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|---|---|------------------------------|
| <b>Committee Date</b>   | 19.10.2020  |                              |
| <b>Address</b>  | Banbury House<br>Bushell Way<br>Chislehurst<br>BR7 6SF  |                              |
| <b>Application Number</b>   | 20/02903/FULL1  | <b>Officer</b> – Robin Evans |
| <b>Ward</b>   | Chislehurst   |                              |
| <b>Proposal</b>   | Erection of part two storey/part three storey building providing 25 residential units comprising 8x 1-bedroom units and 17x 2-bedroom units with 18 car parking spaces (including 3 disabled spaces), refuse/recycling store and cycle parking. |                              |
| <b>Applicant</b>  | <b>Agent</b>  |                              |
| London Borough of Bromley   | Ms Nada Tariq   |                              |
| 2 Riverside Way<br>Whitehall Waterfront<br>Whitehall Road<br>Leeds<br>LS1 4EH | 2 Riverside Way<br>Whitehall Waterfront<br>Whitehall Road<br>Leeds<br>LS1 4EH   |                              |
| <b>Reason for referral to committee</b>                                       | Outside delegated powers  | <b>Councillor call in</b>    |

|                       |  |
|-----------------------|--|
| <b>RECOMMENDATION</b> |  |
|-----------------------|--|

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| <p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area<br/>London City Airport Safeguarding<br/>Smoke Control SCA 16</p> |
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| <b>Land use Details</b> |                              |  |
|-------------------------|------------------------------|--|
|                         | Use Class or Use description | Floor space (GIA SQM)  |
| Existing                | D1                           | 975 (GIA of former now demolished buildings)<br>2591 (GEA as the existing buildings have been demolished). |
| Proposed                | C3                           | 2095   |

| <b>Residential Use – See Affordable housing section for full breakdown including habitable rooms</b> |                             |           |   |        |                       |
|--|-----------------------------|-----------|---|--------|-----------------------|
|  | Number of bedrooms per unit |           |   |        |                       |
|  | 1                           | 2         | 3 | 4 Plus | Total/Payment in lieu |
| Market   |                             |           |   |        |                       |
| Affordable (shared ownership)  |                             |           |   |        |                       |
| Affordable (social rent)   | 8                           | 17        |   |        |                       |
| <b>Total</b>   | <b>8</b>                    | <b>17</b> |   |        |                       |

| <b>Vehicle parking</b> | Existing/former number of spaces | Total proposed including spaces retained | Difference in spaces (+ or -) |
|------------------------|----------------------------------|--|-------------------------------|
| Standard car spaces    | 12                               | 15                                       | +3                            |
| Disabled car spaces    | 0                                | 3  | +3                            |
| Cycle                  | 0                                | 24                                       | +24                           |

|                                     |  |
|-------------------------------------|--|
| <b>Electric car charging points</b> | 20% active/80% passive To be conditioned at Intend to Publish London Plan requirement. |
|-------------------------------------|--|

|                               |  |  |
|-------------------------------|--|--|
| <b>Representation summary</b> | Neighbour letters (sent 03/09/2020), newspaper advert (published 09/09/2020) |  |
| Total number of responses     | 25   |  |
| Number in support             | 0  |  |
| Number of objections          | 25   |  |

| <b>Financial Contribution Heads of Term</b> | <b>Amount</b> | <b>Agreed in Principle</b> |
|---|---------------|----------------------------|
| Carbon offset                               | TBC           | TBC                        |
| Health                                      | £17,325.00    | TBC                        |
| Education                                   | £99,376.18    | TBC                        |
| <b>Total</b>                                | <b>TBC</b>    | <b>TBC</b>                 |

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would provide an appropriate mix and dwelling density,
- The proposal would provide 100% affordable housing,

- The proposal would provide suitable living accommodation and space for future occupants,
- The proposed design would not detract from the character and appearance of the area,
- There would be no significant additional harm to neighbouring properties,
- There would be no significant additional harmful highway issues,
- There would be no other issues; such as Environmental Health, ecological, drainage or flooding objections,

## **2. LOCATION**

- 2.1 The application site is the former Banbury House (now demolished) located on the south eastern side of Bushell Way, Chislehurst, at the junctions with Invicta Close and Stead Close. The land slopes downwards from south east to north west; with the natural slope of the ground level, with a retaining wall around the southeast and southwest boundaries. The site was formerly occupied by a part single storey/part 2-storey building with an asymmetrical/lean-to type roof design comprising a public health clinic (D1 Use) although this has since been demolished and cleared (18/00470/DEMCON) and is accordingly currently enclosed by construction hoarding.
- 2.2 The area is residential in nature and characterised by mixture of 2-storey and 3-storey flats, 2-storey detached and semidetached dwellings in the immediate surrounding streets mentioned and terraced dwellinghouses on White Horse Hill. The site is not listed and does not lie within a Conservation Area or an Area of Special Residential Character.
- 2.3 The application site lies within a TfL PTAL 2 rated area with access to bus services on A208 White Horse Hill.
- 2.4 The application site is allocated within the Local Plan 2019 for 25 residential units (Local Plan Policy 1: Site 13).



Fig 1 Existing site location plan.



Photo 1 former Banbury House (from the junction of Bushell Way, Invicta Close and the northern spur of Bushell Way).



Aerial photo 1 former Banbury House (from White Horse Hill looking north west.)

### 3. PROPOSAL

- 3.1 Planning permission is sought for redevelopment of the former Banbury House (now demolished) to provide a modular housing scheme consisting of a part 2 storey/part 3 storey block of 25 self-contained dwellings including 8x 1-bedroom dwellings including; 8x single storey 1-bedroom 2 person (1b2p) units and 17x single storey 2-bedroom 4

person (2b4p) units, using the existing vehicular access on to Bushell Way, 18 car parking spaces (including 3x accessible spaces), 24x cycle spaces, refuse storage and private and communal residents' amenity space. All units will be provided for affordable social rent.

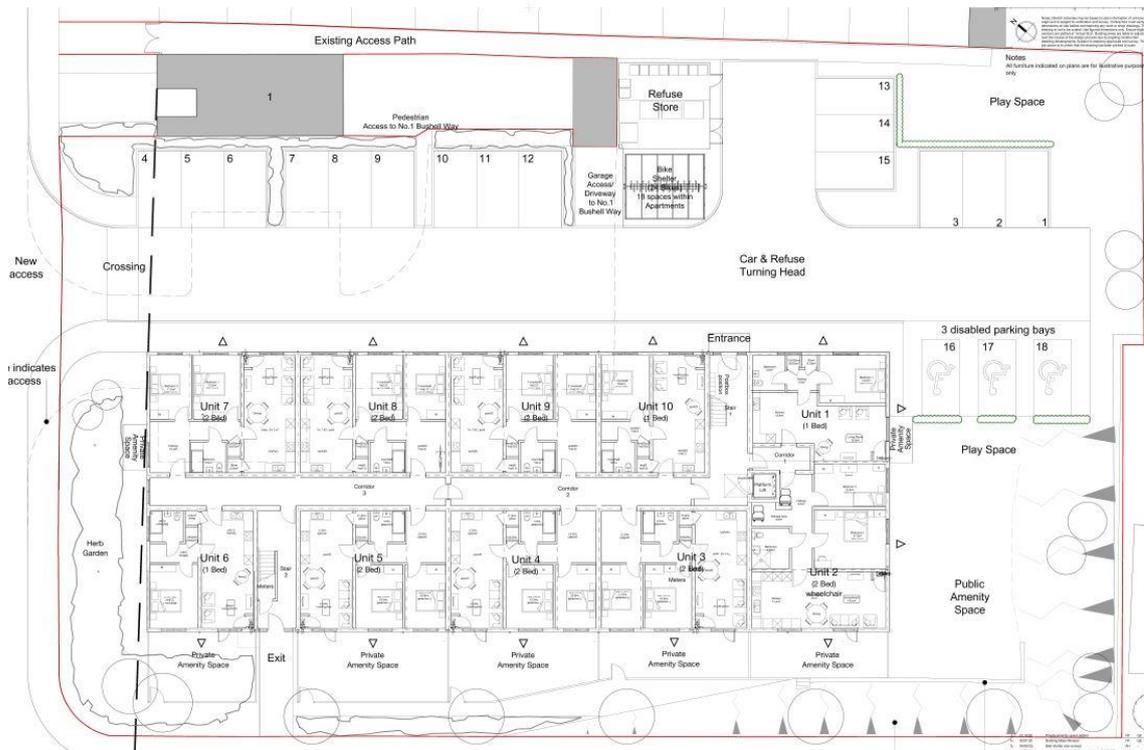


Fig 2 Proposed site layout plan.

3.2 The application is supported by the following documents:

- Application form,
- Application drawings,
- Design and Access Statement,
- Noise Assessment,
- CIL form,
- Affordable Housing Statement,
- Air Quality Assessment,
- Tree Survey, Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS), Tree Constraints Plan (TCP), TREE Protection Plan (TPP),
- Invasive Species Remediation Plan,
- Daylight/Sunlight and Shadowing Study,
- Lighting Strategy,
- Lighting Impact Assessment,
- Preliminary Risk Assessment Report (PRA) – Contaminated Land Report,
- Geo-Environmental and Geotechnical Assessment (Ground Investigation) Report – Contaminated Land Report,
- Contamination Remediation Strategy,
- Energy Statement,
- Flood Risk Assessment (FRA) and Drainage Strategy,
- Noise Impact Assessment,

- Preliminary Ecological Appraisal (PEA),
- Preliminary Unexploded Ordnance Risk Assessment,
- Statement of Community Involvement (SCI),
- Transport Statement (TS),
- Vehicle Swept Path Analysis,
- Parking Stress Survey and Statement,
- Accessibility Design,

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 01/02786/FULL1 – Change of use of part ground and first floors from residential home to community resource centre; 4 additional car parking spaces and new glazed entrance area was approved on 17 October 2001. It is not known whether this has been implemented however the building has since been demolished in any event.
- 4.2 18/00470/DEMCON – Demolition of existing building (56-day application for prior approval under Class B Part 11 of GPDO) was approved on 16 July 2018, this has been implemented as the building has been demolished.

#### **5. CONSULTATION SUMMARY**

##### **A) Statutory**

n/a

##### **B) Local Groups**

n/a

##### **C) Adjoining Occupiers**

###### **5.1 General (addressed in Section 7.1 and 7.3)**

- Neighbouring residents have not been informed of the application,
- The community engagement has not been as per the Statement of Community Involvement,
- There is insufficient information to comment,
- The area is a quiet, desirable/expensive area; and the proposal would devalue neighbouring properties,
- The tenure (ownership or rental is not clear),
- The site has been sold to an independent builder,
- Objections could be overcome by reducing the number of units,
- The development is inevitable and undemocratic,
- Easement/right of way or a right to purchase ancillary land should be offered to neighbouring resident(s) 1 Bushell Way,

###### **5.2 Standard of accommodation (addressed in Section 7.4)**

- The low internal ceiling heights would cause dark living spaces,

- The proposal would provide small rooms/properties to meet density figures providing cramped and harmful environments, inadequate homes and feeling of poor social inclusion,
- More outside space should be provided (as shown during the Covid-19 period) for good health and wellbeing,
- The play space is insufficient and may cause children to play in the road,
- The level changes/retaining walls would reduce/compromise the amenity space,
- The proposal would cause noise disturbance to residents within the development,
- The proposal would not provide high quality long-lasting homes,
- It is not clear whether the cladding is a fire risk,
- The proposal would be substandard as compared with other recent developments,

### 5.3 Design (addressed in Section 7.5)

- The development would be overly dense; conflicting with local character,
- The design would be flat roofed, crude, industrial, utilitarian, lacking architectural merit, out of keeping and would not respect local character including 1900s Victorian housing stock and large spacious plots,
- The proposal is overly large/dense however the buildings proportions are smaller than neighbouring dwellinghouses,
- There would be insufficient landscaping and therefore a loss of green space,
- A 100% affordable housing scheme would be out of keeping within the area,

### 5.4 Residential amenities (addressed in Section 7.1, 7.5 and 7.6)

- The proposal would block neighbours' views,
- The proposal would block light to neighbours,
- The proposal would overlook neighbouring properties,
- Any overspill from the play space into the neighbourhood would cause noise and disturbance,
- The refuse storage/collection would cause noise and mess,
- The parking area would cause noise, air pollution and disturbance to neighbours,
- An air source heat pump would cause noise to neighbours and should be changed to a silent ground source heat pump,
- Retaining bank(s) should be excavated to avoid land stability issues to neighbouring property(ies) 1 Bushell Way,
- Trees/landscaping should not be planted north of 1 Bushell Way to avoid land stability issues,
- The tenure/tenancy nature could involve a transient population, poor social integration, antisocial behaviour, and an unkempt/poorly maintained site causing conflict with permanent local residents,
- There is insufficient information of the management of the property and tenants,
- Removal of boundary fencing would be a security risk,

#### 5.5 Highways and parking (addressed in Section 7.7)

- Parked cars already impede highway visibility and safety,
- The 18 car parking spaces (no motorcycle spaces) would be insufficient for 25 units (which could generate between 25 and 84 cars),
- The proposal predicts an overreliance upon cycle travel,
- Previous development for elderly accommodation (25 parking spaces) was refused for insufficient parking,
- Any overspill parking would exacerbate existing traffic and parking congestion in Bushell Way, Invicta Close, Whitehorse Hill (a busy bus route) and Stead Close, and conflict with existing residents,
- Parking congestion would block access to neighbouring properties/garages,
- Parking congestion impede access for emergency, service and delivery vehicles (to neighbouring care homes),
- Parking congestion is exacerbated by local schools,
- Local parking stress is much higher than that stated in the Transport Assessment i.e. already at saturation,
- The “200m walking distance” to a parking space is unrealistic,
- The Transport Assessment was not conducted at appropriate times,
- The “available parking” spaces identified includes existing allocated parking spaces and driveways which should not be exempt and not included as capacity,
- The Transport Assessment does not mention Stead Close (private road),
- The Transport Statement appears to be copied from other scheme(s),
- Travel patterns are more complex than stated in the Transport Statement, public transport is poor, and there would be greater car reliance/journeys than predicted,
- The site should be used to address existing parking congestion,

#### 5.6 Sustainability (addressed in Section 7.8 and 7.11)

- The proposal does not show green energy details, such as passive design to improve energy efficiency and lower energy demand and energy bills on a public housing scheme,
- The proposal would conflict with Building Regulations window/wall ratios,

#### 5.7 Ecology and biodiversity (addressed in Section 7.9)

- The loss of mature trees/habitat would not be mitigated by the proposed herb garden,
- The proposal does not cater for possible overheating,

#### 5.8 Infrastructure and services (addressed in Section 8.2)

- The proposal would place strain on existing health and education services,

## **6. POLICIES AND GUIDANCE**

### **6.1 National Policy Framework 2019**

### **6.2 NPPG**

### **6.3 The London Plan 2016**

- 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
- 3.8 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
- 5.7 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
- 5.21 Contaminated land
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 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
- 7.13 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
- 8.3 Community Infrastructure Levy

#### **6.4 Intend to Publish London Plan (ItPLP) 2019**

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- SD1 Opportunity Areas
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive Design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D14 Noise
- H1 Increasing housing supply
- H2 Small sites
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H12 Housing size mix
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI 1 Improving Air Quality
- SI 2 Minimising greenhouse gases
- SI 3 Energy infrastructure
- SI5 Water infrastructure
- SI13 Sustainable drainage
- T1 Strategic approach to transport
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking

#### **6.5 London Mayor Supplementary Guidance**

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

#### **6.6 Bromley Local Plan 2019**

- 1 Housing Supply
- 2 Affordable Housing
- 4 Housing Design
- 30 Parking

- 32 Road Safety
- 33 Access for all
- 37 General Design of Development
- 39 Locally Listed Building (adjacent to this site)
- 113 Waste Management in New Development
- 116 Sustainable Urban Drainage Systems
- 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

### **6.7 Bromley Supplementary Guidance**

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

## **7. ASSESSMENT**

### **7.1 Procedural matters**

- 7.1.1 The Council has publicised the application in accordance with the Planning Regulations and its adopted practice including: placing it on the planning register (viewable on the Council's website), writing directly to properties that physically abut the site, placing newspaper advert and site notice.
- 7.1.2 The application is a Full Planning Application with sufficient information for the Council to consider/assess the development and for interested parties to comment.
- 7.1.3 The development is proposed by the Council, i.e. the Council is the Applicant and it is therefore determined democratically by the Planning Committee and the Full Council and not under the Assistant Director (Planning)'s delegated powers.
- 7.1.4 Land ownership and rights of way are not material planning considerations.
- 7.1.5 Matters such as foundations and land stability are not material planning considerations although they may be relevant to the Building Regulations and/or the Party Wall Act.
- 7.1.6 The effect of new development on property values is not a material planning consideration.

## **7.2 Principle of development including re-use of land – Acceptable**

7.2.1 Although the application site was a former health clinic that use/function has become redundant and decommissioned, the site has been allocated in the Local Plan for the provision of 25 residential units and the building has since been demolished. As mentioned, the area is predominantly residential in nature with a variety of flatted blocks and house types, mainly 2 storey with one 3 storey building positioned end on to Invicta Close which is part of Stanley Glynn Court. On this basis the change from a former healthcare/clinic use to residential and the erection of a multi-storeyed block would be compatible with this wider residential use and would be acceptable in principle.

## **7.3 Housing Issues and Affordable Housing – Acceptable**

### **7.3.1 Site allocation and Housing Supply**

7.3.1.1 Local Plan Policy 1 requires the minimum provision of 641 homes per year. The current 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. The proposal would provide 25 residential units in accordance with the Local Plan Site Allocation for the redevelopment of the site for around 25 residential units (providing that it respects the amenity of adjoining residential properties) and it would contribute towards the Council's housing supply; redeveloping an allocated site and would accord with Policy 1 of the Local Plan.

### **7.3.2 Housing Mix**

7.3.2.1 The Strategic Housing Market Assessment (SHMA) 2014 identified the highest level of need across all housing tenures within the Borough up to 2031 is for 1-bedroom units (53%) followed by 2-bedroom (21%) and 3-bedroom (20%) units. As a larger development of over 5 units this proposal should ideally provide some 3-bedroom units in addition to the 1-bedroom and 2-bedroom units however, given the proposed tenure and that the proposal would meet an identified affordable housing need the proposed mix would be acceptable and this is confirmed by the Council's Housing department.

### **7.3.3 Affordable Housing and review**

7.3.3.1 Local Plan Policy 2 requires developments of 11 units or more to provide on-site affordable housing while the Intend to Publish London Plan (ItPLP) 2019 requires affordable housing on developments of 10 units or more, and the NPPF also notes that affordable housing can be sought on major developments (i.e. 10 units or more). On balance, it is considered that the ItPLP would attract substantial (near full) weight and as such a threshold of 10 units should be applied.

7.3.3.2 The Local Plan and ItPLP Policy H6 require a 60% (social/affordable rent) 40% (intermediate rent or sale) tenure split. The application proposes 100% affordable social rent. In accordance with policy H5D of the ItPLP, developments which

provide 75% 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. However, as the proposal would be for 100% affordable social rent as accommodation for those on the Council's housing register, in light of the local need for affordable rented accommodation, the proposed tenure is considered acceptable in this instance.

- 7.3.3.3 Although 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 is therefore considered reasonable to secure 75% through planning condition.
- 7.3.3.4 However, it should be made clear that as 75% is being secured by planning condition; because this is the level that is guaranteed, the remaining 25% could be used as private housing and this should be given consideration as part of the planning assessment.
- 7.3.3.5 To ensure that the 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).

## **7.4 Residential Standards – Acceptable**

### **7.4.1 Accessible Housing**

- 7.4.1.1 In accordance with London Plan Policy 3.8, intend to publish London Plan policy D7 and Local Plan Policy 4, 90% of new housing should meet Building Regulation Requirement M4(2) 'accessible and adaptable dwellings' and 10% of the new housing should meet Requirement M4(3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The proposal would provide three accessible units (Unit 2, Unit 12 and Unit 22) or 12% of the total amount of units in accordance with the required standard and with three corresponding disabled parking bays.

### **7.4.2 Internal living environment**

- 7.4.2.1 Although the proposal would be for temporary accommodation it is intended for short to medium term occupancy from three to five years; classed as C3 dwellinghouses, albeit that they would be for social rent. The application details and floor plans (including amended/updated detailed drawing) confirm that the proposal would comply with the relevant standards for units of this size and layout including the overall GIA and bedroom sizes set out in the Nationally Described Space Standard (NDSS) SPG. Although 13 of the units would have a single aspect 12 of the units would have a dual aspect, which is preferable for outlook and ventilation, and in any event the proposal would provide acceptable living conditions in this respect.

7.4.2.2 As mentioned, the development is of a modular construction and therefore constructed promptly although it is of a long-term design. The design and materials are a material planning consideration in relation to their character and appearance however their other properties; such as fire resistance is not a material planning consideration, although it would be relevant to the Building Regulations which would be separately assessed under the Building Act.

### **7.4.3 Amenity space/play space**

7.4.3.1 The proposal would provide private open space (POS) for 7 of the 10 ground floor units and 2 of the 5 second-floor units of a suitable location, size and layout in accordance with the Mayor's SPG. The proposed layout would preclude the provision of additional POS for the ground floor and second floor units and the modular construction of the building, would preclude the provision of projecting balconies as POS on the upper floors and this provides sufficient justification for the absence of further POS. The proposal would also provide two areas of shared open space measuring approximately 185sqm in total; sufficient in size, location and layout for the future occupants. The spaces would be accessible and would have surveillance from the adjoining/neighbouring units above. This would not be an unusual feature or relationship in flatted developments. The proposal does not indicate levels of child occupancy however the two bedroom units could feasibly accommodate families and one of the proposed shared amenity areas would accommodate the relevant children's play space.

7.4.3.2 The Applicant further states that the public amenity space provided is sufficient for social interaction, small gatherings and both areas provided are suitable for outdoor exercise and as small play areas. Although some of the space would be positioned close to some of the proposed units the window(s) overlooking those spaces would provide good public surveillance to deter crime and anti-social behaviour. The spaces would also be delineated with low fencing or vegetation to distinguish the public amenity from parking areas. Furthermore, overall site has good mix of private amenity space and communal amenity space.

## **7.5 Design and Landscaping – Acceptable**

### **7.5.1 Density**

7.5.1.1 The application site lies within an urban PTAL 2 rated area with a figurative dwelling density range of 200-450 habitable rooms per hectare (hr/ha). This proposal; providing approximately 86 units per hectare (u/ha) and between 2-3 habitable rooms per unit would equate to approximately 251 hr/ha and in either event this would lie at the lower end of the figurative range; indicating that this proposal would not represent an over-intensive development in numerical terms. Furthermore, as discussed in further detail elsewhere in this assessment, the proposal would also provide an adequate outlook and privacy for the future occupant in both parts of the development and would provide a satisfactory living environment for the future occupants. Notwithstanding this, the ItPLP promotes a more design-led approach to amount and density of development and in this respect the proposal would also provide a building massing density in keeping with that of the two-three storey development in the local area.

## 7.5.2 Layout, scale, height and massing

7.5.2.1 The application site rises from its entrance on Bushell Way towards the south east with the slope of the land with retaining walls around parts of the north east, south east and north west boundaries. The previous building Banbury House comprised a two-storey block parallel with the south west boundary with Invicta Close and a single storey block parallel with Bushell Way; forming a “T” shaped block. The proposal would be a single linear block approximately on the footprint of the previous two storey element. It would be mainly two storeys in height with the smaller, taller three storey element positioned towards the rear (south eastern) boundary such that it would partially reflect the raised ground level and would be partially into the excavated lower ground level within the site (and retaining walls). The taller three storey element would also be positioned closer to the three-storey development in the local area; including Nos. 8-21 and 27-40 Invicta Close.



Fig 3 Proposed contextual site layout plan.

7.5.2.2 The proposed development is of a modern modular design and construction. The amount and massing of the scheme is compact and designed to optimise the development of the site while the flat roofed design seeks to minimise the physical and visual bulk of the building(s). The building would be positioned towards the front and side boundaries with main entrance facing towards the north east and parking area. The south west elevation would be set away from the boundary with Invicta Close by approximately 6.5m and the north west side elevation from the boundary with Bushell Way by approximately 5.5m; it would not project forward of the front wall of No. 1 Bushell Way and Nos. 21-56 Invicta Close in the north western plane and Nos. 3-7 Invicta Close in the south western plane. It would sufficient space around the building, and together with its height and scale and the

positioning of the varying building mass it would not appear excessive in size, overdeveloped within the plot or cramped in relation to the spatial standards of the area, and when viewed in context to the former Banbury House on the site. Although the development would front on to the internal parking area and would back on to Invicta Close the mostly single aspect rear elevation would nonetheless have an active frontage on to the highway reflecting that of the front elevation of Nos. 48-56 Invicta Close opposite. Furthermore, in response to the design approach the Applicant further states that the proposed contemporary flat roofed design assists in reducing the building mass and height whilst maximising the space and to achieve the site allocation of 25 units and that it would also assist in providing solar photovoltaic roof panels.

7.5.2.3 The building would be constructed in light brown brick at ground floor level and white/cream render at first and second floor level and this would complement the materials palette in some of the detached dwellings directly opposite in Bushell Way, flats directly opposite in Invicta Close and those three storey dwellings at the south west at the end of Invicta Close. As such the proposal would be in keeping with overall variety of materials in the area, although it would be prudent to manage the external materials, and this could be secured through planning condition.

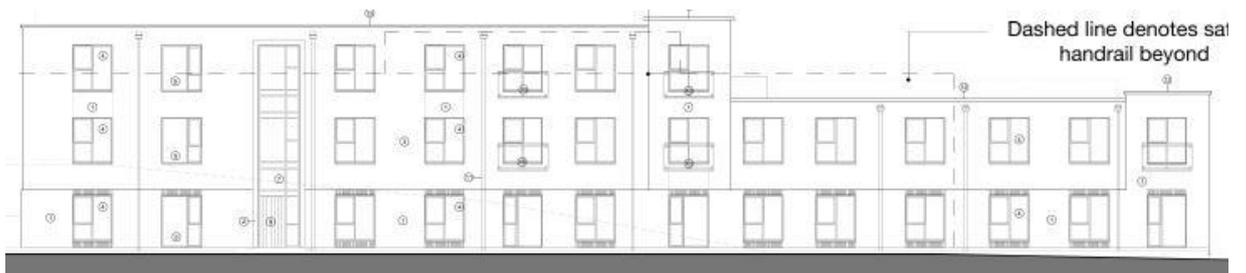


Fig 4 Proposed front elevation facing north east towards the proposed parking area.



Fig 5 Proposed north west elevation facing towards Bushell Way.

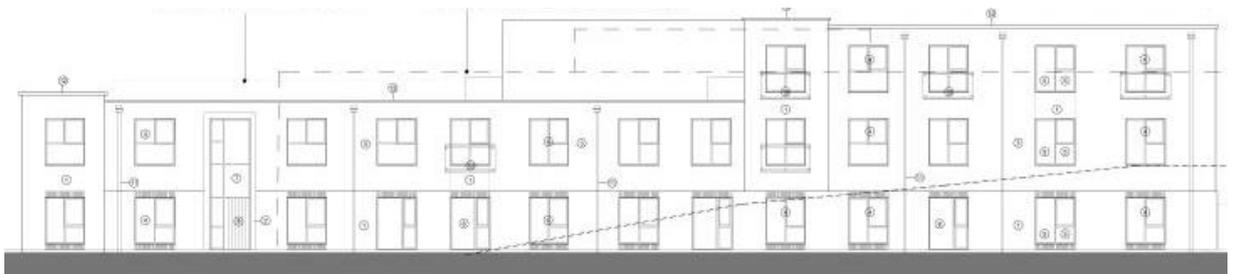


Fig 6 Proposed rear elevation facing towards Invicta Close.



Fig 7 Proposed south east elevation.

### **7.5.3 Trees and Landscaping**

7.5.3.1 The application site is mostly hard surfaced with trees/hedgerow and vegetation around all boundaries; with the densest cover along the northwest and southwestern boundaries. Although it is an established feature and is prominent within these street scenes it is not necessarily of high individual quality of cumulative quality and there is no objection to its removal. Indeed, the proposal would present the opportunity to introduce new planting and landscaping to enhance and soften the development and this could be managed by planning condition.

### **7.5.4 Crime Prevention (Secure by Design)**

7.5.4.1 The Metropolitan Police Crime Prevention/Designing out Crime Officer notes the submitted details relating to Secure by Design (SbD) accreditation and although the application lacks some of the necessary factors/features to provide effective security measures and to receive full SbD accreditation, the proposal could potentially address these necessary points, and this could be achieved with further discussion through the SbD process with a view to reaching the Gold standard accreditation. As such there is no objection from the There is no objection from the Crime Prevention/Designing out Crime Officer subject to a suitable planning condition.

### **7.6 Neighbourhood Residential Amenity – Acceptable**

7.6.1 The application site is surrounded by and viewed from many of the neighbouring properties. Notwithstanding this, as mentioned, most of the proposed two storey building would be positioned on part of the footprint of the previous two storey element of Banbury House. As such it would be well separated from properties to the north east (on White Horse Hill) and from the dwellings in the south eastern part of Invicta Close. The main outlook of No. 1 Bushell Way appears to be to the front and rear (north west and south east). Therefore, the proposed building would be most visible from properties to the north east (from Nos. 1-2E and 28, 32, 30, 34 and 36 Bushell Way) and to the south east (from Nos. 47-58 Invicta Close). However, the two-storey element would be well separated from the nearest properties, opposite in Bushell Way by, at approximately 21m and the two and three storey elements of the proposal would be well separated from the nearest properties, opposite in Invicta Close, by approximately 20m. Furthermore, the three-storey element would be positioned at the south eastern end of the site and on a lowered ground level compared with the nearest neighbouring properties

which are set on a comparatively higher ground level as the land rises. For these reasons, whilst it would be visible, the location, size and scale of the proposal would not have a significantly harmful impact on the neighbouring properties by reason of overshadowing or overbearing effect.

7.6.2 The main outlook from the proposed building would be to the north east and south west, however the proposal would be approximately 32m from the nearest neighbouring properties on White Horse Hill, and as mentioned the main outlook from No. 1 Bushell Way is to the north west and south east. As mentioned, the proposed building would be positioned approximately 20m from the nearest neighbouring properties to the south west in Invicta Close a reasonable of separation and with the highway in between a not unusual relationship between residential properties. For these reasons the proposal would not have a significantly more harmful impact on the amenities of the neighbouring properties by reason of additional overlooking.

7.6.3 The proposed residential development is likely to be more active throughout more of the day/night than the previous health/care centre use. However, the area is residential in nature and this would not be out of keeping or more harmful in principle. The proposed access and therefore internal road layout would be in a similar position to the existing, and the parking spaces along the north eastern boundary with No. 1 Bushell Way, however there would be some additional parking spaces and the refuse store in and around this location and as such the proposed boundary treatment/landscaping scheme should incorporate acoustic fencing to preserve neighbouring amenities. Notwithstanding this, the principle of the residential use and associated functions such as the refuse/recycling storage/collection would be similar to those at other residential properties including flatted development in the area; and indeed, at the previously existing Banbury House. Any adverse effects arising that go beyond the normal/reasonable functions of a residential development such as public health or nuisance may be managed through the Environmental Health Act or serious noise/disturbance/antisocial behaviour by the Police Service and these matters/issues could apply to other existing or proposed residential properties.

## **7.7 Transport – Highways and Parking – [Acceptable](#)**

7.7.1 As mentioned, the application site lies within an area with a low PTAL 2 rating (on a scale where 0 has the poorest access and 6b has the best access to public transport services); with access to bus services on White Horse Hill, and therefore the site and any new development would be more reliant on private transport such as the car and bicycle. The proposal contains a Transport Statement (TS), a Parking Stress Survey and a Parking Statement.

7.7.2 The proposal would utilise, and slightly amend, the existing access on to Bushell Way. The proposal would also increase the number and frequency of vehicles using the preceding junction with White Horse Hill. Nonetheless, the accident record at the junction of Bushell Way and White Horse Hill does not show adverse results and a Road Safety Audit can be managed by planning condition.

- 7.7.3 The TRICS data identifies an increase in travel and trips from the proposed development although not excessive when compared with the former healthcare/clinic use. The proposed turning area within the site would accommodate a large vehicle including the Council's refuse collection vehicle (RCV); and the Service and Delivery Plan can be managed by condition.
- 7.7.4 The London Plan 2016 Parking Standard requires between 0.7-1 car parking space per unit. The ItPLP suggests up to 1 car parking space per unit in an Outer London PTAL 2 area, however the SoS has directed the Mayor to alter the parking standard; such as a maximum standard of 0.75 spaces per unit for 1-2 bed units in PTAL 2-4 areas in outer London. The proposed 18 parking spaces; comprising 0.72 spaces per unit, would be towards the lower end of the recommended range. As the proposal does not exceed the maximum standard in either the ItPLP, or the directed changes, it can be considered consistent with the ItPLP. Furthermore, Parking Stress Surveys (carried out in accordance with the Lambeth methodology) identify available on-street parking spaces in the area. As such the overall level parking level would be acceptable subject to a Car Parking Management Plan to confirm how the parking spaces would be allocated and this could be managed by planning condition. The Applicant has committed to providing electric vehicle charging within the development and this can be secured by planning condition to ItPLP requirements. Cycle parking would be provided; partially within the external cycle store (which could be a double height stack to maximise capacity) and partially via cycle spaces within the larger 2-bedroom units, overall, in accordance with the London Plan Cycle Parking Standard and can be secured by planning condition.

## **7.8 Environmental Health – Air Quality, Noise and other matters – Acceptable**

- 7.8.1 The site lies within a Bromley Air Quality Management Area and although the construction phase may lead to some fugitive dust emissions the submitted Air Quality Assessment (AQA) concludes that the considering the likely emissions arising from the development it would comply with the air quality neutral requirements of the London Plan and as such the potential air quality impacts would not be significant. Furthermore, appropriate boilers should be installed to meet the dry NOx emission rates. There is no objection from the Council's Environmental Health Department providing that the development is carried out in accordance with the relevant Environmental Health control of pollution and construction site legislation/guidance and subject to the recommended conditions/informatives.
- 7.8.2 The application site lies relatively close to the A208 White Horse Hill with corresponding background/ambient noise arising from that environment and direction; albeit that it is concluded as being low risk/level. Nonetheless, the proposal would not lead to significantly additional noise itself and the noise within the units could be managed through relevant construction standards, glazing and ventilation vents. Details of proposed glazing and ventilation to the standard recommended in the CSG Acoustics Noise Assessment (ref CSGA C1615 Rev 0), soundproofing works, Construction Logistics Management Plan should be secured by planning conditions.

7.8.3 The submitted lighting assessment confirms that the proposal would provide the relevant necessary lighting around the exterior of the building and the site however that this would not have an obtrusive effect on the amenities of neighbouring properties and local environment.

## **7.9 Ecology – Acceptable**

7.9.1 As mentioned, the former building Banbury House has been demolished and the application site is now mostly a hard-surfaced area with vegetation around the boundaries and some in the south-eastern corner. The trees and vegetation are identified as offering some potential habitat; particularly for nesting birds, invertebrates and small mammals such as hedgehogs, and some potential commuting/foraging habitat for bats. Nonetheless, subject to appropriate mitigation measures, precautionary measures and provision of enhancements such as nesting or roosting boxes, bug boxes/hotels, wildlife-friendly planting scheme and a wildlife sensitive lighting plan that is direct and of low light spill, the proposal would not have an adverse impact upon surrounding habitats, protected species and wildlife in general, and this could be managed by planning condition.

7.9.2 The Invasive Species Assessment identifies and recommends the entire removal (vegetation & root system) and proper authorised disposal of an area of cotoneaster plants.

## **7.10 Drainage and flooding – Acceptable**

7.10.1 The Environment Agency confirms that the proposal would have low environmental risk and raises no objection subject to recommended informative. The Council's Drainage Engineer raises no objection subject to the recommended flood risk/drainage condition. There is no objection from Thames Water subject to the recommended conditions and informatives regarding developing near its assets, surface water disposal, groundwater discharges into the public sewer wastewater network and sewage treatment works infrastructure capacity.

## **7.11 Energy and Sustainability – Acceptable**

7.11.1 The proposal would incorporate a mixture of energy efficiency measures, low and zero carbon technologies, and renewable energy technologies (including solar photovoltaic roof panels). The development proposes to use a combination of electric heating and ASHP to deliver heating and hot water i.e. no gas boilers are proposed. The energy statement calculates that the proposal would provide an on-site 35.3% reduction in CO<sub>2</sub> emissions compared with the baseline; equating to a saving of 10 tonnes of CO<sub>2</sub> per year. However, as the development would not be fully zero carbon it should offer a payment in lieu of the full on-site carbon dioxide reduction; paid to the Council to be used for sustainability projects elsewhere (the figure shall be confirmed at the Committee Meeting).

7.11.2 The Council concurs that the proposal has considered and provided a suitable number and variety energy efficiency and renewable energy measures; and although these measures could achieve up to 35% of the required carbon reduction the remaining carbon reduction could be managed through a payment

in lieu to the Council to offset the shortfall in on-site provision. The external technologies such as the solar PV panels are shown on the submitted drawings and are acceptable in appearance and as such the energy measures can be secured by planning condition.

## **8. OTHER MATTERS**

### **8.1 Legal Agreement Heads of Terms and Directed Payment**

- 8.1.1 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.
- 8.1.2 The Council has identified the following financial contribution for this application:  
**Carbon off-setting payment in-lieu: TBC**  
**Health contribution: £17,325**  
**Education contribution: £99,376.18**
- 8.1.3 The Applicant has confirmed that the proposal would provide 100% affordable housing. A condition will be placed to secure a minimum of 75 percent affordable rent units in line with Planning Policy.
- 8.1.4 As the Council is unable to enter into a planning obligation with itself; as both Applicant and the Local Planning Authority, the Applicant has confirmed the required planning obligations; for health, education and carbon offsetting to mitigate the impact of the proposal development, will be transferred to the Council's funding and delivery programmes prior to the planning decision being issued.
- 8.1.5 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.
- 8.1.6 A condition will also be added to the scheme to ensure that if any land owner have the ability to enter into a section 106 agreement requiring any purchasers of the site to enter into legal agreement to ensure that the conditions which would usually be secured via legal agreement.

### **8.2 Community Infrastructure Levy**

- 8.2.1 The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.
- 8.2.2 As such, and notwithstanding third party comments the proposal would contribute towards supporting local infrastructure and services.

## **9. CONCLUSION**

- 9.1 The principle of the proposed use would not detract from the overall established character and nature of the built up urban/residential area.

- 9.2 The proposal would provide an appropriate mixture of units and that it would be offered as 100% affordable social rent.
- 9.3 The proposed building size, scale and layout along with the external works including parking and landscaping provisions would be appropriate to the site and its setting in this area and would not detract from its character and appearance.
- 9.4 The proposal would provide appropriate living conditions and amenity space for the future occupants and it would not detract significantly from the amenities of neighbouring residential properties.
- 9.5 The proposal would provide sufficient and appropriately laid out car parking, bicycle and refuse/recycling storage.
- 9.6 The proposal has demonstrated a reasonable attempt to reduce carbon dioxide emissions on the site/within the development and that the remaining carbon reduction could be managed through a payment in lieu to offset the outstanding reduction.
- 9.7 The development would not have adverse Environmental Health, Ecological and drainage and flooding effects.
- 9.8 The proposal would make a significant contribution to the housing supply in the Borough.
- 9.9 For these reasons it is recommended that planning permission is granted.

## **RECOMMENDATION: PERMISSION SUBJECT TO TRANSFER OF FUNDS**

### **SUMMARY OF CONDITIONS AND INFORMATIVES**

#### **Standard Conditions**

1. Time limit of 3 years
2. Approved drawings (numbered)
3. Affordable housing
4. Provision of accessible/adaptable units
5. Non-Road Mobile Machinery
6. Visibility splays
7. Vehicle wash-down facility
8. Flood Risk Assessment and Drainage Strategy
9. Land owner to enter into future S106 as necessary

#### **Pre-commencement**

11. Slab Levels
12. Road Safety Audit
13. Construction Logistics and Environmental Management Plan
14. Glazing and Ventilation (Acoustics Noise Assessment)
15. Secure by Design details and accreditation

#### **Above Ground**

16. External materials

17. Landscaping (hard and soft)
18. Solar PV roof panels and energy plant/equipment
19. Refuse/recycling enclosure (AG11)
20. Cycle storage (external store) (AG12)
21. Glazing/insulation from noise (AG16)
22. Highway Drainage (AG24)
23. Highway External Lighting Scheme (AG13)
24. Early stage viability review

### **Pre-occupation**

25. Satisfactory Parking (OC03)
26. Electric Vehicle Charging
27. Car Park Management Plan
28. No parking permits for residents
29. Cycle Storage (internal store)
30. Delivery and Servicing Plan (OC10)

### **Informatives**

1. Mayoral CIL
2. Party Wall Act
3. Highways: Construction of highway access(es).
4. Highways: Repositioning, alteration and/or adjustment to street furniture.
5. Thames Water: Groundwater Risk Management Permit
6. Thames Water: Petrol Interceptors
7. Thames Water: Prior Approval for connection to public sewer
8. Thames Water: Working near Thames Waters' assets,
9. Thames Water: Use of mains water during construction
10. Thames Water: Predicted pressure/flow rate
11. Environmental Health compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008.
12. Environment Agency: EA consents may be required