*questionable*".
- 6.11.7 Despite this, Officers consider that there may be potential for a green/living wall on the south-east and south-west facing elevations and/or shade-tolerant planting on the other elevations, or even potential for a green roof which can be installed in conjunction with PVs. This would provide significant benefits in terms of air quality mitigation, biodiversity and visual impact. Accordingly, a condition is recommended for details of a green/living wall and/or roof to be submitted to and approved by the LPA.

6.11.8 The AQA has also identified demolition and construction dust as an issue and has proposed dust mitigation measures. These proposed dust mitigation measures need to be given effect either by way of condition or by incorporation into the CEMP.

Land Contamination

6.11.9 The site is located above a Principal Aquifer within the bedrock geology. The site is located within an Environment Agency defined groundwater Source Protection Zone II. The risks to groundwater in the underlying principal aquifer are considered to be low.

6.11.10 The site has been used for residential purposes since the earliest mapping records and the site would not be considered to be "Contaminated Land" based on its proposed residential redevelopment end use.

6.11.11 The site investigation was carried out in early 2019 in support of a proposed development using a different building envelope footprint. While it is not unreasonable to use the data obtained from the 2019 investigation, the differences in building footprints between the earlier scheme and the current proposals mean that some areas of the site have not been well covered by the investigation (e.g. the historical building near to/along the south western boundary (per OS map 1969-1983)) or are not covered at all as they are currently covered by part of the existing structure that has yet to be demolished.

6.11.12 The overall findings of the site investigation and the conceptual site model that contamination risks are considered to be low are considered reasonable, and it is not uncommon for investigations of development sites to be limited by the presence of existing buildings on site.

6.11.13 Under such circumstances further investigation can be carried out once demolition of the structures has been carried out allowing for further Phase II intrusive investigation works, including soil gas monitoring, to be carried out and for the conceptual site model to be updated.

6.11.14 The watching brief and discovery strategy can be given effect through the provisions of standard Land Contamination. Overall, Environmental Health raise no objections with regard to land contamination, subject to condition and an informative regarding gas monitoring.

6.12 Other

S106 and CIL

6.12.1 BLP Policy 125 and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with

developers, and seek the attainment of planning obligations in accordance with Government Guidance.

6.12.2 The Council has identified the following Heads of Term for this application:

Affordable Housing	43 units
Early stage review mechanism	-
Wheelchair accessible dwellings	10%
Health contribution	£32,675.00
Carbon offset payment in-lieu	£41,400
Vegetation clearance/removal contribution	£1000
Obligation monitoring fee	£3000

6.12.3 These obligations meet the statutory tests set out in Government guidance, i.e. they are necessary, directly related to the development and are fairly and reasonably related in scale and kind to the development. These are considered necessary to make the development acceptable in planning terms and the applicant has agreed, in principle, to enter into a S106 legal agreement to secure the above obligations, should planning permission be granted.

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

7. CONCLUSION

- 7.1 The proposal to re-provide specialist accommodation at the site, specifically for persons aged 55 and over would comply with policy 11 of the Bromley Local Plan, meeting an identified housing need and making a significant contribution to the Borough's supply of affordable housing.
- 7.2 While the proposed development is clearly larger in scale when compared to the surrounding houses, the application demonstrates that it would not have a significantly harmful impact upon the character or appearance of the area or upon adjoining residential amenity. Layout, scale and landscaping are all considered acceptable.
- 7.3 Additional consideration in respect of the final design and appearance will be necessary at the reserved matters stage. Detailed landscaping and planting plans should be secured by condition.

- 7.4 In terms of access and parking, the required sightlines have been achieved and the parking provision for the development is in line with the levels which were provided on a similar development at a site in Station Road, Orpington. In view of the high PTAL of the site and the current waiting restrictions in Northolme Rise, the level of parking proposed for this development is acceptable.
- 7.5 Subject to the conditions recommended in this report, the development would not result in unacceptable highways impacts, nor would the residual cumulative impacts on the road network would be so severe as to warrant refusal of the application.
- 7.6 Furthermore, the development is considered acceptable from a sustainability, air quality and environmental health perspective and, provided the recommendations in the technical reports are complied with (including the appropriate licenses being obtained from Natural England) no protected trees or protected species would be adversely affected. The development also has the potential to enhance the biodiversity value of the site.
- 7.7 Consequently, there are no material planning considerations which signify that the application should be refused. The application is recommended for permission, subject to conditions and the prior completion of a S106 legal agreement.
- 7.8 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 LEGAL AGREEMENT

SUMMARY OF CONDITIONS AND INFORMATIVES

Standard Conditions:

1. **Time limit/Reserved matters**
2. **Compliance with plans and drawing numbers**

Pre-Commencement Conditions:

3. **Construction and Environmental Management Plan**
4. **Land Contamination Assessment**
5. **Arboricultural method statement and Tree Protection Plan**
6. **Surface Water Drainage**
7. **Slab levels and finished floor levels**
8. **Protection and mitigation for badgers and bats**
9. **Biodiversity enhancements**

Above Ground Construction Conditions:

10. Secure by Design
11. Landscaping
12. Bicycle parking
13. Lighting scheme
14. Energy Strategy
15. Green wall/roof

Prior to occupation conditions:

16. Visibility splays
17. Parking spaces, turning spaces and ELV charging
18. Parking design and management plan
19. Service and delivery plan

Compliance conditions:

20. Restriction to use as retirement living for persons age 55 and over
21. Refuse storage
22. wheelchair accessible homes
23. wheelchair adaptable homes
24. Preliminary Ecological Appraisal to be adhered to
25. Hardstanding for wash-down facilities for construction vehicles
26. Water use
27. All Non-Road Mobile machinery to comply with relevant emissions standards
28. low NOx gas boilers

Informatives

Mayoral CIL
Street naming and numbering
Further gas monitoring
Thames Water (various)