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| Committee Date | 29.10.2020 | |
| Address | 205 High Street West Wickham BR4 0PH | |
| Application Number | 20/00830/FULL1 | Officer - Russell Penn |
| Ward | West Wickham | |
| Proposal | Demolition of existing buildings and erection of a replacement mixed-use development with office space at ground level and 9 x 2 bedroom flats, associated car parking, landscaping and refuse storage facilities. | |
| Applicant | Sundridge Homes Limited | Agent |
| | | Mr Joe Alderman |
| | | 303 Downe House High Street Orpington BR6 0NN |
| Reason for referral to committee | Call-In | Councillor call in |
| | | Yes |

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| RECOMMENDATION | Application Permitted |
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| <p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 51</p> |
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| Land use Details | | |
|-------------------------|------------------------------|-----------------------|
| | Use Class or Use description | Floor space (GIA SQM) |
| Existing | Sui Generis and B1(a) | 919m ² |

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|----------|-----------------------------|--|
| Proposed | Office B1(a) Residential | 331m ² 809.7m ² |
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| Residential Use – See Affordable housing section for full breakdown including habitable rooms | | | | | |
|--|-----------------------------|---|---|--------|-------------------------|
| | Number of bedrooms per unit | | | | |
| | 1 | 2 | 3 | 4 Plus | Total / Payment in lieu |
| Market | | 9 | | | 9 |
| Total | | 9 | | | 9 |

| Vehicle parking | Existing number of spaces | Total proposed including spaces retained | Difference in spaces (+ or -) |
|------------------------|---------------------------|--|-------------------------------|
| Standard car spaces | 3 | 11 | +8 |
| Disabled car spaces | 0 | 0 | 0 |
| Cycle | 0 | 18 | +18 |

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|-------------------------------------|-------------------------------------|
| Electric car charging points | To be secured by planning condition |
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| Representation summary | <i>Two neighbour consultations exercises were carried out on 05/06/20 and 20/08/20.</i> | |
| Total number of responses | 13 | |
| Number in support | 0 | |
| Number of objections | 12 | |

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- Mixed use development is deemed acceptable in this location.
- Density and unit type of the proposed scheme is acceptable and the development would not be detrimental to the character and appearance of the area and locality.
- The development would not adversely affect the amenities of neighbouring residential properties.
- Standard of the accommodation that will be created will be good.
- The development would not have an adverse impact on the local road network or local parking conditions.

- The development would be constructed in a sustainable manner and would achieve good levels of energy efficiency

2 LOCATION

- 2.1 The site is located on the south side of the High Street, West Wickham between the roundabout at the western end of West Wickham town centre and the junction with Manor Road to the east. The site is currently occupied with a three storey building to the front and single storey covered storage section to the rear in a mixed use commercial format currently occupied by a timber and builders merchants on the ground floor and parts of the first floor (sui generis). The main first and second floors are currently used as a separate office for an accountancy firm.
- 2.2 The site is adjoined by residential property on both sides; Windsor Court to the east and Knox-Johnston House to the west. The site is approximately 90m distance to the boundary of West Wickham District Centre with its array of shopping and other facilities. The current PTAL of the site is 2. The site has two existing vehicular access points via the High Street with a second via an existing narrow vehicular access way from Manor Road to the east.
- 2.3 The site is not located in a conservation area nor is the building listed. The site is located within Flood Zone 1 and has a low probability of flooding.



Photos of existing building.



3 PROPOSAL

- 3.1 Planning permission is sought for the demolition of the existing buildings and erection of a replacement mixed-use development with office space at ground level and 9 two bedroom flats, associated car parking, landscaping and refuse storage facilities.
- 3.2 The building design is traditional in format with a corner turret feature to the north east corner facing the traffic roundabout. Supporting documentation advises that the existing vehicular access from Manor Road will be retained and lead to the rear of the site and a new gated car parking area for 8 spaces. Similarly, the existing crossover to the front of the site will be retained with three spaces provided.
- 3.3 Use Class E (formally B1(a)) office commercial use is proposed to the ground floor in two units at 163.2m² and 75.9m² respectively. As this application was submitted before the Use Class Order changed, the transitional provisions apply and the report assesses the scheme in line and the language of the previous use class order.



FRONT ELEVATION



REAR ELEVATION

4 RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 Various applications relating to the advertisement consents and minor works
- 4.3 89/00142/FUL: Single storey rear extension. Approved 08.03.1989
- 4.4 89/00792/FUL: Three storey extension and third floor over existing building to provide retail accommodation with office accommodation on third floor. Approved 13.04.1989
- 4.5 89/01741/FUL: Widening of vehicular access to front. Approved 09.08.1989
- 4.6 90/02997/FUL: Change of use of part first floor and whole second floor from office use ancillary to timber merchants to separate office use with associated car parking. Refused 17.01.1991. Allowed at Appeal 22.08.1991. Subsequent applications for Details and Amendments were approved in 1991 and 1992
- 4.7 08/00225/FULL1: 2.4m high steel fencing and gates at rear of builder's yard. Approved 26.03.2008

5 CONSULTATION SUMMARY

A) Statutory

Environmental Health Pollution Officer - No objection

- No objections within the grounds of consideration. Further details recommended to be sought by planning condition in respect of noise, construction management, land contamination and air quality. Informatives recommended in terms of construction and demolition machinery.

Drainage Officer – No objection

- It is not acceptable to assume in the submitted Sustainable and Energy Statement dated 12/03/2020 that the cost of SUDS does not make them a viable option. Further details recommended to be sought by planning condition.

Highways – No objection

- The site is to the south of High Street. The development is in area with PTAL rate of 2 (on a scale of 0 – 6b, where 6 is the most accessible). Vehicular access is from two access points indicated on the submitted plans, one from the High Street and the other via a paved access road (approx. 3.9m wide) from Manor Road. This is acceptable in principle. The applicant should provide evidence that he has vehicular rights of way over this access road. Three car parking spaces to the front and eight spaces to rear are indicated which is acceptable.
- The applicant states that secure cycle parking for residents and cycle parking for office employees and visitors would be provided in accordance with planning standards”. London Plan standards should be adhered to which requires 18 spaces for the residential and 3 spaces for the offices. Refuse storage is indicated.

Transport for London – No objection

- The site fronts High Street West Wickham which is part of the Transport for London Road Network (TLRN) and TfL is the highway authority.
- Whilst I acknowledge there is an existing vehicle access to the site off the TLRN and that vehicle trip generation could be lower than the existing retail use, the access is in a very awkward location being right on the approach to a roundabout. There is therefore always going to be an inherently higher risk of accidents and so the crossover is not in line with Healthy Streets or Vision Zero accident reduction policies.
- Moreover, the transport assessment does not include any data on accidents, nor a road safety audit and implies that because the crossover is already in place and vehicle movements are likely to be reduced, it is fine to continue its use. Without this information, I am unable to reach the same conclusion and therefore object to the planning application.
- More generally, the site redevelopment could be an ideal opportunity to close this crossover and reinstate the footway for pedestrians. Any deliveries can use the parking bay on the roundabout, or the kerbside outside of the single red line control hours. This closure would have obvious benefits in terms of Healthy Streets and Vision Zero, so I would urge the council to consider this requirement of any site redevelopment, particularly as the site enjoys vehicular access from the rear.
- Construction is likely to be problematic for similar reasons. Should planning permission be granted, a construction management plan should be required, to be approved by the council in consultation with TfL. Highway users on the TLRN will

need to be kept safe, traffic flow maintained and pedestrians unobstructed. Use of the rear access off Manor Road for deliveries and waste-away should be maximised.

Designing Out Crime Officer - Metropolitan Police Service – No objection

- I have reviewed the submitted documents and note no reference to security or safety. From my inspection, I have a number of concerns regarding the proposed development, which should be addressed for both the visitors and staff, and for the building safety and security, and to ensure the SBD principles are fully encompassed. The security aspects I would wish to see addressed include but are not limited to the following points.
- The permeability of the site, and ease of access to the perimeter and secluded areas. A development of this size and type should attempt to reduce or remove easy rear access and recesses, as these provide opportunities for loitering, sheltering or criminal activity.
- Security of the cycles, I note no secure cycle storage has been incorporated. Bin stores, which are external, and need to be secured to prevent ID theft, fly tipping and other criminal activity. Access control or a fob management plan in place to provide access only to residents, and to reduce the opportunities for crime.
- Rear access, I note is gated and would seek further information as to design and operation.
- I would also expect the incorporation of 3rd party tested and accredited SBD compliant doors and windows throughout, particularly for all external, and flat entrance doors in all required locations.
- I can confirm that I have not at this time discussed security for this development, or met with the project architects or agents. Should my request for a Secured by Design condition be successful, I would request my contact details be passed on.
- I feel that should this application proceed, it will be able to achieve the security requirements of Secured by Design with some modification, and with the guidance of Secured by Design officers and the Homes 2019 and Commercial 2015 v2 guidance documents, and I would request a Secured by Design condition be attached to any permissions granted.
- The adoption of these standards will help to reduce the opportunity for crime, creating a safer, more secure and sustainable environment. A condition requiring the development to engage with police and the local authority to achieve Secured by Design aims and principles by accreditation would greatly assist with the delivery of a safer development in line with national, regional and local planning policies.

Tree Officer – No objection

- The application site is free of statutory tree protection. The re-development of the site is supported. There are no tree constraints that would impact the design/layout. I would invite a landscape scheme under condition.

Highways – No objection

- No objections raised to proposed new access
- Adequate parking will be provided to serve the development.

B) Adjoining Occupiers

West Wickham Residents Association

- West Wickham Residents Association has objected on the grounds of height of the building, insufficient parking spaces, loss of privacy and overlooking to balconies of adjacent flats and provision of limited garden space for flats.

C) Adjoining Occupiers

Amenity (addressed in para 7.7)

- Objections to loss of light and views from kitchen and bedroom windows in flats adjacent.
- Encroachment on privacy, light and outlook due to increased height, depth and proximity of the proposal.
- Adjacent balconies impacted by unreasonably large building.
- Concerns with impact to living condition of adjacent flats from proximity of new building.
- Concerns regarding the mirror image daylight test.

Design and Character (addressed in para 7.4)

- Four storey block is not in keeping with three storeys in the area. Too large and imposing on the surrounding properties.
- Proposals are overdeveloped for the size of the plot.

Highways (addressed in para 7.6)

- Concerns with increase in vehicle traffic to the rear of the site from residential use.

Employment (addressed in para 7.1)

- Will result in loss of employment premises.
- Loss of privacy from flank windows

Other matters (addressed in para 7.14)

- Comments regarding the Article 13 notification carried out by the applicant and that inaccurate information has been submitted in respect existing uses and floorspace.

6 POLICIES AND GUIDANCE

- 6.1 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.
- 6.2 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.
- 6.3 The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 6.4 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.
- 6.5 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.
- 6.6 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.
- 6.7 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.
- 6.8 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.

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

6.10 National Policy Framework 2019

6.11 The London Plan

- 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 facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 4.1 Developing London's economy
- 4.2 Offices
- 4.3 Mixed use Development and Offices
- 4.4 Managing Industrial land and Premises
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes

- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands
- 8.3 Community Infrastructure Levy

6.12 Draft London Plan

- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of change
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small sites
- H5 Threshold Approach to application
- H10 Housing Size Mix
- S4 Play and informal recreation
- E1 Offices
- E2 Providing suitable business space
- E3 Affordable workspace
- E4 Land for industry, logistics and services to support London's economic function
- E7 Industrial intensification, co-location and substitution
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T7 Deliveries, servicing and construction
- DF1 Delivery of the Plan and Planning Obligations

6.13 Bromley Local Plan 2019

- 1 Housing supply
- 4 Housing design
- 8 Side Space

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| 30 | Parking |
| 32 | Road Safety |
| 33 | Access for All |
| 34 | Highway Infrastructure Provision |
| 37 | General design of development |
| 73 | Development and Trees |
| 77 | Landscape Quality and Character |
| 83 | Non-Designated Employment Land |
| 86 | Office Uses Outside Town Centres and Office Clusters |
| 112 | Planning for Sustainable Waste management |
| 113 | Waste Management in New Development |
| 115 | Reducing flood risk |
| 116 | Sustainable Urban Drainage Systems (SUDS) |
| 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 dioxide reduction, Decentralise Energy networks and Renewable Energy |
| 125 | Delivery and implementation of the Local Plan |

6.14 Bromley Supplementary Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Housing: Supplementary Planning Guidance. (March 2016)

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

National Design Guide – (September 2019)

7 ASSESSMENT

7.1 Principle of Development

Employment Floorspace:

- 7.1.1 Policy 83 of the Local Plan states that the Council will seek improvements to the quality and quantity of employment floorspace on sites containing existing industrial and related employment uses outside designated SILs and LSISs.
- 7.1.2 Proposals for change of use or redevelopment of non-designated sites containing Class B uses for alternative employment generating uses will normally be allowed provided that the amenity of any nearby residential areas is not detrimentally affected.
- 7.1.3 Proposals for change of use of non-designated sites accommodating Class B uses to a nonemployment generating use will be considered on the following criteria: a - whether there is a demonstrated lack of demand for the existing permitted uses, including evidence of recent, active marketing of the site for reuse or

redevelopment undertaken prior to the submission of a planning application over a minimum period of six months, b - whether all opportunities for reuse or redevelopment for employment generating uses have been fully explored, both in terms of existing and any alternative uses and layouts, including small/more flexible business units, and c - where the site is capable of accommodating a mixed use scheme, whether the proposal includes the reprovision of a similar quantum of floorspace for employment generating uses, that is flexibly designed to allow for refurbishment for a range of employment uses.

- 7.1.4 Policy 86 states that proposals for new office development will be expected to be located within designated Town Centres (provided that the retail function of the town centre is not impaired) and Office Clusters. On sites outside designated Town Centres and Office Clusters, proposals for Class B1(a) will be permitted, provided that they are consistent with Town Centres Policies. The supporting text outlines that other than in the BIAs, a more flexible approach to enable other employment uses, including mixed use is preferred.
- 7.1.5 The Intend to Publish London Plan (December 2019) is a material consideration. Policy E1 outlines that improvements to the quality, flexibility and adaptability of office space should be supported by new office space, refurbishments and mixed-use developments. Policy E2 encourages the provision and protection of Class B uses at a range of sizes and rents to meet the needs of a range of enterprises and start-ups. Policy E3 gives consideration to affordable workspace and we will need to form our own evidence-based policy in this regard.
- 7.1.6 Policy E7 is also relevant and encourages the intensification of business uses on industrial land through more efficient use of land. Part C states that mixed-use or residential development proposals on Non-Designated Industrial Sites should only be supported where: 3) industrial, storage or distribution floorspace is provided as part of mixed-use intensification. Policy E8 encourages sector growth and the availability of suitable work spaces, including for start-up and medium-sized enterprises
- 7.1.7 West Wickham District Centre has a low amount of office floorspace (approx. 2,000sqm) and no current availability. The location of the proposal, although some distance from the station, is likely to be in demand and would be suitable for small and medium-sized enterprises. The reprovision of office space would therefore be welcomed and would be consistent with Policy 83. The proposal will include 331 sqm of Class B1a office floorspace. The existing builders merchant use of the site (Sui Generis) is indicated at 919 sqm. The proposal will therefore reduce the amount of employment generating floorspace at the site by 588 sqm although this figure should be considered bearing in mind that the majority of the site is covered by open storage associated with the builders merchant use. According to the VOA website, the first and second floors are occupied by a separate B1a use occupying 233 sqm.
- 7.1.8 Policy 83 seeks improve the quality and quantity of employment floor space in areas outside designated employment sites. Redevelopment of non-designated sites containing Class B uses for alternative employment generating uses will be supported and therefore this policy would broadly support a proposal for improved

quality. The existing use is Sui Generis with upper floor B1a, however employment sites are defined as Class B uses and appropriate sui generis uses and therefore the second and third parts of the policy may be applied to the entire site (this requires demonstration of a lack of demand for the uses lost, exploration of provision of other employment-generating uses and where the site is capable of accommodating a mixed use scheme, whether the proposal includes the re-provision of a similar quantum of employment generating uses).

7.1.9 The proposal seeks to re-provide office floorspace at ground floor level as part of a mixed-use scheme and this is encouraged. The applicant's Planning Statement concludes that 'the loss of the existing facility can be justified as replacement office space will be provided. There is, therefore, no overall net loss of an employment generating use'. Whilst the employment generating use would be retained, the floorspace would be significantly reduced, albeit at an improved quality and flexibility as required by Policy E1 of the draft London Plan. As outlined above, the majority of the existing floorspace relates to outdoor open storage and therefore the re-provision of a similar amount of internal employment generating floorspace at an improved quality and flexibility may therefore be acceptable.

7.1.10 Although sited outside of the West Wickham Town Centre, the proposal would be broadly compliant with Policy 86 as the development would be within a commercial setting and would not be detrimental to the retail functioning of the centre. The proposal provides a quantum of flexible office space as part of a mixed use redevelopment of the site and on balance is considered acceptable.

Housing:

7.1.11 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24th September 2020. The current position is that the FYHLS (covering the period 2020/21 to 2024/25) is 2,690 units, or 3.31 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.

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

7.1.13 According to paragraph 11(d) 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.

7.1.14 Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

7.1.15 Policies including 3.3 of The London Plan 2016 and Policy 1 of the Bromley Local Plan have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025. The new/intended to published London Plan's minimum target for Bromley will be increased to 774 new homes a year.

7.1.16 This application includes the provision of nine upper floor residential dwellings and would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

7.2 Density – Acceptable

7.2.1 Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 of the plan and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).

7.2.2 The site has a PTAL rating of 2 and is within a suburban setting generally. In accordance with Table 3.2, the recommended density range for the site would be 40-80 dwellings per hectare. The proposed development would have a density of 68 dwellings per hectare based on a site area of 0.1317ha.

7.2.3 Therefore, the proposed development of the site would be within the suggested range and maybe considered a suitable level of development for the site. However, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development and Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity which are assessed below.

7.3 Unit Mix – Acceptable

- 7.3.1 Policy 3.8 of the London Plan states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. Development proposals are required to create mixed and balanced communities with the size and type of affordable housing being determined by the specific circumstances of individual sites. The Council will require a mix of housing including private and affordable housing. The determination of which housing needs a scheme will meet should be informed by local and sub-regional housing priorities and the London Plan's priority for affordable family housing. Policies within the Bromley Local plan do not set a prescriptive breakdown in terms of unit sizes. Therefore, each application should be assessed on its merits in this respect.
- 7.3.2 The resultant development proposal will comprise 9 two bedroom units on the site. The PTAL rating for this location is 2. The size and location of this site, together with the amount of site coverage proposed may lend this particular site to the provision of this unit type. It is noted that priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms. On balance, the unit type proposed appears an acceptable response in terms of the mix at this location and would meet strategic and local needs.

7.4 Design – Acceptable

- 7.4.1 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.
- 7.4.2 Paragraph 124 of the NPPF (2019) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.4.3 Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 7.4.4 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.4.5 Policies 3.4 and 3.5 of the London Plan reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 127 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.
- 7.4.6 The public realm is also an important aspect of any development as it ensures that the development is integrated into and enhances the existing character and use of the area. All residential and commercial development is required by policy to contribute towards good design which extends to the consideration of the public realm (London Plan Policy 7.5).
- 7.4.7 Policies 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; is informed by the surrounding historic environment.
- 7.4.8 Policy 7.6 states that buildings and structures should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm; comprise details and materials that complement, not necessarily replicate, the local architectural character; not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 7.4.9 Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density. To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan density matrix whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.

- 7.4.10 Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.
- 7.4.11 Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants; be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.
- 7.4.12 The site needs to be considered within its context in relation to its location on the High Street and prominent location on the large roundabout that it adjoins. The site is not directly within the defined District Centre boundary which is located 90m east although its proximity is a material consideration in terms of context. There are also larger apartment flat blocks adjacent to the site boundaries at Windsor Court and Knox-Johnston House as well as the more traditional proportioned semi-detached housing. Opposite the site is also the uniquely designed St Marks Church which contributes positively to the varied townscape around the roundabout. The existing building on site is of no architectural merit with an unrelieved flank elevation that faces to Knox-Johnston House creating a stark street scene view from the public realm. With the combination of these building typologies, the transition between the site and its environs is therefore important to achieve in an appropriate townscape relationship.
- 7.4.13 In the proposed scheme, the bulk and scale of the scheme is generally considered acceptable. It is acknowledged that the height of the building will be greater by a moderate amount to adjacent buildings, however the arrangement of the front elevation and flank elevation which follow the existing building lines on the High street will now turn the corner to Knox-Johnston House with a feature designed round footprint and turret designed roof, creating a landmark style design to the building. The approach is welcomed and is considered to improve the character and appearance of the site within the streetscene to adequately offset the slightly increased scale of the building in comparison to those adjacent.
- 7.4.14 In terms of spatial separation, the side separation of the building footprint is improved in both directions as viewed from the streetscene. This would be approximately 2.5m to the boundary with Windsor Court and between 1m and 2m to Knox House. This is considered to be a sympathetic response to the local

townscape maintaining a suitable separation while at the same time making efficient use of the land available to not appear cramped or overdeveloped.

7.4.15 In terms of the general design approach, Paragraph 7.21 of the London Plan states that architecture should contribute to the creation of a cohesive built environment that enhances the experience of living, working or visiting in the city. This is often best achieved by ensuring new buildings reference, but not necessarily replicate, the scale, mass and detail of the predominant built form surrounding them, and by using the highest quality materials.

7.4.16 The design style is traditional in format with a mix of red brick and white render, slate roof and a mix of soldier course and stone detailing to window lintels. To the street level individual large glazed window fronts have been included in the design which reflect the intended office use of the ground floor of the proposal. This creates a sense of place, human in scale and an attractive active frontage which can be easily understood and enjoyed within that context.

7.4.17 On balance, the proposal responds positively to local context and is considered to be an appropriate design response to the mixed character of the neighbouring sites and appears as a balanced addition to the streetscene and the local character and appearance of this prominent location on the roundabout

7.5 Standard of Residential Accommodation - Acceptable

7.5.1 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.

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

7.5.3 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. A Part M compliance statement has been received that details compliance.

- 7.5.4 The floor space size of each of the units ranges between 112.5m² for units 1, 4 and 7; 71.1m² for units 2, 5 and 8; 86.3m² for units 3, 6 and 9 respectively for the two bedroom three person and two bedroom four person units. The nationally described space standards require various GIA in relation to the number of persons, floors and bedrooms mix. The indicated provisions have been reviewed on this basis. It is noted that bedrooms 1 of units 3, 6 and 9 are marginally below the standard 11.5m² at 10.9m² floor space size. However, given the overall generous size of the flats this is deemed acceptable. On balance, the floorspace size for all of the units is considered compliant with the required standards.
- 7.5.5 The shape and room size in the proposed units is generally considered satisfactory for the units where none of the rooms would have a particularly convoluted shape which would limit their specific use.
- 7.5.6 All flats have a good level of outlook primarily facing to the front and rear of the site. The east flank elevation of the building contains secondary habitable room windows to flats on the first to second floor. It is noted that the outlook from these flats will be in close proximity to windows in the side elevation of Windsor Court which are themselves to bedrooms and kitchens. The outlook would not be direct but at varying offset angles. Given the windows in the proposed building are secondary it is recommended that they are obscure glazed and non opening over 1.7m finished floor level to prevent overlooking from the development while at the same time maintaining a suitable quality living spaces for future occupiers. Windows to the west flank elevation will overlook the front curtilage to Knox Johnston House and the wider streetscene. Windows to the ground floor flank east elevation will relate to the proposed office use which can be similarly obscure glazed. On balance the outlook provided for the residential units are considered to provide a suitable level of quality accommodation for future occupiers.
- 7.5.7 In terms of amenity space, balconies are provided for the first and second floor flats with the third floor flats having no private external provision. The size of the balcony areas would fall short of the provision generally required in the London Plan. However, given the generous floorspace size areas within each flat above national minimum standards this is considered to offset this minor shortfall and zero provision for the third floor. On balance amenity space is considered acceptable for the unit types proposed.
- 7.5.8 In terms of noise impacts to future occupiers in respect of providing a quality living space, the site is adjacent to a busy road and therefore it is considered that a scheme for protecting the proposed residential units from traffic noise, which shall include specialist and/or double glazing in windows as mitigation is required or any other mitigation as necessary. A planning condition is recommended in this regard.

7.6 Highways - Acceptable

- 7.6.1 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.

7.6.2 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.

7.6.3 London Plan and Bromley Local Plan 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.

Car parking

7.6.4 The Council's Highway Officer has reviewed the current application and not raised objection on balance to the level of parking provided. Transport for London comments are noted in respect of the closure preference of the front vehicle access. However, the access provides additional off road parking and is also preferable to retain for refuse collection. On balance it is considered that there will not be a significant detrimental impact on parking in the vicinity or detrimental impact to highway safety and therefore the proposal is considered generally acceptable from a highway perspective.

Cycle parking

7.6.5 Cycle parking is required to be 1 space for studio and one bedroom units and 2 spaces for all other unit types. A planning condition is recommended in this regard for details of a location and secure lockable containment stores to be provided.

Refuse

7.6.6 All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a refuse storage area within the front forecourt parking area close to the highway access. A planning condition is recommended in this regard for details of a containment store to be provided.

7.7 Neighbouring Amenity - Acceptable

7.7.1 Policy 37 of the Bromley Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

7.7.2 Policy 4 of the Bromley Local Plan also 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.

- 7.7.3 Commentary has been received in respect of overlooking, loss of light and outlook and loss of privacy from residents in Windsor Court. It is noted that Windsor Court is located in close proximity to the application site boundary at below 1m for much of the building depth. A number of windows from habitable and non-habitable rooms face the application site in an unneighbourly manner that overlook the existing building.
- 7.7.4 As part of the application documents a Daylight and Sunlight Assessment has been submitted that analyses the impact of the proposed development on the amount of daylight experienced by the identified sensitive receptors of buildings at Knox-Johnston House, White House and Windsor Court. It is concluded in the report that some rooms in Windsor Court will experience a reduction in daylighting according to the assessment criteria. The rooms affected at Windsor Court are single aspect and directly face onto the proposed development site from the flank elevation of Windsor Court. This in effect constrains the ability of the application site to be developed in a similar scale and massing as Windsor Court. Given the constraints imposed by this scenario and the close proximity of Windsor Court, flexibility is applied to the BRE guidelines in terms of the unneighbourly constraints imposed by Windsor Court by following a 'mirror image' approach in the BRE assessment analysis. When this approach is followed as is commonly done in such situations in locations such as this, the impacts to the seven rooms originally impacted at Windsor Court are deemed compliant. The LPA has no basis to counteract this approach and as such considers the proposed relationship and impacts to be acceptable in this situation.
- 7.7.5 Furthermore, the proposed building has also been positioned further away from its eastern flank boundary than the existing building on site in this regard to afford an approximate distance of 3m between these opposing elevations. This is considered to improve the massing relationship between the proposed building and Windsor Court over that that currently exists in the existing situation and as such the building is not considered overbearing as proposed.
- 7.7.6 The assessment of the impact of the proposed development on sunlight has also indicated that despite some reductions in probable sunlight hours the impacts prescribed by BRE guidelines are also acceptable. Similarly, the LPA considers the proposed relationship and impacts to be acceptable in this situation.
- 7.7.7 Comments raised regarding privacy have also been examined in respect of the provision of balconies to the rear of the building causing a degree of overlooking to balconies at the rear of Windsor Court. The balconies are located at a similar rear level and not considered to unduly affect neighbouring privacy. Nevertheless, the introduction of side balcony privacy screening is recommended to be conditioned to address this issue.
- 7.7.8 Noise from use of the vehicle accessway at the rear of the site by future residents has also been raised. It is considered that the provision of an acoustic fence along the accessway can address this. The use of the parking area itself is not

considered to increase noise excessively beyond the current situation in this location.

- 7.7.9 Overall, there will be some impact on neighbouring amenity from the development, but it is considered that there will not be such significant impact in respect of overlooking, enclosing effect and loss of light as to warrant a planning ground of refusal given the information submitted.

7.8 Sustainability and Energy

- 7.8.1 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.
- 7.8.2 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.
- 7.8.3 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.
- 7.8.4 Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.
- 7.8.5 A Sustainability and Energy Report has been received that details the residual emissions for the building are calculated as 10,942 kg CO₂ per year triggering a carbon offset payment. The report has been reviewed and because the zero carbon part of the policy refers to residential, the LPA treat it separately to the non-residential element. So, in this case, although the scheme as a whole is a major development, the residential is for 9 units and would not normally apply the zero carbon target. This means that the whole scheme needs to achieve an onsite reduction of 35%, but the residential does not need to bridge the gap to zero carbon with an offsetting payment. Therefore, no payment in lieu is necessary in this case.
- 7.8.6 In terms of Energy efficiency, it is also proposed to install a photovoltaic array of 10.23 kW on the roof of the building. This will consist of 31 x 330W panels, of which 13 will be gently inclined on racks on the flat roof element of the building, with 5 panels on the south-orientated roof pitch, 6 on the west-orientated and 7 on the east-orientated roof slopes. This is welcomed and further details are recommended to be sought by planning condition.

7.9 Sustainable Drainage

- 7.9.1 Policy 5.13 of the London Plan requires developments to utilise sustainable urban drainage systems (SUDS), unless there are practical reasons for not doing so, and

should aim to achieve greenfield run-off rates and ensure that surface water is managed as close to its source as possible in line with the hierarchy in Policy 5.13.

7.9.2 Policy 116 of the Local Plan details that all developments should seek to incorporate sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible.

7.9.3 The Councils Drainage Officer has requested further details in respect of surface water drainage strategies. It is recommended that this is sought by planning condition.

7.10 Air Quality

7.10.1 Policy 120 of the Local Plan states that developments which are likely to have an impact on air quality or which are located in an area which will expose future occupiers to pollutant concentrations above air quality objective levels will be required to submit an Air Quality Assessment.

7.10.2 The site is located approximately 250m east of the boundary of the Bromley AQMA and therefore any mitigation can, if considered necessary, be enforced by means of appropriate planning conditions. In this case, given the location close to a busy road and traffic roundabout, it is considered prudent for the development to incorporate Ultra Low NOx boilers. A condition is recommended in this regard.

7.11 Trees and Landscaping

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

7.11.2 Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.

7.11.3 The application site is free of tree restrictions. The Councils Tree Officer has not raised objection to the scheme. Minimal details of landscaping have been submitted for the areas given over to peripheral landscaping. Further details are recommended to be requested by condition.

7.12 Planning Obligations

7.12.1 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities

should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

7.12.2 Policy 125 of the Bromley Local Plan 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.

7.12.3 In this instance it is not considered that the development, as proposed, would give rise to the need for planning obligations. Instead, the use of planning conditions, as set out in this report, are considered reasonable and necessary to make the development acceptable in planning terms. This view is subject to the development achieving the appropriate carbon reductions as detailed above.

7.13 Community Infrastructure Levy

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

7.14 Other matters

7.14.1 Officers are satisfied that the correct notification procedure has been carried out by the applicant in respect of Article 13 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

8 CONCLUSION

8.1 Taking into account the above, there are no strong economic reasons why the existing site and employment use should be retained in its entirety for commercial uses and as such a mixed use with residential is deemed acceptable. The proposed development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the density and unit type of the proposed scheme is acceptable, and that the development would not be detrimental to the character and appearance of the area and locality. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

8.2 On balance the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply.

8.3 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: Application Permitted

Subject to the following conditions:

1. Standard time limit of 3 years.
2. Standard compliance with approved plans.
3. Details of sustainable surface water drainage.
4. Details of a Construction Management Plan.
5. Details of land contamination.
6. Details of materials.
7. Details of refuse storage.
8. Details of Secure by Design measures.
9. Details of cycle storage.
10. Details of landscaping for hard and soft areas.
11. Details of boundary treatment and gates.
12. Details of roof located photo voltaic panels.
13. Details of balcony screening.
14. Scheme for protection from road traffic noise.
15. Parking arrangements to be installed as approved.
16. Details of layout of access road visibility splays.
17. Details of electric car charging points.
18. East flank windows to be obscure glazed.
19. No additional pipes or plumbing to be installed on outside of buildings.
20. Details of hardstanding for construction vehicle wash-down facilities.
21. Compliance with Part M of the Building Regulations.
22. Removal of PD rights for conversion of ground floor office space.
23. Installation of ultra-low NOx boilers.

Any other planning condition(s) considered necessary by the Assistant Director of Planning

Informatives

1. Reminder regarding submission of pre commencement conditions.
2. Reminder of CIL payments.
3. Reminder regarding crossovers. Vehicle Crossover Application will need to be made to the Highway's Department.
4. Reminder regarding Part M compliance.
5. Any street works are at applicants' costs.
6. Construction machinery emission
7. Construction machinery inventory
8. applicant to ensure legal right of access to rear.