

<b>Committee Date</b>	25/03/2021	
<b>Address</b>	70 High Street Bromley BR1 1EG	
<b>Application number</b>	<b>19/04588/FULL1</b>	<b>Officer: Jessica Lai</b>
<b>Ward</b>	Bromley Town	
<b>Proposal</b>	Demolition of existing buildings (No. 66 to 70 High Street), construction of 12 storeys to provide 256.4 square metres retail floorspace on the ground floor and 47 residential units above with associated disabled car parking spaces, cycle parking and refuse storage area.	
<b>Applicant</b>	<b>Agent</b>	
Matterhorn Capital	Mr Tom Vernon Quod Ltd 13-17 Broadwick Street London W1F 0FE	
<b>Reason for referral to committee</b>	Major application outside delegated authority; Call-in	<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	<b>PERMISSION SUBJECT TO S106 LEGAL AGREEMENT AND ANY DIRECTION FROM THE MAYOR OF LONDON</b>
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<p><b>KEY DESIGNATIONS</b></p> <p>Bromley Town Centre Archaeological Priority Areas Opportunity Areas Site G Bromley Town Centre Area Action Plan Site 10 Bromley Local Plan Biggin Hill Safeguarding Area London City Airport Safeguarding Areas of Deficiency in Access to Nature PTAL 6a and 6b</p>
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<b>Vehicle parking</b>	Existing number of spaces	Total proposed spaces	Difference in spaces (+ or -)
Wheelchair accessible car spaces	N/A	3	+3
Cycle	N/A	116	+116 (Residential 108; Commercial 8)

<b>Electric vehicle charging points</b>	3 active charging points
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<b>Use</b>	Existing	Proposed	Difference (+ or -)
Retail	493.7sqm	256.4sq.m	- 237.3sq.m
Dwellings	6	47	+41

<b>Representation summary</b>	<p>Neighbouring consultation letters were sent on the 22<sup>nd</sup> November 2019. A 14 days re-consultation letters were sent on the 17<sup>th</sup> December 2020 and 06<sup>th</sup> January 2021.</p> <p>A site notice was displayed on the 14<sup>th</sup> November 2019. The application was also advertised in the press on the 27<sup>th</sup> November 2019.</p>
<b>Total number of responses</b>	324
<b>Number in support</b>	11
<b>Number of objection</b>	313

<b>Section 106 Heads of Term</b>	<b>Amount</b>	<b>Agreed in Principle</b>
<b>Education</b>	£ 69,208.54	Yes
<b>Health</b>	£ 47,591	Yes
<b>Energy</b>	£ 57,000	Yes
<b>Affordable Housing</b>	10 intermediate units (2 x studio, 6 x 1 bed and 2 x 2 bed);	Yes

	Early and late stage review mechanism.	
<b>Child play and park maintenance</b>	£17,600	Yes
<b>Highway</b>	£ 20,000 Quietway cycle link pedestrian works improvement; Two years free car club membership per dwelling; Twenty free driving hours per dwelling; Removal of rights to apply for residents parking permit.	Yes
<b>Total</b>	<b>£ 191, 300.54</b>	

## SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle to redevelop the site including the introduction of a taller building and car free development is supported at this town centre location. The site is designated as an opportunity area in the London Plan and forms part of the allocated sites (Site G in the Bromley Town Centre Area Action Plan and Site 10 in the Bromley Local Plan) in the development plan to deliver housing and support the growth of Bromley Town Centre.
- This application includes the provision of 47 residential dwellings including 10 intermediate dwellings and would represent a significant contribution to the supply of housing within the Borough. The proposal would be unviable to provide in excess of 5 intermediate units and this is supported by a financial viability report which has been reviewed by an independent viability assessor. Following discussions between the applicant and the GLA and without prejudice, the applicant is prepared to provide 5 additional intermediate units (a total of 10 intermediate units). This provision would enhance the attractiveness for ownerships and management by a Registered Provider and in the delivery of affordable housing.
- The proposed internal layout demonstrates adequate and accessible internal and external living spaces including a good range of housing sizes between one to four persons would be provided.
- The proposal would provide adequate replacement retail floorspace on the ground floor and this would maintain the active frontages and shopping function of this site. The residential density would be intensified which reflects the role of this allocated site.
- The revised proposal has been subject to a design review process and has responded to the consultation comments received. The existing buildings façade would be retained, and the proposed building would be

set in from the High Street. The building height is reduced and more comparable to the building on Ringer's Road.

- The Council's Conservation Officer has raised objection to the revised proposal and considered that the over-dominant scale and massing of the proposed building would visually compete with the modest market town character of the Bromley Town Centre Conservation Area. Non-statutory comments from Historic England also consider that the proposal would have an impact on the significance of the Bromley Town Centre Conservation Area and the harm would be towards the lower end of less than substantial.
- The development is considered acceptable from a sustainability, air quality and environmental perspective.
- Having considered the benefits and harm arising from the proposal and in the absence of a 5-year housing land supply, it is considered that the planning permission should be granted as the presumption in favour of sustainable development is applied unless there are material considerations to suggest otherwise.
- Subject to the planning conditions, a s106 legal agreement and any direction from the Mayor of London it is considered that the benefits of the proposal would outweigh the impact arising from this proposal and planning permission should be granted.

## **1. LOCATION**

- 1.1 The site (No. 66 to No.70 High Street) is located in Bromley Town Centre and measures approximately 627sq.m in area. The site is located on the western side of the High Street at its junction with Ethelbert Road.
- 1.2 The site comprises of three retail units on the ground floor with a combined retail floor space of approximately 493.7sq.m in total. There are six private residential flats located on the first and second floor. The access to these private residential units is via Ethelbert Road.
- 1.3 The site is located on a slope. The ground level of the site drops from east to west and also drops down from north to south. No. 64 High Street is a 4 storey commercial building adjoining to the south of the site and is occupied by a retail store (TKMAXX). The Salvation Army and the ancillary café building "The Light" are located to the rear of the site.
- 1.4 The application properties are not listed. Bromley Town Centre Conservation Area is located to the north of the site, opposite Ethelbert Road.
- 1.5 The site forms part of the allocated Site 10 – West of Bromley High Street and land at Bromley South in the Bromley Local Plan for mixed used redevelopment.

- 1.6 The site also forms part of the Site G in the Bromley Town Centre Area Action Plan. Within this plan, it is noted that there is an annotation to indicate that the adjacent TK Maxx site (No. 64 High Street) may be a possible location for a tall building.
- 1.7 The public transport accessibility of the site is rated at 6a and 6b on a scale between 0 to 6b where 0 is worst and 6b is excellent. Bromley South Railway Station is approximately 250 metres south from the site and Bromley North Railway Station is approximately 400 metres north from the site.
- 1.8 The site is located within Flood Zone 1 and is not subject to surface water flooding, Ethelbert Road and the High Street are subject to low risk surface water flooding. Ethelbert Road is a one-way road and there are two on-street disabled parking spaces near to the site.

## **2. PROPOSAL**

- 2.1 Full planning permission is sought for the demolition of the existing three storey buildings and redevelopment of the site to provide 256sq.m (Gross Internal floor area) replacement retail floor space on the ground floor facing High Street and 47 residential flats on the upper floors. It should be noted that the existing buildings façade would be retained. In response to the planning consultation responses received, the design, layout, building height and quantum of the proposal has been amended.
- 2.2 The proposed building would be up to 4 storeys in height facing the High Street and 12 storeys in height to the rear. The facade of the existing three storey buildings will be retained and refurbished. The top floor of the proposed building facing the High Street would be set in from the High Street by 1.5 metres. The rear element of the proposed building would be 12 storeys in height and would be set in from the High Street by 9.5 metres.
- 2.3 A communal residential entrance would be facing Ethelbert Road. Two internal lifts including a dedicated bicycle lift would be provided for the proposed residential use. Residential and commercial communal cycle and waste storage facilities would be provided. Three residential disabled parking spaces would be provided to the rear of the building. A total of 116 cycle storage spaces, of which 108 spaces would be provided for residential and 8 spaces would be provided for commercial.
- 2.4 The proposal would provide 47 new residential units which comprises of 3 studio, 24 x 1 bed and 20 x 2 bed. This includes a total of 10 intermediate units and these would be provided on the first and second floor comprising of 2 x studio units, 6 x 1 bed and 2 x 2 bed.
- 2.5 The proposed affordable housing provision would equate to 21 percent by unit (10 out of 47 units) or 18 percent by habitable room (20 out of 111 habitable rooms). A minimum of 5 wheelchair units is required and

a total of 6 wheelchair units would be provided. Two internal lifts would be provided and accessible to all floors. The details of housing mix, size and tenure as follows:

	<b>Studio</b>	<b>1 bed</b>	<b>2 bed</b>	<b>Total (by Unit)</b>	<b>Total (by Habitable room)</b>
Market	1	18	18	37	91
Intermediate	2	6	2	10	20
<b>Total</b>	<b>3</b>	<b>24</b>	<b>20</b>	<b>47</b>	<b>111</b>

Table.1 Proposed housing mix, size and tenure.

- 2.6 The internal floor spaces of the proposed units including the private balconies are well designed and would meet the required internal and outdoor space requirements, except six of the residential units facing the High Street to be located on the first and second floor which would not be provided with a private balcony. This is mainly due to the retention of the existing buildings façade. These units would be provided with additional internal floor space in excessive of the policy requirements.
- 2.7 The proposal has been revised in response to the planning consultation comments received, including those received from an agreed urban design consultant. The key changes are as follows:
- Reduction in building height from 16 (approximately 55 metres) to 12 storeys (approximately 36 metres);
  - Reduction of residential units to 68 to 47 units;
  - Retention of the existing buildings' façade;
  - Third floor sets in from the High Street by approximately 1.5 metres;
  - Fourth to eleventh floors set in from the High Street by 9.5 metres;
  - Reduction of commercial floor spaces from 493.7sq.m to 256 square metres;
  - Provision of 3 off-street disabled parking spaces; and,
  - Ten intermediate dwellings.
- 2.8 Matching red/brown bricks and stone detailing would be used near the proposed residential entrance and waste storage area. Grey and light grey colour reconstituted stone, glass reinforced concrete panels and flute pre-cast concrete panels would be used. The balconies, windows and door frames would be black powder coated.

### **3. RELEVANT PLANNING HISTORY**

- 3.1 There are no recent planning applications at this site.
- 3.2 Other major planning application in the vicinity pending consideration:

*1 Ethelbert Close – ref: 18/02181/FULL1*

Demolition of 1-40 Ethelbert Close, 2 Ethelbert Road, 102-108 High Street and miscellaneous buildings to the north of Ethelbert Close (including former public conveniences and building at rear of 100 High Street), and the redevelopment of the site (max height 16 levels) to provide a mixed use scheme comprising 407 residential units with a mix of Use Class A1, A2, A3, B1, D1, D2 uses at ground floor (part). New vehicular access from Ethelbert Road. Associated basement car and cycle parking. Car parking, access and servicing arrangements at Churchill Way. Public realm works including Library Gardens and ancillary development.

## **4. CONSULTATION SUMMARY**

### **a) Statutory:**

#### **4.1 Highways – Objection on parking provisions**

##### *Vehicular access*

The access will be via an existing service corridor from Ethelbert Road leading to 3 off-street disabled parking spaces.

##### *Parking*

The reduction of proposed residential units is welcome. Bromley Local Plan sets a minimum standard of 0.7 space per 1 – 2 bed dwellings. Given the locality and proposed housing size, 20 spaces should be provided. The number of parking spaces should be increased to 20. Whilst three disabled parking spaces is proposed and the site has a high public transport accessibility, the household car ownership is 1 space per dwelling in Bromley Town Ward (census in 2011). There is a high level of on-street residential bays occupancy during the day in the area.

##### *Servicing*

Servicing and delivery will take place from the existing loading bay on High Street. However, the loading bay on the High Street has a time restriction of between 3am and 10am. This means that these times the bay is used for Taxi rank and car club bay. A new loading bay is indicated in front of “The light” cafe on Ethelbert Road which would prevent the use of their parking spaces its use. The suggested loading bay location is not considered appropriate.

##### *Cycle parking*

The provision of cycle storages including lift access for the residential and commercial uses is acceptable and would comply with the London Plan policy.

### *Waste storage*

Separate bin stores will be provided for the proposed uses. The Council's Waste Management Team should be consulted.

Should planning permission is forthcoming, the following will need to be secured by a planning conditions/ s106 agreement.

- *Details of viability splay*
- *Refuse storage provision*
- *Cycle parking provision*
- *Construction management plan*
- *Removal of residents parking permit rights*
- *2 years car club members and 20 hours free driving hours per dwelling.*

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

The Sustainability Urban Drainage and Foul Water Drainage Strategy Report carried out by RPS Group dated 20<sup>th</sup> November 2020 shall be fully carried out in accordance with the report.

The proposal will not result in change of impermeable area. In line with the London Plan policy requirement, A minimum of 50 percent reduction in runoff rate and a range of SuDs technique have been considered for incorporation into the scheme. Drainage calculations have established the attenuation requirement in order to retain runoff generated by the 1 in 100 year plus climate change on site, whilst reducing runoff rates by 88 percent.

The proposal to incorporate geocellular storage and a flow control chamber before being discharge into the surface water sewer under Ethelbert Road is considered acceptable.

#### **4.3 Thames Water – No objection**

The site is located within 15m of a strategic water main and details of a piling method statement including the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to present and minimise the potential for damage to subsurface water infrastructure and the programme for the works should be submitted and approved by the Local Planning Authority, in consultation with Thames Water.

No objection with regard to the waste water network. sewage treatment work and water network infrastructure capacity. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9litre/minute at the point where it leaves Thames Waters pipes. The development should take account of this minimum

pressure in the design of the proposed development. The site is located within 15m of Thames Water underground asset and the development could cause the assets to fail if appropriate measures are not taken. Developer should read our guide “Working near out assets” to ensure works are in line with the necessary processes.

Thames water expect the developer to demonstrate measures to minimise groundwater discharges into the public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provision of the Water Industry Act 1991.

The developer is advised to follow the sequential approach to the disposal of surface water. A prior approval from Thames Water Developer Services will be required for the discharge to public sewer.

#### **4.4 Historic England (Archaeology) – No objection**

Historic England considers that no further assessment or conditions are necessary for this site.

#### **4.5 Greater London Authority**

The application submitted in November 2019 does not yet comply with the London Plan. The reasons and possible remedies are summarised as below.

Principle of development: Noting the town centre location, the principle of a high quality high density residential-led mixed-use redevelopment of this site would be strongly supported in strategic planning terms subject to the scheme provide the maximum viable level of affordable housing.

Affordable housing: The affordable housing offer is considered to be wholly unacceptable and should be significantly increased. There is no clear justification for the single tenure offer and all opportunity for the scheme to deliver affordable rent must be explored. GLA officers are currently in the process of robustly interrogating the submitted viability assessment to ensure that the scheme delivers the maximum level of affordable housing.

Design: The optimisation of the site, residential layouts and including of active frontage is supported. Further information is required to demonstrate that this development would not prejudice any neighbouring development.

Transport: The applicant must clarify the details of cycle parking and disabled parking provision. Healthy street and vision zero proposal are required and the developer and serving arrangement needs revision.

*Officers comment:*

A revised affordable housing provision including updated energy statement addressing the issues above have been provided since the publication of the Stage 1 GLA report. The revised and additional information submitted to date is considered acceptable, subject to the suggested conditions, completion of a106 legal agreement and any direction from the GLA.

#### **4.6 Transport for London – No objection**

Comments on transport matters were included in the GLA Stage 1 report of 16th December 2019. The application is subject to a Stage 2 consultation with the GLA. Based on the revised scheme, TfL officers have provided the following comments:

- Cycle Parking

Residential cycle parking numbers do accord with the 'Publication London Plan' (PLP) standards. Long stay retail cycle parking would be provided within the building, which is supported

- Disabled car parking

The provision of three off-street disabled spaces is acceptable and car-free development is supported, given the location of the site in the heart of the town centre and having excellent access to public transport, shops and services. All three disabled car parking spaces should be provided with electric vehicle charging points, given the small number of spaces and the move away from fossil fuelled powered vehicles.

- Healthy Streets

Although no specific off-site measures are proposed, the footways adjacent to site could be improved/widened/decluttered via a s278 agreement with the council. TfL would support a contribution towards any wider town centre pedestrian/cycle improvements the council may have planned.

- Servicing and Delivery

Deliveries and servicing and construction logistics matters are primarily matter for the council. As highway authority for the roads adjacent to the site, although we would have an interest in keeping buses moving on the High Street. Subject to a delivery and servicing plan and construction logistics plan being secured, agreed by the council, in consultation with TfL in respect of bus movements if necessary, I have no further comments on this, as there does appear to be space on Ethelbert Road

that can be utilised for both construction and deliveries/servicing, coupled with existing loading bays on the High Street.

- Travel plan

This should be secured by way of condition or s106 planning obligation.

**b) Local groups:**

**4.7 Ravensbourne Valley Residents Association– Objection**

Objection is raised and the grounds of objection are summarised as follows:

- The proposed building at 12 storeys high is over-sized and out of character with this part of the High Street which consists of buildings between 2 to 4 storeys in height. The proposal would be detrimental to the visual amenities of the area and contrary to BLP policies 4 and 37.
- The proposal would result in overlooking to the neighbouring residential properties in the High Street, Ethelbert and Ravensbourne Road and contrary to BLP Policy 37.
- The proposal would not be in keeping with the character or scale of the adjacent Conservation Area and is contrary to BLP Policy 42.
- The proposed development is sited on the top of the ridge and at 12 storeys high will be visually intrusive and become a dominant feature on the landscape contrary to BLP Policy 47 and 48.

**4.8 Bromley Friends of Earth - Objection**

The revised scheme seeks to retain the heritage frontage with a reduction in building height to 12 storeys and set back from the High Street, However, the height of the proposal remains excessive and oppressive. The proposal appears to be dictated by its financial gain and cost. The design of the proposal is unimaginative, aesthetically unpleasing and is an extremely ugly design, detrimental to the heritage and environment of Bromley and the future generations should not suffer as a result of this harmful proposal. Design improvements could have been made following the original scheme submitted. This proposal would represent a piecemeal development and lack of a co-ordinated planning strategy.

**4.9 Alexandra Resident's Association and Alexandra Cottages Conservation Area, Penge – Objection**

The proposal would completely undermine the development plan for Site G/Site 10 and emerging masterplan and Area Action Plan and set a dangerous and unwarranted precedent for skyscraper buildings on the High Street. The site is an attractive corner development of 1930's shop

premises with residential accommodation above, and three-storeys in height, forming part of the linear High Street, and acknowledged as having townscape value. The site sits adjacent a consistent and human scale High Street, of similar interest and heights, with the Bromley Town Centre Conservation Area immediately to the North, the Glades shopping centre southern entrance diagonally opposite, low rise residential properties to the west, and the slightly taller TK Maxx building (subject to covenant on height) to the south and heading down the hill towards Bromley South. There are no high rise properties within the vicinity of the site, and along the High Street, with any taller buildings are set back (Regents Place on Ringer's Street) to protect the context of the linear development of Bromley and to safeguard strategic views, vistas, gaps and skyline.

Pre-applications submitted for the site were for 26 storeys and then a reduced 20 storeys building. The GLA support the development on providing housing but one issue does not outweigh all other planning considerations. The GLA are incorrect in their assessment against their own policies in the draft London Plan and Housing SPG. The local consultation carried out by the applicant is inadequate with two briefly held exhibitions and lack of wider community engagement.

The height of the proposal is extreme and is at an inappropriate location. The proposal does not align with the recently completed buildings such as St Mark's Square and Churchill Gardens, as well as the Churchill Theatre. The proposal fails to comply with the following site-specific policy:

- *Incorporate a sensitive design which respects the adjoining low-rise residential development whilst optimising its key town centre location*
- *Provide a high –quality public realm and accessibility to and through the site*
- *Provide an attractive and active frontage to the High Street*

The proposed redevelopment would blight the Bromley townscape, strategic views and harm the adjacent conservation area in perpetuity and is therefore not deemed sustainable development under Paragraph 7 of the NPPF. The proposal would also fail to comply with paragraph 11 of the NPPF and the draft London Plan which promote high density housing in suitable locations. The site is not included as high-rise development in the Development Plan and specifically excluded from the AAP and draft Site G/Site 10 Master plan as unsuitable due to the adverse impact on strategic views, heritage and context and townscape value.

The design of the proposal fails to comply with London Plan Policy 3.5 as development should be of the highest quality internally, external and in relation to their context and the wider environment. Bromley Local Plan Policy 4 required high standard of design and layout whilst enhancing the quality of local places.

The proposed residential led development fails to comply with BLP policy 92 which requires any proposal to have regard to the objectives set out in the AAP.

The proposal for a tall building also fails to comply with draft London Plan Policy D8 in terms of its *visual, functional or environmental impact*. *BLP 47 requires tall buildings to make positive contributions to the townscape ensuring that their massing, scale and layout enhance the character of the area. Tall and large buildings are required to be of highest design quality and appropriate to their location and historic context including strategic views.* The proposed redevelopment fails to meet any of these crucial requirements and would have a severe adverse impact, with the harm far outweighing any perceived benefit. The proposal would impact on the skyline and is contrary to BLP policy 48

English Heritage/Commission for Architecture and the Built Environment's Guidance on Tall Buildings (2007) requires *development to take account of key views and vistas and impact on the character of the town centre and Conservation Area and residential amenity.* The proposed redevelopment fails to address any of these issues, being completely out of character with the town centre, having a significant adverse impact on the Conservation Area and residential amenity, with keys views and vistas blighted from every angle demonstrated.

The proposed residential density would be in excess of the plans envisaged for the whole of the site G/Site 10. Additional development to the rear of the site should be limited to 6 storeys. 66-70 High Street is a building of townscape value and of human scale. It should be restored and re-used, to complement, preserve and enhance the Conservation Area and the general character and appearance of the linear High Street and townscape, whilst respecting views and the skyline, and preventing overshadowing and adverse environmental conditions.

The applicant's opinion that *'the proposed development is considered to result in a beneficial effect due to the enhancement of the site'*, is completely unfounded. Similarly, their assumption that *'the massing is considered to be contextual to the variation of heights locally and the interspersed urban elements that contrast with the areas of natural landscape which is experienced from the wider area, deemed characteristic of the Bromley townscape'*, is utter nonsense.

The applicant's opinion that *'the impact of the proposals on the significance of the assets identified is either beneficial or no effect'* is totally unsubstantiated and it is abundantly clear from the Design and Assess Statement illustrations and viewpoints that proposed high rise development is harmful in every respect. The proposed development seriously fails to comply with planning policy and guidance and is considered wholly unacceptable with regards to heritage.

The busy junction and public realm would be blighted by reduced daylight and sunlight, due to the excessive and disproportionate height of the 16 storey development, especially due to its proximity to the High Street and western location. Residential properties would be deprived of both sunlight and daylight in the morning and so would the High Street in the evening, with long shadows falling into the Conservation Area opposite, together with poor amenity to the flats themselves.

The excessively tall and thin nature of the proposed 16 storey tower block will unbalance the natural microclimate of the low scale buildings and High Street, creating windy and unpleasant conditions. The proposed development appears to have scant provision for any meaningful mitigation, and will turn the cross roads on the High Street into a hostile rather than welcoming environment.

#### **4.10 RSPB Bromley Local Group**

Should planning permission be recommended, RPSB would recommend 10 swift nest bricks be installed and secured by a planning condition in order to enhance the biodiversity and in accordance with paragraph 175(d) of the NPPF and Bromley Local Plan paragraph 5.3.4 and 5.3.7. The swift bricks should be mounted near to roofline, in clusters of three or more and provision of approximately 1 metre between the entrance holes.

#### **4.11 A Local Ward Councillor - Objection**

This application would cause great damage to the Bromley Town conservation area and would not be in keeping with its surrounding area. While the town centre has an increasing number of tall buildings, the buildings are back from the High Street. In the event the application is recommended for approve, this should be determined in a planning committee.

#### **4.12 Bromley Civic Society – Objection**

The existing buildings should be regarded as a non-designated heritage asset to be retained as was identified in the un-adopted Masterplan for Site G/10. The existing buildings are one of the best surviving Art deco frontages in Bromley Town and its retention is welcome. The proposed set-back mansard storey, height and scale of the proposed building would nevertheless appear out of scale and character in this locality and would be an incongruous addition to the existing building which fails to meet the criteria set in the Local plan and APP Policies.

- BLP Policy 42- Development adjacent to a conservation area
- BLP Policy 37 – General Design of development
- BTC Policy 17 Design Quality
- BTC Policy 19 Building Height

The proposal is adjacent to a conservation area and would be visible from a number of viewpoints into and out of the CA. The proposal would be detrimental to views into and out of the Conservation Area from the High Street and Queens Mead and contrary to the general design principles with low rise residential area of Ethelbert and Ravensbourne Roads and would fail to meet the Queens Mead local Green Space Criteria Policy 56.

The proposal relies on the proposal at Churchill Quarter to justify its height and character. This application has not been determined and Historic England has also advised that the development would be harmful to the setting of the High Street Conservation Area. As such, the proposal would distract the character and appearance of the conservation area and fail to preserve or enhance its setting, failing to comply with Policy 37 and 42.

The proposal would also have an adverse impact on the Queens Mead Conservation Area and Ravensbourne Valley landscape providing a dominant and alien intrusion into the setting of the open landscaped sky line. Queens Mead is designated as Local Green space, the proposal will cause harm to the special quality of this local green space which is of particular significance to the local community. It would be detrimental to the view into and out of the green space.

The proposal does not complement the scale, proportion, form, layout and material of adjacent building and area, positively contribute to the existing street scene and/or respect important view, heritage assets, skylines, landmarks and landscape features.

The proposal would fail to comply with Policy 47 (tall building) as the scale and character of this proposal will cause harm to the heritage assets and the wider historic environment and is not considered to be appropriate at this location.

The adopted AAP (2010) was prepared by the Council's Property services which overlooked the planning constraints and conservation area policies. A tall building was proposed in Site A and this was refused in 2018 due to its impact on heritage assets. A 10 storey building in Site L Westmorland road was dismissed due to its impact on Keston Ridge. The proposal would be detrimental to the conservation area and the protected open space and the application should be refused.

#### **4.13 APCA**

The development is overwhelmingly out of scale, incongruous and does not have regard to the desirability of preserving or enhancing the character or appearance of the immediately adjacent conservation area. It is also harmful to key views from the west as identified in the Conservation Area Statement. The proposal appears to rely upon the draft adopted Master Plan and the undetermined adjacent Churchill

Quarter proposal which has been objected to by Historic England and other important bodies. The proposal would be more harmful being on the High Street rather than set back. Please see Local Plan policies 37 and 41.

**c) Adjoining Occupiers:**

**4.14 Eleven (11) letters of support have been received and the grounds are summarised as below:**

- The proposal would provide much needed housing for the younger generation. The town Centre is the best location for higher density and higher rise buildings and complies with the Council's plan.
- Great to see new buildings in Bromley.
- Opportunity to provide a roof top bar should be included.
- The proposed density is appropriate density development in Town Centre.
- The proposal would have minimum impact on the wider surroundings.

**4.15 Three hundred and thirteen (313) letters of objection have been received and the grounds are summarised as below**

**Excessive height (Addressed in section 6.1 and 6.3)**

- The height of the proposed tower block is excessive and is close to Bromley Town Centre Conservation Area. The proposal would completely ruin the historic market town of Bromley. The height of the building should be limited to 4 storeys at this location. The proposal will cast a large shadow over the High Street for most of the day.
- The revised scheme represents an alien development at this location. The height of the building should be reduced to an 8 or 9 storey building which would be more reasonable.
- A tower block in the middle of the High Street is not what residents would imagine to see or experience in Bromley.
- Whilst the height of the proposed building is reduced and this is minimising its impact, the visual impact of the proposal still remains excessive in height and should be reduced, by 5 storeys.
- The reduction in building height is irrelevant and often a tactic used by the developer in proposing unacceptable development. It appears a concession has been made. However, the height of the building is out of keeping with its surroundings and would appear overbearing
- The proposed building height is far taller than the surrounding buildings and houses in the area. The proposal would have an adverse impact on skyline and would be visual outside the town centre. The height should be reduced to 6 storeys.
- The proposal would tower over the road and its surrounding area and is overshadowing the High Street.

### **Overdevelopment (Addressed in section 6.1 and 6.3)**

- Site is too compact for the scale of this development. There is no positive element that can be derived from this proposal. Bromley Town Centre needs more green spaces instead of more towers.
- The proposal represents a significant increase in numbers of dwellings within a small site and would be out of character with Bromley Town Centre and its surrounding area.

### **Design (Addressed in section 6.1 and 6.3)**

- The emerging context of the site indicated in the submitted statement is irrelevant as planning permission has not been granted. The neo-gothic building is one of the few buildings worth saving on the High Street.
- The 1939s “Neo Georgian” Style of the High Street will be lost.
- Revised plan remains grossly overbearing and represents a monstrous carbuncle development in Bromley.
- Design of the proposal is completely out of keeping with the current High Street architecture and style. This proposal would set a bad precedent for poor quality design high-rise buildings along the High Street.
- The proposal would represent poor and insensitive design and does not relate to its surroundings or enhance the skyline. The proposed building is an eyesore.
- Design is odds, uninspiring, cheap looking architecture, unimaginative, brutal and no real attempt to fit in with the existing character of the Town Centre. The proposal represents an eyesore similar to Croydon.
- Incongruous design, overpowering and detracts from some of the charming two storey buildings in the area.
- Design is extremely unattractive, stands out like a sore thumb and completely ruins the street scene and would not enhance Bromley Town Centre.
- Design of the proposed building poor and out of scale, partly looks like a cowshed.
- The proposal would have an impact on this section of the Art Deco Parade.
- The design of the proposed building shows no skill or empathy with the area and the reputation of Bromley architecture has reached a low level
- Piecemeal development
- The need for additional housing does not mean poor design should be accepted at this location. The design of the proposal has no architecture merits and is very unsightly.

- Proposal would change the dynamic of the parks surrounding the area. The site is surrounded by low residential buildings which is more of a compliment to the surroundings.

#### **View (Addressed in section 6.3 and 6.5)**

- The site is a focal point and would have an adverse impact on the protected view.
- The proposal would obstruct the view from Queensmead Playground.
- The proposal would clutter the skyline.

#### **Housing (Addressed in section 6.2)**

- Bromley needs family housing and inadequate affordable housing is proposed.
- 5 out of 47 (just over 10% by unit) would be affordable. The proposal represents maximising profit without considering the longer-term impacts of this development in Bromley and its future.
- The need to put housing in the Town centre is questionable due to the pandemic. Many apartments in St Mark's Square remaining empty.
- The new build developments in the Town Centre remain empty and this suggests there is no demand for the proposed development at present.
- The existing tenant of the building will be evicted.

#### **Impact on heritage (Addressed in section 6.4)**

- The local architecture is arts and crafts, the proposal does not reflect this.
- The Heritage value of Bromley should be protected.
- The existing building should be provided.
- The proposal would have an adverse impact upon Bromley Town Centre Conservation Area. Bromley town centre is unique and should be protected from becoming another Croydon.

#### **Retail (Addressed in section 6.1)**

- More retail development should be resisted due to the current demand. It is unlikely to have a demand for the amount of the proposed retail floorspace.
- The ground floor could be converted to provide residential units instead of the new residential block.

#### **Residential amenities (Addressed in section 6.5)**

- Loss of privacy and outlook.
- Loss of light.
- Cumulative impact on microclimate.

### **Inadequate parking, servicing and delivery (Addressed in section 6.6)**

- The proposal would provide no off-street parking, except 3 disabled spaces and this would increase the parking demand in the neighbouring roads.
- The proposal would increase traffic and parking problems in the area.
- Absence of electric charging points, waste, cycle storage and carbon reduction measures.
- Parking spaces in the area are very limited particularly on Sunday as the site is near to the Salvation Army Church on Ethelbert Road and in the centre of Bromley Town Centre.
- An underground car park should be provided.
- Inadequate servicing and delivery for commercial and residential.

### **Climate change and biodiversity (Addressed in section 6.7 - 6.8)**

- Significant efforts to reduce carbon emissions does not appear to have been made.
- The proposal would destroy the immediate environment for bats.

### **Inadequate infrastructure (Addressed in Section 7)**

- Inadequate doctor surgeries and education provisions in the area to support this development.
- Transportation improvement should be provided.
- Additional burden on train capacity.

### **Others (Addressed in representation summary)**

- Timing of consultation was carried out during the holiday period and inadequate time for residents to comment on the revised scheme.
- It is very sad to see the proposal remains under consideration. It is clear there is no local support for this type of development within the High Street area.

## **5. POLICIES AND GUIDANCE**

### **5.1 National Policy Framework 2019**

### **5.2 NPPG**

### **5.3 The London Plan - March 2021**

- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy

- GG6 Increasing efficiency and resilience
- SD1 Opportunity Areas
- SD6 Town Centres and high streets
- SD7 Town Centres; Development principles and development plan documents
- SD10 Strategic and local regeneration
- D1 London's form
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D9 Tall Buildings
- D11 Safety, securing and resilience to emergency
- D12 Fire safety
- D14 Noise
- H1 Increasing housing supply
- H4 Delivery affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H7 Monitoring of affordable housing
- H10 Housing size mix
- S4 Play and informal recreation
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- G9 Geodiversity
- S4 Plan and informal recreation
- HC1 Heritage conservation and growth
- HC3 Strategic and Local Views
- HC6 Supporting the night-time economy
- G5 Urban Greening
- G6 Biodiversity and access to nature
- SI-1 Improving Air quality
- SI-2 Minimising greenhouse gas emissions
- SI-3 Energy infrastructure
- SI-4 Managing heat risk
- SI- 5Water infrastructure
- SI-8 Waste capacity and net waste self-sufficiency
- SI -13 Sustainable drainage
- T2 Healthy Streets
- T4 Accessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T6.3 Retail Parking
- T6.5 Non-residential disabled persons parking

- T7 Deliveries, servicing and construction
- DF1 Delivery of the plan and planning obligations
- M1 Monitoring

#### **5.4 Mayor Supplementary Guidance**

- Housing (March 2016);
- Affordable Housing and Viability Supplementary Planning Guidance (2017);
- Energy Assessment Guidance (2020);
- Accessible London: Achieving an Inclusive Environment (2014);
- The control of dust and emissions during construction and demolition (2014);
- Plan and Informal Recreation Supplementary Planning Guidance (2012);
- Character and Context Supplementary Planning Guidance (2014).

#### **5.5 Bromley Local Plan 2019**

- 1 Housing Supply
- 2 Affordable Housing
- 4 Housing Design
- 30 Parking
- 31 Relieving congestion
- 32 Road Safety
- 33 Access for all
- 34 Highway Infrastructure provision
- 37 General Design of Development
- 40 Other Non-Designated Heritage Assets
- 42 Development Adjacent to a Conservation Area
- 46 Ancient Monuments and Archaeology
- 47 Tall land Large Buildings
- 48 Skyline
- 59 Public open space deficiency
- 72 Protected Species
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 91 Proposal for Main Town Centre Uses
- 92 Metropolitan and Major Town Centres
- 113 Waste Management in New Development
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution

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

## **5.6 Bromley Supplementary Guidance**

- Planning Obligations (2010) and subsequent addendums
- Bromley Town Centre Area Action Plan (2010)

## **5.7 Other Guidance**

- Tall buildings: Historic England Advice Note 4

## **6. ASSESSMENT**

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

- Principle of Development
- Housing
- Design and layout
- Heritage
- Impact on Neighbouring Amenities
- Transport and Highways
- Biodiversity
- Energy and Sustainability
- Environmental Issues
- Flooding and Drainage
- Planning Obligations and CIL

### **6.1 Principle of development - Acceptable**

6.1.1 In 2018, the Council published a Site G/Site 10 Draft Masterplan for public consultation. This draft document was limited in scope and has become obsolete following the public consultation in the summer of 2018. In 2020, the Council undertook a new public consultation in preparation for the draft Bromley Town Centre and Orpington Town Centre masterplan to guide future development in town centres. Officers note that a number of received consultation comments have referred to the redundant 2018 draft master plan and the 2020 public consultation works associated to the Town Centres. It is important to note that there are no draft documents prepared and/or published at the time of writing this report. The adopted development plan including the Bromley Town Centre Area Action Plan (BTCAAP) remains as part of the relevant plan in assessing and determining this application.

6.1.2 The Bromley Town Centre Area Action Plan adopted in 2010 (BTCAAP) sets out the Council's vision for Bromley Town Centre together with

objectives, policies, and proposals to guide development within the Area Action Plan boundary. The AAP covers Bromley Town Centre including Bromley Town Centre Conservation Area which was first designated in 1985.

- 6.1.3 The BTCAAP identifies a total of 12 opportunity sites (Site A to Site J) of varying scale, nature and use to support the growth of Bromley Town Centre and this document provides a framework for managing development and changes over a 15 years period.
- 6.1.4 The application site (No.66 to No.70 High Street) forms part of the Opportunity Site - Site G West of the High Street, and part of the Bromley Central Character Area in the Bromley Town Centre Area Action Plan (AAP) adopted in 2010. The site also forms part of the Primary Retail frontage in Bromley Town Centre.
- 6.1.5 Site G occupies the most significant part of the opportunity area along Bromley High Street with a linear frontage which measures approximately 363 metres in linear length on the western side of the High Street between No. 24 and No 108 High Street.
- 6.1.6 Table 4.2 of the BTCAAP sets out the focus of development for each opportunity site. Site G is anticipated to provide around 1,180 residential units, 20,000sq.m additional retail floor space, 5,000sq.m additional catering services floor space and 2000sq.m additional community floor space.



Fig.1 Bromley Town Centre Area Action Plan – Site G

6.1.7 The site also forms part of the allocated Site 10 (West of Bromley High Street and land at Bromley South) in the Bromley Local Plan (BLP) adopted in 2019. Site 10 covers a larger area than Site G which includes a parade of shops between No.2 High Street and No.22 High Street, Bromley South Railway Station and part of its railway line (Site J in the BTCAAP). Site 10 measures approximately 4.54 hectares in area.



Fig 2 – Bromley Local Plan – Site 10

6.1.8 Site 10 is anticipated to provide 1,230 residential units, office, and retail and a transport interchange. BLP Site 10 Policy requires proposals in Site 10 to:

- Incorporate a sensitive design which respects the adjoining low-rise residential development whilst optimising its key town centre location.
- Improve Bromley South Station
- Provide a high-quality public realm and accessibility to and through the site.
- Provide an attractive frontage to the High Street.
- Be accompanied by a master plan to show how the proposed development is consistent with a comprehensive development of the site.

6.1.9 BLP Policy 92 requires development within Bromley Town Centre to contribute positively to the town's status as an Opportunity Area and its role as a Metropolitan Centre in the London Plan. Proposals within Bromley Town Centre will be expected to have regard to the objectives set out in the Area Action Plan adopted in 2010.

6.1.10 The application site measures approximately 627sq.m in area and is located on the western side of the High Street at its junction with

Ethelbert Road. The application site comprises of a terrace of 3 storey buildings and is occupied by 3 individual ground floor retail units with a combined floor space measuring approximately 493.7sq.m and 6 self-contained private residential flats on the first and second floor.

6.1.11 This revised residential-led mixed use scheme would provide a 256.4sq.m replacement retail floor space on the ground floor and 47 residential units above, providing an uplift of 41 residential units. Given that the proposal would be identical to the existing uses including replacement retail floor space on the ground floor, it is considered that the proposal would be acceptable in principle in terms of land use set out in the BTCAAP and BLP.

6.1.12 It is noted that the proposed replacement retail floor space would be reduced from 493sq.m to 256.4sq.m. The introduction of additional residential units would require a dedicated entrance and associated facilities such as communal waste storage, internal lifts and parking spaces. The proposed layout is designed to improve and maintain an attractive shopping frontage along the High Street. The reduction of retail floor space is considered to be essential to accommodate the proposed residential accommodation on the upper floors. The proposal would provide an opportunity to improve the shop frontages at the street level and complement the existing shopping function of the Town Centre. Given that an active retail shopping frontage would be maintained, and the layout of the proposal is designed to minimise the loss of retail floor space, it is considered the proposal would not have an adverse impact on the retail character and shopping functions of this shopping frontage.

6.1.13 The site is located adjacent to Bromley Town Centre Conservation Area and new development would have an impact upon the townscape in Bromley Town Centre and heritage assets in the surrounding area. The existing buildings are not listed. However, the buildings do possess a good degree of attractive architectural value and contribute to the significance and setting of the surrounding area. The revised proposal indicates that the façade of the existing buildings would be retained. The design and height of the proposal has been amended aiming to address the consultation responses received. The principle to redevelop the site providing more efficient use of the site is supported, subject to the planning considerations and requirements in the Development Plan. The overall planning balance of the proposal having regard to the presumption in favour of sustainable development is set out in the following sections of this report.

## **6.2 Housing - Acceptable**

### *Housing Supply*

6.2.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24<sup>th</sup> 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.

- 6.2.2 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.
- 6.2.3 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.
- 6.2.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.
- 6.2.5 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.
- 6.2.6 This application includes the provision of 47 residential dwellings and would represent a significant 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.

### *Affordable housing*

- 6.2.7 London Plan Policy H4 sets a strategic target of genuinely affordable homes at 50 percent across London and requires that these should be provided on site. London Plan Policy H5 set the threshold approach to applications with an initial and minimum level of 35 percent by habitable room. The Mayor of London's Affordable Housing and Viability SPG (2017) states that applications not meeting the 35 percent affordable housing and tenure threshold are considered under the Viability Test Route and will be subject to an early and late stage review. This should be secured by way of a legal agreement should planning permission be recommended and granted.
- 6.2.8 BLP Policy 2 seeks 35 percent of affordable housing to provide by habitable room with a split of 60 percent affordable rent and 40 percent intermediate unit. London Plan Policy H6 sets the following affordable housing tenure threshold:
- 1) A minimum of 30 percent low cost rented home, as either London affordable rent or social rent, allocated according to the need and for Londoners on low incomes.
  - 2) A minimum of 30 percent intermediate projects which meet the definition of genuinely affordable housing, including London Living rent and London Shared ownership
  - 3) The remaining 40 percent to be determined by the borough as low cost rented homes or intermediate product based on identified need.
- 6.2.9 The current council's agreed local intermediate housing income thresholds were reviewed in March 2018 and the following upper limit household income thresholds will apply in any s106 legal agreement associated to the intermediate units:
- 1 bed units £55,000
  - 2 bed units £68,800
- 6.2.10 Since the application was originally submitted in November 2019, the quantum of the proposed residential element has been revised to reflect the amended building height and design. The proposed residential units are reduced from 68 units to 47 units including an increase of 5 intermediate units (a total of 10 units) to be located on the first and second floor.
- 6.3.11 A housing delivery and viability statement (Nov 2019) and an addendum (Nov 2020) to reflect the amended scheme providing five intermediate units has been submitted to the Council. The documents have been independently reviewed and assessed by an independent viability consultant appointed by the Council. The review indicates that the proposed scheme would be unviable to provide affordable housing on site and the proposal cannot support in excess of five intermediate units

as proposed by the applicant. A sensitivity analysis was assessed by the Council's independent consultant and it is confirmed that the proposal would remain unviable, should the marketing values be increased by up to 20 percent. Following discussions between the applicant and the GLA and without prejudice, the applicant is prepared to provide five additional intermediate units (Ten intermediate units in total) and these additional units would be located on the second floor. The applicant considered that the improved affordable housing offer would ensure the proposed affordable housing is sufficiently attractive for ownerships and management by a Registered Provider and in the delivery of affordable housing.

6.3.12 Officers considered that this enhanced affordable housing offer is a positive movement and such provision would also positively contribute to the Council's affordable housing stock in the Borough. The proposal would provide a total of 47 units (111 by habitable room) including 10 intermediate units (21 percent by unit or 18 percent by habitable room). The proposal would comprise of a mixture of studio, 1 bed and 2 bed units. The updated housing and affordable housing tenure details are tabled as follows.

	<b>Studio</b>	<b>1 bed</b>	<b>2 bed</b>	<b>Total (by Unit)</b>	<b>Total (by Habitable room)</b>
<b>Market</b>	1	18	18	37	91
<b>Intermediate</b>	2	6	2	10	20
<b>Total</b>	<b>3</b>	<b>24</b>	<b>20</b>	<b>47</b>	<b>111</b>

Table 2. Proposed housing mix, size and tenure

6.3.13 The MHCLG National Design Guide (October 2019) places an emphasis on social inclusivity in reference to the delivery of a mix of housing tenures. The guidance states that where different tenures are provided, that these should be well-integrated and designed to the same high quality to create tenure neutral homes and spaces, where no tenure is disadvantaged.

6.3.14 The guidance goes on to define "Tenure Neutral" as "Housing where no group of residents is disadvantaged as a result of the tenure of their homes. There is no segregation or significant difference in quality between tenures by siting, accessibility, environmental conditions, external facade or materials. Homes of all tenures are represented in equally attractive and beneficial locations, and there is no differentiation in the positions of entrances. The communal storage facilities including access to internal lifts and disabled persons parking spaces would be equally accessible and managed across all tenures.

6.2.15 As such, it is considered that the proposal including the enhanced affordable housing position providing a total of ten intermediate units would contribute to the affordable housing provision and would carry

weight in favour of the proposal. The proposal is designed with social inclusivity in mind. Given the viability position of this proposal, the level of affordable housing is therefore supported in this instance. Should planning permission be approved and in line with the GLA's SPG guidance, a clause to manage and monitor the progress on implementation of the development including an early and late stage viability review would be secured in the S106 agreement.

### *Housing mix*

6.2.16 Pursuant to London Plan Policy H10, schemes should generally consist of a range of unit sizes. To determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, applications and decision makers should have regard to:

- 1) robust local evidence of need where available or, where there is not available, the range of housing need and demand identified by the 2017 London Strategic Housing Market Assessment.
- 2) the requirement to deliver mixed and inclusive neighbourhoods
- 3) the need to deliver a range of unit types sat different price points across London
- 4) the mix of uses in the scheme
- 5) the range of tenures in the scheme
- 6) the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in location which are close to a town centre or station or with higher public transport access and connectivity.
- 7) the aim to optimise housing potential on sites
- 8) the ability of new development to reduce process on conversion, subdivision and amalgamation of existing stock.
- 9) the need for additional family housing and the role of one and two beds units in freeing up existing family housing.

6.2.17 Table 13 of the 2017 London Strategic Housing Market Assessment sets out the requirement for new homes across the housing tenure and housing size in London. There is a higher requirement for low cost rent units in terms of housing tenure. There is also a higher requirement for one or two bed units in terms of housing size.

6.2.18 In line with the finding of the viability assessment, there are no low-cost rent/ affordable rent units or no family units (3 bedrooms or more) would be provided. The proposed housing size and mix would range between studio, one and two bed units. However, it should be noted that the proposed accommodation would include a range of housing sizes for up to 4 persons occupancy and an acceptable range of tenures would be provided. The site is located in the town centre with good access to local amenities and higher public transport access and connectivity. As such, it is considered that the proposed housing mix and tenure with a high proportion of one and two bed units is acceptable at this location.

## Density

6.2.19 London Plan Policy D3 requires development to make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity as set out in Policy D2 and that which best delivers the requirements set out in Part D. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. BLP Policy 4 requires housing schemes to respect local character, spatial standards, physical context and density.

6.2.20 The proposal would provide 47 residential units, a net increase of 41 residential units. The proposed proportionate residential density would be 1,893 HRH (111 habitable rooms; Residential GIA 3,703.7sq.m; Retail GIA 256.4sq.m, site area 627sq.m) and would represent a high density development in the town centre. The London Plan seeks to optimise housing capacity and place a greater emphasis on a design-led approach. The revised proposal is designed to address the policy requirements and consultation comments received. The policy requirements associated to design and heritage assets will be assessed in the following sections of this report.

### *Standard of accommodation - Internal floor area*

6.2.21 The NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users.

6.2.22 In March 2015, the Government published '*Technical housing standards - nationally described space standard.*' This document 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. This is supported by the Mayor's 'Housing' SPG 2016 reflect the national guidance and BLP Policies 4 and Policy 37.

6.2.23 All of the proposed units would meet or exceed the National Housing Standards minimum internal space standards and adequate internal living space would be provided. The ranges of the proposed internal floor areas would be as follows.

	<b>Policy requirements</b>	<b>Proposed internal floor area</b>
<b>Studio</b>	39sq.m	52sq.m to 60sq.m

<b>1 bed/2 person</b>	50sq.m	51.1sq.m to 71. 3sq.m
<b>2 bed/3 person</b>	61sq.m	70sq.m
<b>2 bed 4 person</b>	70sq.m	72.6sq.m to 92. 3sq.m

Table 3. Proposed internal living space and requirement

*Wheelchair unit and inclusive living environment*

6.2.24 Many households in London require accessible or adapted housing to lead dignified and independent lives. London Plan Policy D7 requires at least 10 percent of proposed new dwellings to meet Building Regulation requirement M4(3) Wheelchair users dwelling standard. The remaining dwellings should meet Building Regulation M4(2) accessible and adaptable dwellings.

6.2.25 Paragraph 2.3.10 under Standard 11 of the London Housing SPD states that LPAs should seek to ensure that dwellings accessed above or below the entrance storey in buildings of four storeys or less have step-free access.

6.2.26 In line with the policy requirement, a minimum of five wheelchair units would be required. The proposal indicates that 6 wheelchair user units (12.8 percent) comprising of 3 x 1 bed and 2 x 2 bed can be accommodated within the proposal. Two internal lifts would be provided and would be accessible to all floors. As such, it is considered that the proposal would achieve an inclusive living environment and would comply with the policies above.

*Private outdoor space*

6.2.27 Standard 26 and 27 of the London Housing SPD requires a minimum of 5sq.m private outdoor space to be provided for a 1 to 2 person dwelling and an extra 1sq.m to be provided for each additional occupant. The minimum depth and width of all balconies and other private extension spaces should be 1,500mm.

6.2.28 Paragraph 2.3.31 of the Housing SPD states "Private open space is highly valued and should be provided for all new housing development. Minimum private open space standards have *been* established in the same way as the internal space standards, by considering the spaces required for furniture, access and activities in relation to the number of occupants".

6.2.29 Forty-one residential units would be provided with a private balcony or terrace. The proposed balcony is designed to comply with the minimum balcony/terrace requirements. The sizes would be as follows.

	<b>Policy requirements</b>	<b>Proposed balcony / terrace</b>
<b>Studio</b>	5sq.m	8.9sq.m
<b>1 bed/2 person</b>	5sq.m	7.5sq.m to 20. 9sq.m
<b>2 bed/3 person</b>	6sq.m	22.7sq.m
<b>2 bed 4 person</b>	7sq.m	7.5sq.m to 18sq.m

Table 4. Proposed balcony size and requirement.

6.2.30 London Housing SPD paragraph 2.3.32 states *“in exception circumstances, where site constraints make it impossible to provide private open spaces for all dwellings, a proportion of dwelling may instead be provided with additional internal living space equivalent to the area of the private open space requirement.”*

6.2.31 The proposed floor plans indicates there are six residential units located on the first and second floor which would not be provided with a private balcony and this is not considered ideal. However, it should be noted that the locations of these units are facing the High Street where the existing facades of the building are to be retained. These units are also located at a lower level which is more prone to ambient noise from the traffic and town centre. Given the limitation to retain the existing building facades and the proposed layout which indicates that the required additional floor space would be provided to these units, it is considered adequate additional internal living space equivalent to the area of the private open space requirement would be provided, in line with the London Housing SPD. The absence of private outdoor space for these limited units is therefore considered acceptable in this instance. The internal living floor area of these units on the first and second floors are as follows:

	<b>Policy requirements plus outdoor space</b>	<b>Proposed internal floor area</b>
<b>Studio</b>	39sq.m plus 5sq.m	60sq.m
<b>1 bed/2 person</b>	50sq.m plus 6sq.m	71. 3sq.m
<b>2 bed 4 person</b>	70sq.m plus 7sq.m	92. 3sq.m

Table 5. Proposed internal living space – unit without balcony.

#### *Child play*

6.2.32 The London Mayor’s Shaping Neighbourhoods: Play and Informal Recreation SPG (2012) suggests that there should be a clear requirement for all new residential developments generating more than

10 children to provide suitable play space as part of a new development. Developments with an estimated child occupancy of less than 10 children should be required to make an appropriate financial contribution to off-site play provision in line with the Play and Inform recreation SPG.

- 6.2.33 Based on the proposed housing mix and tenure, the child yield of this proposal would be 6.7 child and there is no requirement to provide on-site play space. As such, a planning obligation (£17,600) towards maintenance of the child play and open parks in Bromley Town ward would be secured by a s106 agreement.

*Daylight and Sunlight – for the proposed new dwelling*

- 6.2.34 Development Plan policies seek ensure amenity of the future residents and occupants by ensuring adequate level of daylight and sunlight can be provided. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BRE guidance specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

- 6.2.35 Further guidance is provided with regard to sunlight, with the BRE guidance stating that in general, a dwelling which has a particular requirement for sunlight will appear reasonably sunlit if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probably sunlight hours (APSH), including at least 5% annual probably sunlight hours in the winter months (WPSH) between 21 Sept and 21 March.

- 6.2.36 A daylight, sunlight and internal daylight addendum report is submitted which indicates that 106 out of 111 habitable room (95%) would comply with the BRE guidance and is of a very high rate of compliance for development located within an urban area. Two studio units and 3 kitchen, living and dining room would be marginally below the suggested threshold and are located first and second floor. Overall, it is considered the proposed layout has been designed to maximise the availability of natural light for the future occupiers.

*Secured by Design*

- 6.2.37 London Plan Policy D3 states measure to design out crime should be integral to development proposals and be considered early in the design process. Development should reduce opportunities for anti-social behaviour, criminal activities, and terrorism, and contribute to a sense of safety without being overbearing or intimidating. Developments should ensure good natural surveillance, clear sight lines, appropriate lighting, logical and well-used routes and a lack of potential hiding places. This approach is supported by BLP Policy 37 (General Design).

6.2.38 The proposed layout is designed to achieve a good degree of natural surveillance. The design out crime officer was consulted, and no objection was raised in respect to the proposed layout, subject to a planning condition requiring the proposed development to achieve Design Out Crime accreditation. As such, it is considered that the siting and layout of the proposal would be acceptable and would comply with the policy.

#### *Fire Safety*

6.2.39 London Plan Policy D12 states in the interest of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standard of fire safety and a fire statement detailing how the development proposal will function is required.

6.2.40 The London Fire Brigade was consulted and has raised no objection to the proposal. The applicant is advised that the details in relation to the access for fire appliances as required by Part B5 of the current Building Regulations Approved Document B and adequate water supplies for firefighting purposes should be provided and these details will be secured by a planning condition, in consultation with the Fire Brigade.

### **6.3 Design – acceptable**

#### *Principle for a taller building*

6.3.1 Bromley Town Centre is a Metropolitan Town Centre and is designated as one of the opportunity areas in the London Plan. Opportunity areas are identified as significant locations with development capacity to accommodate new housing, commercial and infrastructure, linked to existing or potential improvements in public transport connectivity and capacity. Table 2.1 under London Plan Policy SD1 sets an indicative capacity for 2,500 new homes and 2,000 jobs in Bromley.

6.3.2 The site is located within part of an identified area (Site 10 and Site G in the development plan) which have the potential for significant change and development to provide new or intensified town centre uses. The site policies requirements in BLP and BTCAPP promote mixed-use development. The principle to intensify the use of the land is therefore supported.

6.3.3 A significant number of objections have been received stating the site is not identified and/or appropriate for a tall building. They state that the submitted design and access statement which refers to other large scale proposals in the Town Centre to justify the current proposal is unrealistic.

6.3.4 Diagram 4.3 of the Bromley Town Centre Area Action Plan indicates the possible locations for tall buildings in the Town Centre. BTCAAP indicates that No. 64 High Street (TK Maxx building) is one of the possible locations identified for tall buildings in the BTCAAP. It should

be noted that this existing commercial building is taller than the adjoining buildings, including the application site. There are no prescribed or quantitative building heights specified in the development plan.

6.3.5 Given that the site forms part of an allocated site in BLP and BTCAAP and is adjoining to a possible location for tall buildings in the AAP, it is considered that the principle to introduce a taller building is supported at this location.

6.3.6 BLP Policy 47 states proposals for tall and large buildings will be required to make a positive contribution to the townscape ensuring that their massing, scale and layout enhance the character of the surrounding area. Tall and large buildings will need to be of the highest architectural design quality and material and be appropriate to their local location and historic context, including strategic views. Proposals for tall buildings will be required to follow the current Historic England Guidance. The impact of the proposal is discussed in the following sections of this report.



Fig 3. Potential location for tall building.

6.3.7 The GLA Stage 1 consultation response states that “*it is understood that the neighbouring TK Maxx site is also owned by the applicant but is intended to be developed separately from the application site.....the applicant must demonstrate that the proposal would not preclude development at the neighbouring TK Maxx*”.

6.3.8 The original proposal indicates that a large number of south facing primary and angled habitable room windows would be facing No.64 High

Street. An indicative massing plan indicates the upper floor of the proposed building would be positioned approximately 18 metres from a potential building at No.64 High Street. Officers consider that the original layout and positioning of primary habitable rooms towards No.64 High Street is not acceptable. The reliance on neighbouring land for natural sunlight, daylight, privacy and outlook is not considered sustainable and could prevent future sustainable development coming forward.

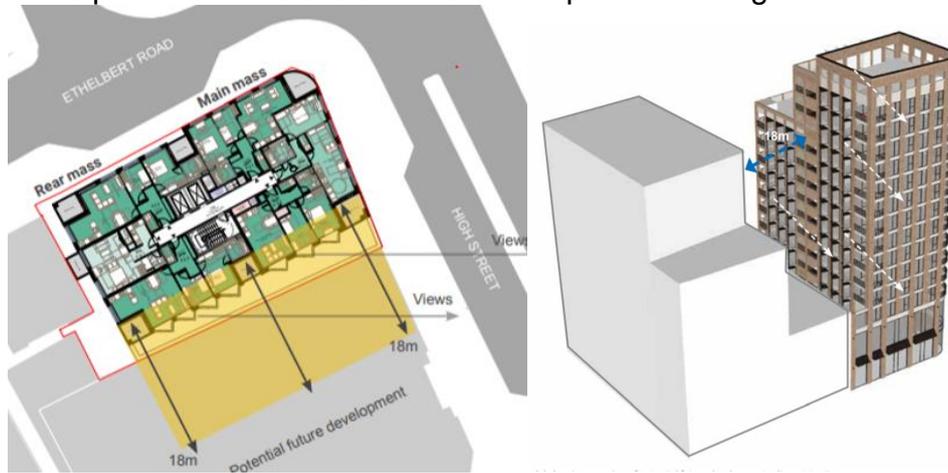


Fig.4 Floor plan and elevation plan of the original scheme.

6.3.9 The revised layout demonstrates that that the flank windows facing No. 64 High Street would be secondary windows and no primary habitable room windows would be facing the neighbouring land (No. 64 High Street). The proposed building would be positioned up to 2.4 metres away from the neighbouring site from the fourth-floor level. As such, it is considered that the revised proposal would not preclude any future development at No.64 High Street.



Fig 5. Revised proposed floor plan.

*Scale and massing*

6.3.10 London Plan Policy D3.D.1 states development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types forms and proportions. BLP Policy 37 states all development proposals will be expected to be of a high standard of design and layout. Criteria (a) to (b) states that developments will be expected to be imaginative and attractive to look at, of good architecture quality and should complement the scale, proportion, form layout and materials of adjacent buildings and the area; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features.

6.3.11 The buildings along the southern part of Bromley High Street are varied in scale, design and style. The predominant building heights are mainly between two and four storeys in height along the High Street. There is a cluster of taller buildings located to the south of the Bromley South Railway station. St Mark's Square is a new mixed-use development with buildings up to 19 storeys. The former Labour club /HG Wells site is replaced by a part 15/part 17 mixed use building. The ground levels of these existing tall buildings are lower than the application site and northern section of the Bromley Town Centre. These existing features and characteristics form part of the urban morphology along the High Street and new development would be expected to reflect the topography of the land and predominant building height along the High Street.

6.3.12 Hanover Place is a contemporary office building with retail shops on the ground floor. Henry's House on Ringer's Road is a 10 storey residential building and the building is visible from the High Street and measures approximately 53 metres west from the site and approximately 33 metres from the High Street.

6.3.13 The application buildings are three storeys in height and are constructed in the 1930s. The existing buildings reflect a time of growth and expansion during the 1920s to 1930s in Bromley Town Centre, with suburban housing in the town centre being replaced by non-residential development. It is noted that the existing shopfronts have been updated in the past few decades and various additions have been introduced to the rear of the existing buildings. Nonetheless, the existing buildings are occupied and have been well-maintained with no sign of serious decay or subsidence in the public view. The brickwork details and stone-capped pediment and windows of the existing building does provide an attractive approach at this prominent corner of the High Street. Whilst the existing buildings are not listed and the site is located outside Bromley Town Centre conservation area, the existing buildings contribute to the quality of townscape in the town centre and demolition of these buildings should be resisted and would not be supported in line with BLP Policy 40.

6.3.14 A part 12/ part 16 storey mixed use building with the tallest element abutting the High Street was originally proposed. The existing buildings were to be removed without due consideration of the building typology along the High Street and characteristics in the area. The original scheme would create a stark contrast with its surrounding area, including the existing 10 storey residential block on Ringer's Road.

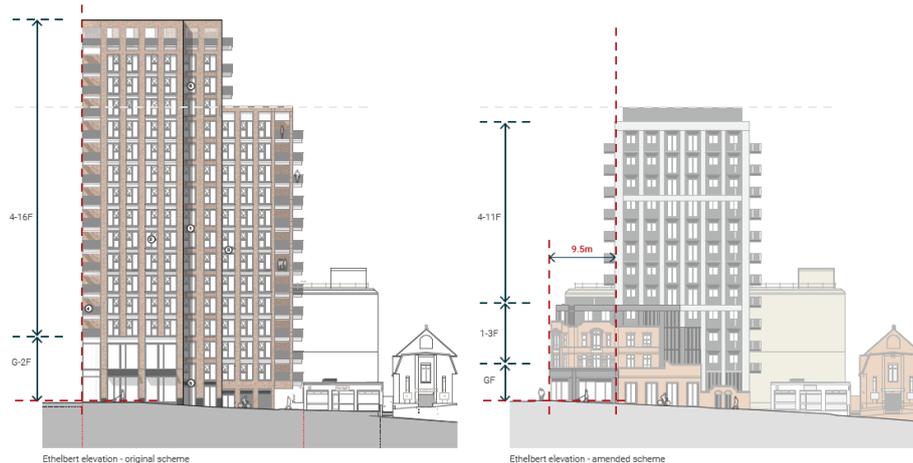


Fig 6. Original and revised elevation on Ethelbert Road

6.3.15 Objections were received regarding to the proposed scale, massing, design, and its relationship with its surrounding buildings including the domestic houses on Ravensbourne Road. The revised proposal has been subjected to a design review process and also responded to the consultation comments received. The key changes of the proposal are as follows:

- Retention of the existing buildings' façade;
- Reduction of the proposed building height from 16 to 12 storeys;
- The proposed tower element is set 9.5 metres from the High Street;
- The proposed third floor is set 1.5 metres from the High Street.

6.3.16 The retention of the existing buildings façade and the reduction in building height would enable the attractive features of the existing buildings to be retained and signify the prevailing building heights along the High Street. A transitional floor setting back from the High Street on the third floor is proposed and this would provide a visual link with the taller element behind. It should be noted that the proposed transitional floor would be positioned 1.5 metres away from the High Street and this element would be lower than the adjoining building at No.64 High Street. It is considered that a degree of visual transitional relief would be

provided when viewed from the High Street. The scale and massing of this element is considered acceptable.

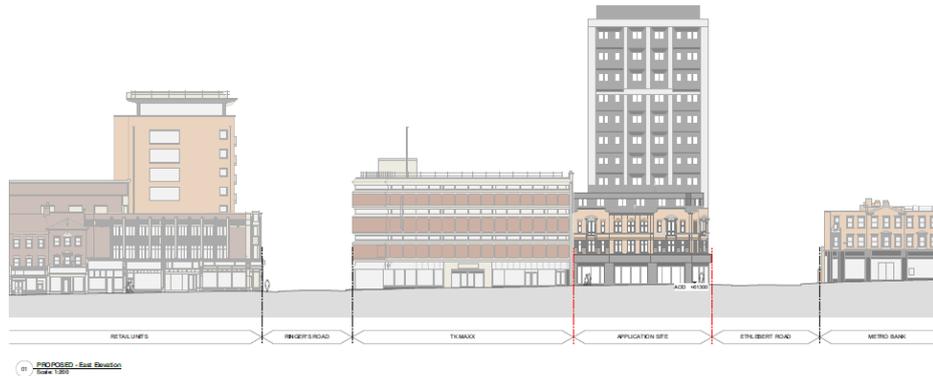


Fig.7 Revised elevation on High Street

6.3.17 The proposed building would be up to 12 storeys in height, of a scale and massing visually larger than the existing buildings and its immediate buildings in the area, including the residential block, Henry’s House on Ringer’s Road. The revised scale and massing would be more comparable to Henry’s House on Ringers Road. The taller element would be set back from the High Street by 9.5 metres. This would provide a degree of transition from the tall element to the lower building and ensure the scale of the building from the street level is at a human scale.



Fig 8. Original and revised view from the High Street

6.3.18 It is noted that the application site is not identified as a possible location for a tall building in the BTCAPP. The scale and massing of the proposal would be visually distinctive in the existing context. The site is located within a designated opportunity area and forms part of the allocated site in the BLP and BTCAAP. The site is of a considerable importance in delivering housing and sustaining growth in the Town Centre during the development plan period. The site is adjacent to No.64 High Street with potential for a tall building as indicated in the BTCAAP. The proposal is designed to reflect this without precluding any future development of the neighbouring site. The scale of proposed development is considered to be proportionate to the area’s role and function and is not considered unacceptable.

### *Material palette*

6.3.19 The proposed external materials are influenced by the existing buildings in the town centre. Grey and light grey colour reconstituted stone, glass reinforced concrete panels and flute pre-cast concrete panels would be used. The balconies, windows and door frames would be black powder coated. The façade of the existing buildings would be retained. Matching red/brown bricks and stone detailing would be used near the proposed residential entrance and waste storage area. Subject to the full specification and performance details of the proposed external material finishes, it is considered that the proposed material palette would be acceptable.

### *Skyline and impact*

6.3.20 London Plan Policy D9 states development should address the visual, functional, environmental impact and cumulative impacts. BLP Policy 37(b) and Policy 48 requires development which may impact on the skyline to demonstrate how they will protect or enhance the quality of the views, visual, gaps and skyline. London Plan Policy HC3 states boroughs should clearly identify local views in their Local Plans and strategies. There is no strategic view identified in the London Plan. The relevant local views, landmarks and major skyline ridges are identified in the BLP as follow:

- View: View of Keston Ridge from southern section of Bromley High Street.
- Landmark: Churchill Theatre and Library (View 16).
- Major Skyline ridges: Keston Ridge.

6.3.21 Diagram 4.3 of the BTCAAP also identified the following relevant key views

- Church House Gardens and Library Gardens (View 5 & 6)
- View beyond the south of the railway line (View 8).



Fig 9 Key views in BTCAAP

6.3.22 A revised heritage, townscape and visual impact assessment including a total of 19 long-range, mid-range and immediate viewpoints is submitted. The assessment indicates that the Keston Ridge would not be affected due to the siting of the building and shape of the High Street.

6.3.23 View 16 Outside Churchill Theatre is a mid-range view. This view would experience a medium level of change and effect. However, the proposal would not dominate the primacy of the Churchill Theatre due to its location.

VIEW 16: OUTSIDE CHURCHILL THEATRE



Fig 10. View point 16

6.3.24 View 17: Junction of Elmfield Road and High Street and View 18: Ethelbert Road would experience a high level of change and effect. The proposal would have a marked contrast with adjacent and surrounding buildings. However, the proposal is designed to maintain a pedestrian scale and shopping function along the High Street. The proposed taller element would be set away from the High Street with a transitional floor providing a visual link to the taller element to the rear. The position of the

proposed building and internal layout of the proposal has taken into account its surrounding context to protect amenity and privacy as required by Policy D3 of the London Plan.

VIEW 17: JUNCTION OF ELMFIELD ROAD AND HIGH STREET



Fig 11. View point 17

VIEW 18: ETHELBERG ROAD



Fig 12. View point 19

6.3.25 View 13: Junction of Ravensbourne Road and High Street, View 14 Junction of Ringers Road and High Street and View 19: Junction of Ringers Road and Ravensbourne Road are both mid-range views. The proposal would experience a medium to high level of impact and change along the High Street. Policy D3 requires mid-range views from its surrounding neighbourhood, attention should be paid to the form and proportion of the building, legibility, proportions, and materiality. The scale and massing and scale of the proposed building has been revised and is more comparable to Henry's House with a building height at 10 storeys. The existing building façade facing the High Street is retained. The external materials of the proposed building are influenced by the existing buildings in the vicinity.

VIEW 13: JUNCTION OF RAVENSBOURNE ROAD AND HIGH STREET



Fig 13 View point 13

VIEW 14: JUNCTION OF RINGER'S ROAD AND HIGH STREET



Fig 14. View point 14

VIEW 19: JUNCTION OF RINGERS ROAD AND RAVENSBOURNE ROAD



Fig 15. View point 19

6.3.26 The following long-range view would experience a low to medium level of change and effect. The perceived level of change is considered to be low, owing to its distance or incremental increase in built form within the background which already exists in a distance.

- View 7: West of Queensmead Recreation Ground
- View 8: Western pedestrian bridge
- View 9: Kingswood Road
- View 15: South of Market Square.

6.3.27 The proposal would not be visible or readily visible from the following viewpoints. As such, the visual impact of the proposal would not have a visual impact or a low impact:

Long range:

- View 1: Junction of Westmoreland Road and High Street.
- View 2: Junction of Kentish Way and Masons Hill
- View 3: Looking west along Elmfield Road from Kentish Way
- View 4: The Pavilion, Kentish Way
- View 10: South-west along Westmoreland Road
- View 11: Hayes Road
- View 12: Bromley South Station

Mid-range:

- View 5: South terrace of Churchill Garden
- View 6: Bromley park amphitheatre

6.3.28 The visual assessment indicates that the proposal would not have a high level of impact in terms of the local view and landmark building identified in the BLP and BTCAAP. The proposal would have a high level of visual effects and impact upon the skyline in the Town Centre. However, this is managed by the design, layout and positioning of the proposed building. In view of the site allocations and housing delivery requirements in the development plan any harm arising from the proposal should be weighed against the planning benefits of this proposal.

#### **6.4 Impact on Heritage Assets**

##### *Archaeology – Acceptable*

6.4.1 Section 16 of the NPPF and London Plan Policy HC1.D requires that a development proposal should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation

6.4.2 The site is located within an Archaeological Priority Area. A desk-based archaeological assessment report is submitted and has been reviewed by Historic England (Archaeology). The assessment indicates that there is no discernible on-going archaeological interest with this site. Historic England has advised that no further assessment or conditions would be necessary, and no objection is raised.

##### *Conservation area – Unacceptable*

6.4.3 It is noted that the site is not located within a Conservation Area and the site area is below 1,000sq.m. There is no statutory requirement to consult Historic England (Conservation and building). As such, the planning consultation comment including the updated comment received is considered on a non-statutory basis, along with all planning consultation responses.

6.4.4 BLP Policy 42 states proposals adjacent to a conservation area will be expected to preserve or enhance its setting and not detract from views into or out of the area. BLP Policy 41 states conservation areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Proposals for new development will need to preserve and enhance its characteristics and appearance by:

- Respecting or complementing the layout, scale, form and materials of existing buildings and spaces;
- Respecting and incorporating in the design existing landscaping or other features that contribute to the character, appearance or historic value of the area; and ;
- Using high quality materials

- 6.4.5 London Plan Policy HC1.C states development proposals affecting heritage assets, and their settings, should conserve their significance by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 6.4.6 Section 66 (1) of the Planning (Listed buildings and Conservation Area) Act 1990 requires that special regard be paid to the desirability of preserving among other things, the setting of a listed building.
- 6.4.7 Whilst no statutory protection is afforded to the setting of conservation areas, paragraphs 189 and 190 of the NPPF require an assessment of the particular significance of any heritage asset that may be affected by a proposal, including by development affecting its setting. The NPPF defines setting as the surroundings in which the asset is experienced, recognising that elements of setting may make a positive or negative contribution to the significance of an asset, and may affect the ability to appreciate that significance, or may be neutral.
- 6.4.8 NPPF Paragraph 192 states in determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and,
  - c) the desirability of new development making a positive contribution to local character and distinctiveness
- 6.4.9 NPPF Paragraph 193 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 6.4.10 NPPF Paragraph 194 states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification
- 6.4.11 NPPF Paragraph 196 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage

asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 6.4.12 NPPF Paragraph 197 states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

*Significance of Conservation Area*

- 6.4.13 Bromley Town Centre Conservation Area was first designated as a conservation area in 1985 and is an identified heritage asset in Bromley. At that time the designation was focused around the historic core of Market Square and the northern part of the High Street. Subsequent extensions have enlarged the Conservation Area. Bromley was located on the coaching route to Hastings, where a number of coaching inns were developed.

- 6.4.14 Bromley Town Centre Conservation Area encompasses the historic heart of Bromley which is comprises of 7 character areas which reflects the various functions of a major centre which has evolved from a modest rural settlement. There are 21 statutory listed buildings and 40 locally listed buildings (individually or in groups) within the Bromley Town Centre Conservation area.

- 6.4.15 Some buildings in the southern part of the Conservation Area within the Central (Pedestrianised) High Street Character area survive from the early 19<sup>th</sup> Century and these buildings tend to be modest two storey structures with traditional detailing. The remaining buildings are a mixture of late 19<sup>th</sup> Century to early and mid-20<sup>th</sup> century buildings. The former tends to be two and three storeys in height with narrow frontages following the traditional building plot with well detailed commercial facades. The western side of the High Street contains large plots with uncompromising modern buildings built following the war including the locally listed library, which was completed in 1977 before the area was designated as a conservation area.

- 6.4.16 Historic England's comment on significance states "The site is located on the south west corner of the junction of the High Street and Ethelbert Road, immediately to the south of the Bromley Town Centre Conservation Area. The existing brick buildings on the site date from the 1930s and are a good quality example of a contextual High Street commercial terrace. Visual interest is created through the overall composition of the terrace, with no 68 slightly recessed and through the use of detailing and ornament, such as the Classical-style stone dressings to the windows of the No. 66 and 70. These buildings are identified withing the Council's Site 10 Master plan as being of "heritage and townscape value. These buildings constitute a non-designated

*heritage asset and positively contribute towards the setting of the Bromley Town Centre Conservation Area. The Bromley Town Centre Conservation Area forms the historical heart of Bromley, containing a wider range of historic buildings dating from the 17<sup>th</sup> century to the present day. It was first designated in 1985, originally focussed around the historic core of Market Square and the north part of the High Street, with subsequent extension enlarging the boundary. Although much of the wider town centre has been subject to large-scale redevelopment, the conservation area is relatively well-preserved and retains a strong historic fine grain layout and market town character with predominant buildings heights of 2-5 storeys. The High Street forms part of the central spine of the Conservation Area along the historic route from London to Sevenoaks. The Churchill Theatre and library was constructed in 1977 and is a landmark building within the conservation area reflecting its civic function”.*

#### *Impact*

- 6.4.17 The Council’s Conservation Officer has raised objection to the revised proposal and considered that the over-dominant scale and massing of the proposed building would visually compete with the modest market town character of the Bromley Town Centre Conservation Area. The revised proposal is not considered to be a plan-led approach for tall buildings within the Bromley Town Centre. Historic England have raised concerns in the previous draft masterplan consultation regarding to the potential for tall buildings in the conservation area. Whilst the degree of harm is towards the lower end of less than substantial, the proposal is considered to have an adverse impact on the setting of the Bromley Town Centre Conservation Area.
- 6.4.18 Historic England as a non-statutory planning consultee has also advised that the proposed building would impact on the setting of the Bromley Town Centre Conservation Area as a result of its height, scale and massing, which would contrast with the established character and predominant scale of buildings within the conservation area. View 16 Outside the Churchill Theatre demonstrates that the proposed building would dominate in views along the High Street, creating a contrast to the predominantly lower-rise buildings within the Conservation Area boundary. It is noted that the Regent’s Place (Henry’s Housing and St Mark’s Square developments both located some distance to the south of the application site already present a moderate visual impact in this view. The proposed 12 storey tower would increase this impact due to its closer proximity.
- 6.4.19 Historic England considers that the proposed development would cause harm to the significance of the Bromley Town Centre Conservation Area through development within its setting. Whilst the harm caused to the significance of Bromley Town Centres Conservation Area would be towards the lower end of less than substantial, in line with the NPPF para

193, 194 and 196 the harm will need to be clearly and convincingly justified and appropriately balanced.

6.4.20 The revised Heritage, Townscape and Visual impact assessment acknowledged that the town centre's allocation as a Conservation Area is, in a large part, to preserve the built heritage and townscape which reflects the evolution of the town. Whilst the design and scale of the proposed has been updated to reflect its prominent town centre location and proximity to the Conservation Area, the proposed building would have a greater impact when viewed from the High Street (View 16) and along Ethelbert Road. It is considered that the scale and proximity of the proposed development will lead to less than substantial harm upon the setting of the Conservation Area and the proposal would detract from views into or out of the Conservation Area. The harm arising from this part of the proposal will be justified in the overall planning balance.

## **6.5 Impact on neighbouring amenities – Acceptable**

- Sunlight and daylight

6.5.1 Development must also not result in an unacceptable material deterioration of the daylight and sunlight conditions of surrounding development. Nor should the development result in an unacceptable level of overshadowing to its surrounding. The levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development must also be assess

6.5.2 The windows associated to the following neighbouring residential properties are tested:

- William House, Ringers Road
- 1-49 Henry House, Ringers Road
- No. 33 to 36 Ethelbert Close

6.5.3 A total of 93 neighbouring residential windows associated to above properties are assessed of which, 92 out of 93 windows would comply with the BRE criteria for daylight (Vertical Sky Component) and all assessed windows will comply with the other requirements with no window will receive direct skylight less than 0.8 times of its former value (No-sky line). A secondary kitchen window associated to 34 Ethelbert Close would marginally below the recommended target at 22.6 percent (VSC).

6.5.4 Overall, it is considered that the proposal would not have an adverse impact on the neighbouring properties in terms of the loss of sunlight and daylight.

- Outlook and privacy

6.5.5 The site is located approximately 48 metres to the flank wall of Henry's House and 54 metres to William House on Ringer's Road. The site is located approximately 27 metres from the rear wall of No. 35 and 36 Ethelbert Close. Given that the site is located within a town centre and due to these distances, it is considered that the proposal would not have an adverse impact in terms of loss of outlook and privacy.

- Overshadowing

6.5.6 The BRE guidelines state that for an amenity area to appear adequately sunlit throughout the year, at least 50% of the area should receive at least two hours of sunlight on 21 March. There are no public amenity spaces, which are relevant for detailed sun on ground overshadowing assessment to the north of the proposed development.

- Wind assessment

6.5.7 The Wind Microclimate Assessment considers the likely effects of the proposed development on the local wind microclimate within and around the application site. In particular, it considers the potential effects of wind upon pedestrian comfort and summarise the findings of a wind tunnels testing existing.

6.5.8 The result indicates that the immediate streets surrounding the site would remain being suitable and acceptable for the pedestrian and no mitigation measures would be required.

## **6.6 Transport and Highways - Acceptable**

### *Access*

6.6.1 BLP Policy 32 states the Council will consider the potential impact of any development on road safety and will ensure that it is not significantly adversely affected.

6.6.2 Ethelbert Road is a one-way road and includes on-street disabled parking spaces and other parking spaces. The vehicular access to the proposed residential disabled parking spaces to the rear of the proposed building will be via an existing service corridor from Ethelbert Road. A transport assessment including swept analysis which confirmed vehicles can leave the site in a forward gear was provided.



Fig 16. Sweep path analysis

6.6.3 The Council's Highway division considered that this part of the proposal is acceptable, and no objection is raised in respect of this element.

*Parking provision*

6.6.4 Table 1 in the BLP Policy 30 (Parking) sets a minimum and maximum parking standard for new residential development, subject to the particular characteristics of the development and the public transport accessibility. BLP Policy 30 indicates a minimum of 33 residential parking spaces and up to a maximum of 47 parking spaces should be provided (Based on the 0.7 to 1 space per 1 or 2 bed unit). For retail development less than 4,000sq.m with a PTAL of 6, there is no requirement for commercial parking spaces.

6.6.5 The Council's highway division has indicated that the number of parking spaces should be increased to 20 spaces and consideration should be given to the 2011 population census record which indicates that the car ownership in Bromley Town ward is 1 space per dwelling. The proposed parking provision is not considered adequate at local level.

6.6.6 The London Plan seeks to encourage more sustainable travel, enabling car-free lifestyles that allow an efficient use of land and improve well-being by encourage cycling and walking. London Plan Policy T6.1 and table 10.3 set the maximum parking standard for new residential development. New development in Metropolitan and Major Town Centres with a PTAL rating of 6 is set as car free.

6.6.7 The proposal would intensify the use of the site with a net increase of 41 residential units. It is noted that there is no evidence to suggest there is no such demand for residential parking spaces in the Town Centre. The site is located within the Town Centre with a high PTAL rating. As such, car free development should be pursued, in line with the new London Plan Policy requirements.

6.6.8 As part of the proposal and to mitigate the demand for parking, the applicant has confirmed the following would be provided for each of the proposed residential units:

- Two years free car club membership per dwelling;
- Twenty free car club driving hours per dwelling;
- Rights to apply for residents parking permits be removed;
- Car parking management plan;

6.6.9 Officers consider that car-free development should be the starting point for development located in the town centre and that is well-connected by public transport. In view of the new London Plan Policy requirements and the proposed mitigation measures, it is considered car-free development should be supported.

6.6.10 In addition, the Council is currently working with Transport for London proposing to make a number of improvements to the cycle and walking routes (Quietway) between Lower Sydenham and Bromley Town centre. A planning obligation of £20,000 towards cycle and pedestrian route improvements, along with the mitigation outlined above would also be secured by a s106 legal agreement and/or planning conditions.

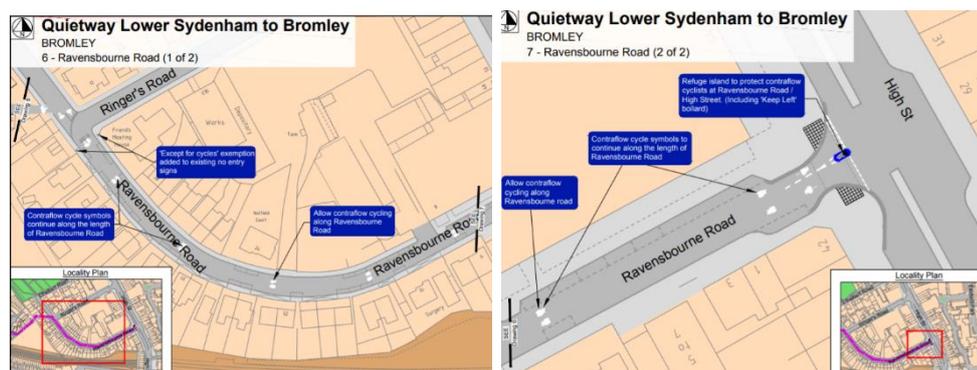


Fig 17. Cycle and walking routes (Quietway) improvement works between Lower Sydenham and Bromley Town centre.

6.6.11 London Plan Policy T6.1 states all residential car parking spaces must provide infrastructure for electric or ultra-low emission vehicles. At least 20 percent of spaces should have active charging facilities with passive provision for all remaining spaces. The applicant has confirmed active electric charging points would be provided for all the disabled parking spaces. A condition would be attached to ensure the delivery of these provisions.

6.6.12 London Plan Policy T6.1 requires disabled person parking should be provided for new residential development. Residential development proposals delivering ten or more units must as a minimum:

- 1) Ensure that three per cent of dwellings, with at least one designed disabled person parking bay per dwelling is available from the outset.

- 2) Demonstrate as part of the parking design and management plan, how an additional seven percent of dwellings could be provided with one designed disabled persons parking spaces per dwelling in future upon request as soon as existing provision is insufficient and should be secured at the planning stage.

6.6.13 London Plan Policy T6.1 also requires all disabled persons parking bays associated with residential development must: 1) be for residents' use only; 2) not be allocated to specific dwellings, unless provided within the curtilage of the dwelling.

6.6.14 This revised proposal indicates that a total of three off-street disabled person parking spaces would be provided from the outset exceeding the minimum requirement. A further 1.7 disabled parking spaces may be required should there be a demand arising. A car park management plan detailing the management, allocation and uses of the disabled parking spaces for the residential units would be required to ensure the use of the parking spaces can be optimised.

6.6.15 In summary, the site has excellent accessibility to public transport and the principle to provide a car-free development is supported. Whilst the proposal would intensify the use of the site and increase the demand for parking spaces and traffic in general in the area, it is considered that the car-free development should be promoted at this town centre location. Subject to the mitigation measures and the required planning conditions and obligations to be secured by a legal agreement, it is considered the level parking provision would be acceptable at this location.

*Cycle Parking*

6.6.16 London plan Policy T5 states proposal should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Appropriate levels of cycle parking should be secured and designed in line with the London Cycling design standards. Table 10.2 of the London Plan sets the minimum long stay and short stay cycle storage requirement for new development.

	<b>Long Stay</b>	<b>Short Stay</b>	<b>Minimum requirement in total</b>	<b>Proposed spaces in total</b>
<b>Non-food retail above 100sq.m</b>	First 1,000sqm: 1 space per 250sq.m	First 1,000sqm: 1 space per 125sq.m.  Thereafter: 1 space per 1,000sq.m (GEA)	4	4

<b>Residential</b>	1 space per studio or 1 person 1 bed dwelling.  1.5 spaces per 2 persons 1 bed dwelling.  2 spaces per all other dwellings	5 to 40 dwellings: 2 spaces.  Thereafter: 1 space per 40	79	116
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Table 7. Cycle storage requirements

6.6.17 Table 10.2 of the London Plan requires a minimum of 79 long stay cycle storage and 2 short stay cycle storage spaces for the residential element (1 long stay space be provided for each studio unit, 1.5 spaces for each 1 bed unit and 2 spaces for 2 bed) and a minimum of 1 long stay and 7 short stay cycle storage spaces be provided.

6.6.18 A total of 106 residential and 8 commercial cycle storage spaces would be provided within the site. The residential cycle storage would be located on the first and second floor with a dedicated bicycle lift. As such, it is considered that adequate cycle storage would be provided.

*Servicing and delivery*

6.6.19 The transport assessment indicates that the servicing and delivery for the retail and residential uses would be from an existing loading bay on the High Street. A proposed loading bay is also indicated in the transport assessment on Ethelbert Road.

6.6.20 The Council's Highway division has commented such arrangement is not considered ideal due to its permitted loading hours which would be limited between 03:00 and 10:00 with a one-hour limit, no return within one hour and no stopping is permitted at any other time except for taxis between 10:00 and 15:00 hours. The proposed loading bay could interfere with the existing off-street parking spaces associated to the café, noting there is no existing drop-kerb leading to the spaces. However, this would not warrant as a reason to refuse the application.

6.6.21 It should be noted that the proposed retail replacement floor space would be reduced when compared with the existing. There is a further on-street loading bay located on Elmfield Road which is located approximately 30 metres from the site. The restriction of this loading bay is 30 minutes and

no return within one hour. As such, it is considered that the absence of off-street servicing and delivery bays is justified in this instance.

### *Waste storage*

6.6.22 BLP Policy 113 states major development proposal will be required to implement site waste management plans to reduce waste on site and manage remaining waste sustainability. New development will be required to include adequate space to support recycling and efficient waste collection.

6.6.23 Commercial waste storage areas would be separate from the communal residential storage area. A communal residential waste storage area would be provided and would face Ethelbert Road. A waste strategy covering the details of recycling waste storage provision for both residential and commercial elements and confirming the timing, frequency and management of the waste storage and collection should be secured by a planning condition. The Council's Waste Services were consulted and considered that the proposal would be acceptable, subject to the planning condition.

## **6.7 Biodiversity - Acceptable**

6.7.1 BLP Policy 72 states planning permission will not be granted for development that will have an adverse effect on protected species, unless mitigation measures can be secured to facilitate survival, reduce disturbance, or provide alternative habitats. London Plan Policy G6 states that development proposals should manage impacts on biodiversity and aim to secured net biodiversity gain.

6.7.2 This town centre site is occupied by built development and there is no soft landscaping or features that exist within the site. The existing buildings including the residential flats area occupied. The site is also surrounded by buildings. The Library Garden is located approximately 64 metres west from the site.

6.7.3 A preliminary bat roost assessment including details of building inspections has been submitted. There was no evidence of any past or current bat occupancy found during the detailed external inspection of the buildings, excluding the top floor. This assessment indicates the external conditions of the building including the ground and first floor have a low potential to support a bat roost. Further potential may exist around the un-accessed chimney base.

6.7.4 Pipistrelle bats are found in urban environments and are one of the common bat species in Bromley which adapted better in urban habitats than other protected species. In line with the Bat Conservation Trust Bat Survey Guidelines, buildings deemed to have low potential would require one dusk emergence together with a pre-dawn re-entry or automated survey at the optimal time of year (between May and August) to provide

confidence in a negative result. The submitted preliminary bat roost assessment also recommended a dusk emergence survey is completed during the bats' active season. As such, it is recommended that a planning condition requiring a dusk emergence survey including relevant and appropriate mitigation measures be carried out prior to any work commencing at the site.

6.7.4 The proposal would not result in the loss of any protected trees, planting or green coverage. In line with the recommendation from the RPSB, a planning condition requiring 10 swift nest bricks to be installed near the roof level of the building would be secured. Given the location of this site and its limitation, it is considered that the proposal would not have an adverse impact on protected species and the inclusion of swift nest bricks would assist to increase the biodiversity value and potential of the site when compared to the existing situation.

## **6.8 Energy and Sustainability - Acceptable**

6.8.1 Paragraph 153 of the NPPF states that in determining planning applications, LPAs should expect new developments to comply with policies and requirements for decentralised energy supply unless this is demonstrated to not be feasible or viable.

6.8.2 BLP Policy 124 and London Plan Policy SI 2 requires major development should be net zero- carbon, reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the energy hierarchy

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

A minimum of 35 percent carbon reduction beyond Part L 2013. for residential development is required for major development. Residential development should achieve 10 per cent and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on site, any short fall should be provided in agreement with the borough, either:

- 1) Though a cash in lieu contribution to the borough's carbon offset fund  
or
- 2) Off-site provided that an alternative proposal is identified and delivery is certain.

Development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-

Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions

- 6.8.2 An updated Energy Assessment following the GLA's energy hierarchy has been received and this has been reviewed by the Council's Energy officer. Under the "**Be Lean**" category, a range of passive design features would be employed to reduce the heat loss and demand for energy. The measures include building fabric insulation, glazing design and specification, wall insulation, pipework insulation, mechanical and natural ventilation through openable windows are proposed to reduce the carbon emission of the proposed development. These measures would meet the minimum 10 percent requirement for domestic development and 15 percent for the non-domestic requirement as outlined in the GLA energy guidance and this is considered acceptable.
- 6.8.3 As there is no district network in the area, it is not possible to achieve any carbon reduction under the "**Be Clean**" category at the present time and no carbon reduction can be awarded under this category.
- 6.8.4 Under "**Be Green**" category, a range of on-site renewable energy technologies including biomass boilers, solar thermal, solar PV panel, ground source heat pumps and wind turbines were considered. It is considered that the use of air source heat pumps would be the most feasible option for this site as the development comprises of commercial space which requires active cooling.

*Non-domestic element*

- 6.8.5 The updated energy assessment indicates that the total regulated on-site carbon saving for the non-domestic element would achieve 37.9 percent (3.6 tonnes) carbon saving against Part L 2013 of the Building Regulations Compliant Development. There is a shortfall of 62.1 percent (2.2 tonnes) and a planning contribution of £ 6,270 would be secured by a legal agreement. The breakdown is as follows:

- On site regulated carbon dioxide emissions (Building Regs 2013 Compliant Development) = 5.8 tCO<sub>2</sub> per annum
- Proposed on site reduction of carbon emissions from energy demand/CHP/renewables = 3.6 tCO<sub>2</sub> per annum
- On site shortfall = 2.2 tCO<sub>2</sub> per annum
- Payment-in-lieu amount calculated as 2.2 (tCO<sub>2</sub>) x £95 (per tCO<sub>2</sub>) x 30 (years) = £6,270

*Residential element*

- 6.8.6 The element would achieve 58.7 percent on-site carbon saving (25.3 tonnes) against Part L 2013 of the Building Regulations Compliant Development. There is a shortfall of 41.3 percent (17.8 tonnes) and a planning contribution of £ 50,730 would be secured by a legal agreement. The breakdown is as follows

- On site regulated carbon dioxide emissions (Building Regs 2013 Compliant Development) = 43.1 tCO<sub>2</sub> per annum
- Proposed on site reduction of carbon emissions from energy demand/CHP/renewables = 25.3 tCO<sub>2</sub> per annum
- On site shortfall = 17.8 tCO<sub>2</sub> per annum
- Payment-in-lieu amount calculated as 17.8 (tCO<sub>2</sub>) x £95 (per tCO<sub>2</sub>) x 30 (years) = £50,730.

6.8.7 The Council's Energy officer has been consulted and no objection is raised to the proposal and recommended the total carbon offsetting payment of £57,000 will be secured by a legal agreement. A condition is recommended to secure the carbon saving measures as set out in the energy statement can be delivered. In line with the GLA updated comment, officer consider that the condition should include the following:

- 1 The details of SAP10 and SAP12 emission factors
- 2 Any further improvement of "Be lean" and minimising overheating risk measures for the residential can be provided;
- 3 Evidence there are no planning district heating networks within vicinity of the site may offer a potential for connection.
4. Drawing confirming spaces provision for heat exchanges in the plantroom, safe-guarded pipe route to the site building.
5. Confirmation that the development could not support any potential solar PV.
- 6 Energy efficiency details of the local heat pumps and its modelling.

6.8.8 London Plan Policy SI 4 states major development should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy.

#### *Overheating*

6.8.9 An overheating analysis assessed against standard CIBSE TM59 - overheating test for residential and standard CIBSE TM52 for commercial is provided. The results indicate active cooling measures utilising air source heat pumps would be required to achieve the required seasonal cooling efficiency of at least 5.82. A condition requiring the specification of the air source heat pumps, implementation, and maintenance of the system during the lifetime of the development is therefore recommended.

#### *Water infrastructure*

6.8.10 London Plan Policy SI-5 states development proposal should:

- 1) through the use of planning conditions minimise the use of mains water in line with the optional requirement of the building regulations

(residential development), achieving mains water consumption of 105 litres or less per head per day (excluding allowance of up to five litres for external water consumption).

- 2) Achieve at least the BREEAM excellent standard for the “Wat 01 water category or equivalent for commercial development.
- 3) Incorporate measures such as smart metering, water saving and recycling measures, including retrofitting, to help to achieve lower water consumption rates and to maximise future proofing.

6.8.11 Thames Water has been consulted and no objection is raised in relation to the impact upon the water network infrastructure capacity, waste water network and sewage treatment work. In line with the policy requirement, planning conditions requiring confirmation of the internal water consumption of the residential development will not exceed 105 L/person/day for the new dwellings and BREEAM excellent rating certificate for the commercial would be attached.

## **6.9 Environmental Issues - Acceptable**

### *Air Quality*

- 6.9.1 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality. Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality.
- 6.9.2 BLP Policy 120 states 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. Developments should aim to meet “air quality neutral” benchmarks in the GLA’s Air Quality Neutral report. London Plan Policy SI-1 also echo this requirement.
- 6.9.3 The site is within Bromley Air Quality Management Area. An updated air quality assessment is submitted which assess the likely effects of the proposals on the site and the surrounding area is provided. The assessment indicates the proposal would not have an adverse impact on air quality, except during the construction period. A range of mitigation measures to minimise or reduce dust would be required and implemented. The emission from construction vehicles is not considered to be significant at this location.
- 6.9.4 The assessment has been reviewed by the Council’s Environment Health and no objection has been raised, subject to implementation of mitigation measures in line with the submitted construction and management and logistic plan (Nov 2020) and in line with the Council’s

Control of Pollution and noise from demolition and construction site code of practice 2017.

- 6.9.3 In accordance with the London Plan, all Non Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases of the development shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance 'Control of Dust and Emissions During Construction and Demolition' dated July 2014 (SPG) or any subsequent guidance. All NRMM shall meet Stage IIIA of EU Directive 97/68/EC (as amended). All construction plant would need to adhere to the emissions standards for NO<sub>2</sub> and PM<sub>10</sub> (particles with a diameter up to 10µm) and PM<sub>2.5</sub> (particles with a diameter up to 2.5µm) set out for non-road mobile machinery (NRMM). Subject to the planning conditions, it is therefore considered the likely effect of construction plant on local air quality would not be significant. Overall, the development is considered acceptable from an air quality perspective.

#### *Noise*

- 6.9.4 London Plan Policy D13 agent of change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Development should be designed to ensure the established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- 6.9.5 The site is located within an urban area and is not subjected to land contamination. The proposal to intensify the residential use of this site would make more efficient use of the land in the Town Centre and would not be incompatible to its surrounding area.
- 6.9.6 A noise impact assessment is submitted which indicates the glazing and ventilation system would be required and employed to provide appropriate internal residential amenity. The predicated noise levels for the external amenity spaces would be predominantly below 55dB when taken into account the balconies screening and are therefore suitable for residential use and would comply with the national policy and guidance. A plant room would be located on the ground floor within the envelope of the building. Any external plants associated to the building services and the development would be designed to satisfy the BS4142 guidance.
- 6.9.7 The Council Environmental Health were consulted and considered the proposed measures would be acceptable, subject to a glazing and ventilation strategy as set out in the noise assessment report and this will need to be fully taken into account. An updated noise assessment including service and delivery for the proposed uses, A scheme to protect the proposed balconies where noise levels from traffic noise

exceed or likely to exceed 50dB will need to be submitted and approved by the council. The details and specification of balcony screen, external plant including mechanical ventilation should be secured by planning conditions.

## **6.10 Flooding and Drainage - Acceptable**

### *Surface water drainage*

- 6.10.1 The NPPF states that major development should incorporate sustainable drainage systems which should take account of advice from the lead flood authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits. London Plan Policy SI-13 and BLP Policy 116 states development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 6.10.2 The application site is not located in an area at risk of river, sea or surface water flooding as defined by the Environment Agency. The surrounding highway network is subject to low risk of surface water flooding. The surface water runoff rate is proposed to be restricted to 1 litre/second and a minimum of 30 cubic metres of attenuation will be required including the 1 in 100 year plus 40 percent climate change event.
- 6.10.3 The drainage strategy indicates that geo-cellular crates (blue roof) would be the best option to reduce flood risk. Geo-cellular crates are proposed across the ground and 4<sup>th</sup> floor level, connected using rainwater downpipes to convey the runoff downward to ground level with an orifice plate with a 29mm diameter to restrict the runoff rate to 1 litre per second.
- 6.10.4 A total of 114 square metre of geo-cellular crates is proposed. This provision will provide a minimum attenuation volume of 32.49 cubic metres. This proposed drainage strategy would provide an 88 percent reduction in surface water runoff or improvement when compared to the existing situation.
- 6.10.5 The Council's drainage officer and Thames Water have raised no objection to the proposal, except conditions to secure the details of the works be implemented and a pilling method statement be provided in consultation with Thames Water, Subject to the conditions and informatives, it is considered that the proposal would be acceptable with regards to the surface water run-off and drainage.

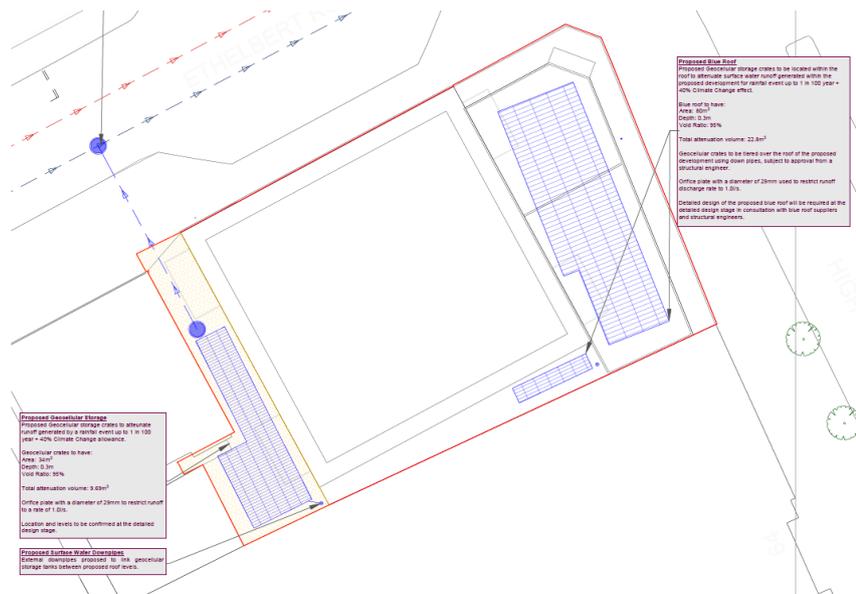


Fig 18. Location of the proposed Geo-cellular/ blue roof

## 7. Planning Obligations and CIL

### CIL:

- 7.1 The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.
- 7.2 The Council's has published a draft charging schedule. Following the examiner's report on the draft charging schedule, the Bromley CIL charging schedule can be adopted pending approval by Full Council. At this stage, it is envisaged that a report recommending adoption will be taken to the Full Council meeting in the coming weeks. The actual date of adoption (when we will start charging CIL) is still to be confirmed but is expected to be around 8 weeks after Full Council approval is received.

### Heads of Terms – Infrastructure impact and mitigations:

- 7.3 The following planning obligations will need to be secured as part of an S106 legal agreement, which the applicant has agreed to in principle, should permission be granted:
  - Education £ 69,208.54;
  - Health: £ 47,591;
  - Energy £ 57,000;
  - Highway £20,000;
  - Child play and park maintenance £17,600;
  - 10 intermediate units;
  - Early and late stage affordable housing viability review;
  - 2 Year car club members and a minimum of 20 hours of free dwelling time per dwelling;
  - Removal of rights for resident's permit; and,

- Obligation monitoring fee: £500 per head of terms.
- 7.4 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.

## **8.0 Planning balance and conclusion**

- 8.1 The revised scheme has been subject to a design review process resulting in a reduction of building massing, scale and layout. The design quality of the proposal reflects the role of this allocated site and building typology along the southern part of the High Street. The proposed amendment is considered to be acceptable by officers. It is considered to be sustainable in overall terms and compliant with the development plan as a whole. This application includes the provision of 47 residential dwellings including 10 intermediate dwellings and this would represent a significant contribution to the supply of housing within the Borough.
- 8.2 The internal layout demonstrates adequate and accessible internal and external living spaces including a good range of housing size between one to four persons.
- 8.3 The proposal would provide adequate replacement retail floorspace on the ground floor and this would maintain the active frontages and shopping function of this site. The residential density would be intensified which reflects the role of this allocated site.
- 8.4 Where the proposal does not accord fully with policies in terms of impact on the Conservation Area, this is considered to be outweighed by other policies of the development plan and material considerations, which are described in the planning assessment above.
- 8.5 As the Council cannot at present demonstrate a 5 year land supply of deliverable housing sites, the housing policies of the development plan are out-of-date and the presumption of sustainable development set out in Para. 11 of the NPPF applies to the application. This means a presumption in favour of granting planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. There are no other adverse impacts of the scheme that are considered to significantly and demonstrably outweigh the economic, social and environmental benefits of the scheme when considering the NPPF as a whole. The balance test is therefore tilted towards granting planning permission.
- 8.6 Subject to compliance with the recommendations in the technical reports and implementation of the recommended works undertaken where necessary, it is considered that the application is recommended for

permission, subject to the planning conditions, completion of a S106 legal agreement and GLA stage 2 referral.

## **RECOMMENDATION**

### **PERMISSION SUBJECT TO S106 LEGAL AGREEMENT, PLANNING CONDITIONS AND ANY DIRECTION FROM THE MAYOR OF LONDON**

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

##### Standard Conditions:

1. Time limit of 3 years
2. Drawing numbers

##### Pre-Commencement Conditions:

3. Construction and Environmental Management Plan
4. Bat surveys
5. Detailed method statement for dismantling, storage, retention and reconstruction of the existing façade.

##### Above Ground Construction Conditions:

6. External materials
7. Mechanical ventilation details
8. Fire statement including Part B5 of Building Regulations Approved Document B
9. Specification of the air source heat pumps, implementation, and maintenance
10. Water infrastructure
11. Energy Statement including Be Seen measure and BREEAM excellent rating for commercial element
12. Noise assessment including specification of balcony screen and all internal and external plant.
13. Piling method statement

##### Prior to occupation conditions:

14. Car park management plan
15. Servicing and delivery plan
16. Parking spaces
17. Cycle storage
18. Refuse storage provision and management strategy
19. Wheelchair units
20. Electric charging points (active)
21. Secure by Design
22. Travel plan

23. Swift nest bricks

Compliance conditions:

24. Surface Water Drainage

25. Affordable housing

26. Hardstanding for wash-down facilities for construction vehicles

27. All Non-Road Mobile machinery to comply with relevant emissions standards

28. Parking spaces

29. Removal of PD right for upward extensions and change of use on the ground floor.

Informatives

- Mayoral CIL
- Secured by Design
- Dust Monitoring
- Vehicle crossover application
- Thames Water (various)