

Committee Date	20/05/2021	
Address	Prospects House, 19 Elmfield Road Bromley BR1 1LT	
Application number	20/04296/FULL1	Officer: Jessica Lai
Ward	Bromley Town	
Proposal	Demolition of the existing building, erection of a 10 storey building plus basement to provide 1,759sqm office floor space Use Class Order Class E(g)(i) on the ground floor and first floor with 61 residential flats (9 studio, 38 x 1 bed and 14 x 2 bed) above and provision of 11 parking spaces (Amended Description).	
Applicant	Agent	
Harry Keen Prospects House (Bromley) Ltd 68 Hanbury Street London E1 5JL	Mr Matt Hill Maddox Planning 68 Hanbury Street London E1 5JL	
Reason for referral to committee	Major application outside delegated authority.	Councillor call in No

RECOMMENDATION	PERMISSION SUBJECT TO S106 LEGAL AGREEMENT AND ANY DIRECTION FROM THE MAYOR OF LONDON
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<p>KEY DESIGNATIONS</p> <p>Bromley Town Centre Opportunity Areas Business Improvement Area and Article 4 Direction Groundwater Source Protection Zone 2 Areas of Deficiency in Access to Nature PTAL 6a and 6b</p>

Vehicle parking	Existing number of spaces	Total proposed spaces	Difference in spaces (+ or -)
Parking spaces	25	11	-14
Wheelchair accessible car spaces	N/A	6	+4
Cycle	N/A	154	+154 (Residential 124; Commercial 30)

Electric vehicle charging points	11 active charging points
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Use	Existing	Proposed	Difference (+ or -)
Office	1,506sqm	1,759sq.m (GIA)	+ 253sq.m (GIA)
Dwellings	0	4,615sq.m (GIA) or 61 units	+ 4,615sq.m (GIA) or 61 units

Representation summary	<p>Neighbouring consultation letters were sent on the 2nd December, 2020. A 14 days re-consultation letters were sent on the 22nd April 2021 and 30th April with an amended descriptions.</p> <p>A site notice was displayed on the 15th February 2021. The application was also advertised in the press on the 9th December 2020.</p>
Total number of responses	95
Number in support	14
Number of objection	80
Number of comment	1

Section 106 Heads of Term	Amount	Agreed in Principle
Education	£ 56, 372.76	Yes
Health	£ 80, 764	Yes
Energy	£ 124, 176	Yes
Affordable Housing	8 intermediate units (comprises of 1 x studio, 6 x 1 bed and 1 x 2 bed); Early and late stage review mechanism in line with London Plan	Yes
Highway	£ 15,000 Wayfinding and sign £ 15,000 Improvement works on Elmfield Road TfL right to access Kentish Way for maintenance Two years free car club membership per dwelling; Twenty free driving hours per dwelling; Removal of rights to apply for residents parking permit. Amendment of traffic order	Yes
Total	£ 291,312.76	

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle to redevelop the site to provide a taller building and car free development is supported at this town centre location. The site is designated as a Business Improvement Area with an Article 4 direction which removes permitted rights for the change of use to residential.
- The proposal would provide improved office accommodation with an uplift of office area which measures approximately 253sq.m. The proposed new and modern office accommodation would strengthen the competitiveness of the site and positively improve the office environment.
- This application includes the provision of 61 residential dwellings including 8 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 8 intermediate units and this is supported by a financial viability report which has been reviewed by an independent viability assessor.
- This revised proposal has been subject to a design review process. The proposed building height has been reduced and would be more

comparable to the existing and emerging development adjacent to the site and along Elmfield Road.

- The proposed internal layout has been revised which 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 main habitable room windows would be facing Kentish Way or Elmfield Road. A communal outdoor communal garden and child play area with adequate replacement planting would be provided within the site.
- 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 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 application site measures approximately 1580sq.m (0.158 hectares) in area and is located on the eastern edge of Bromley Town Centre where there is a mixture of office and residential buildings ranging between four to ten-storeys in height.
- 1.2 The site forms part of the Bromley South Business Improvement Area (BIA) in the Bromley Local Plan and the Bromley Town Centre Area Action Plan. There is an Article 4 Direction in place within the BIA which removes the permitted development rights to change from office to residential use.
- 1.3 The site is occupied by a four-storey vacant office building, known as Prospects House. The building has an existing office floor area which measures approximately 1,506sqm and there are 25 off-street parking spaces located to the rear of the building.



Fig1a. Aerial photo of the site.



Bank of America to the right looking south along Elmfield Road
Fig 1b. Elmfield Road looking south

- 1.4 Kentish Way(A21) is adjoining to the east of the site and the ground level of the trunk road is elevated against the application site. To the north of the site is a five-storey office building, known as Wells House and planning permission was granted for a replacement office building up to eight-storeys in height in April 2021 (ref: 19/03620/FULL1). To the south of the site is a four-storey office block, known as Kingfisher House. The Bank of America building is up to ten-storeys in height and is located to the west of the site.
- 1.5 The site is located on a slope. The ground level of the site slopes down from Elmfield Road to Kentish Way (A21). The ground level also drops down from north to south towards the adjoining four storey office building, Kingfisher House.
- 1.6 The application site is not located within a conservation area and the application building is not listed. Bromley Town Centre is located over 200 metres north-west from the site. There are no listed buildings along Elmfield Road. There is no tree preservation order within the site.

- 1.7 The site is located within the Bromley Town Centre Controlled Parking Zone (CPZ) and with on-street parking bays along Elmfield Road. The CPZ operating hours are between 8am to 8pm on Monday to Saturday and 10am to 5pm on Sunday with a maximum of a 2 hour stay.
- 1.8 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 214 metres south from the site and Bromley North Railway Station is approximately 927 metres north from the site.
- 1.9 The site lies within Flood Zone 1, meaning the site has a low probability of flooding from river tidal sources (less than 1 in 1,000 annual probability). The site is subject to low surface water flooding risk and is located within Ground water Source Protection Zone 2 (Outer Protection Zone) as defined by the Environment Agency.

2. PROPOSAL

- 2.1 Full planning permission is sought for the demolition of the existing four storey vacant office building and the redevelopment of the site to provide 1,759sq.m (and uplift of 253sq.m Gross Internal floor area) of office floor space on the ground and first floor and 61 residential units and 11 residential disabled person parking spaces in the basement car park.
- 2.2 The proposed building would be up to 10 storeys in height plus basement. The proposed office accommodation would be located on the ground and first floor with office storage areas, meeting rooms, dedicated cycle storage and showering facilities at the basement level. The proposed residential accommodation would be located between level 2 and level 9.
- 2.3 The proposed building would measure approximately 32 metres in height on Elmfield Road and 29 metres wide. The maximum depth of the proposed building measures approximately 40.8 metres on the ground and first floor. The maximum depth of the proposed building for the residential element from Level 2 measures approximate 24 metres.
- 2.4 A landscaped communal residential outdoor garden, measuring approximately 145sq.m and a further outdoor child play area with child play equipment measuring approximately 145sq.m would be provided at Level 2, facing Kentish Way. Green roof and solar panels are proposed at roof level to promote biodiversity and address climate change.
- 2.5 Two internal lifts would be provided for the proposed residential use. Residential and commercial communal cycle and waste storage facilities would be provided. Eleven parking spaces are proposed would be provided, of which six residential disabled persons parking spaces would be provided from the outset. The remaining 5 parking enlarged parking

spaces is designed to accommodate the future demand for disabled residential parking, should the demand arise in future.

- 2.6 A total of 154 cycle storage spaces are provided, of which 124 spaces would be for residential and 30 spaces would be for the office. Dedicated and secured cycle storage areas would be provided for both uses.
- 2.7 The proposal would provide 61 new residential units which comprises of 9 studio, 38 x 1 bed and 14 x 2 bed. This includes a total of 8 intermediate units and these would be provided on the third floor comprising of 1 x studio unit, 6 x 1 bed and 1 x 2 bed.
- 2.8 The proposed affordable housing provision would equate to 13.1 percent by unit (8 out of 61 units) or 12.6 percent by habitable room (16 out of 127 habitable rooms). A total of 6 x 2 bed wheelchair units would be provided. Two internal office and two residential internal lifts would be provided and accessible to all floors. The details of housing mix, size and tenure are as follows:

	Studio	1 bed	2 bed	Total (by Unit)	Total (by Habitable room)
Market	8	32	13	53	111
Intermediate	1	6	1	8	16
Total	9	38	14	61	127

Table.1 Proposed housing mix, size and tenure.

- 2.9 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. The revised layout indicates the main habitable room windows would be facing Elmfield Road or Kentish Way.
- 2.10 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 to 10 storey (now building height is approximately 32 metres);
 - Reduction of residential units from 71 to 61 units;
 - Internal layout updated to remove side main habitable room windows facing Wells House and Kingfishers House.
 - Changes to housing mix to focus on one and two bed units.
 - Reduction of parking spaces in line with London Plan

3. RELEVANT PLANNING HISTORY

- 3.1 Advertisement consent for a non-illuminated fascia sign on rear elevation was granted on the 25th May 2005 (ref: 20/04296/FULL1).

3.2 Full planning permission for the change of use of top floor from residential to offices was granted on the 3rd March 2004 (ref: 04/00290/FULL2).

3.3 A certificate of lawful development (Existing) for the continued use of third floor as office was granted on the 4th March 2004 (04/00162/ELUD).

3.4 Other recent or current major planning applications on Elmfield Road:

3.5 *Wells House, 15 Elmfield Road, Bromley BR1 1LS*

Full planning permission was granted for the demolition of Wells House building and the re-development of the site to provide a part 7 and part 8 storey, comprising of 10,598.8sq.m office floor space with associated landscaping, cycle and parking spaces was granted on the 21st April 2021 (ref: 19/03620/FULL1).

3.6 *25 Elmfield Road, Bromley, BR1 1LT*

Demolition of the existing building at 25-27 Elmfield Road and the redevelopment of the site for a mixed-use development comprising 9 storey plus 2 basement levels of residential (Class C3) and commercial floorspace (Class E) and associated car parking, cycle and waste storage.

4. CONSULTATION SUMMARY

a) Statutory:

4.1 Highways – No objection

Vehicular access

The existing vehicular access to the site would be utilised providing an access to the proposed basement car park. A traffic light system will be in place to control the movement of vehicles accessing or leaving the basement car park via an internal ramp. Should planning permission be granted, the details of the access arrangement should be provided and secured by a planning condition.

Parking

A total of 11 parking spaces including 6 residential parking spaces would be provided. The reduction of parking provision is very regrettable. Should planning permission be granted, a car park management plan should be provided to ensure the spaces can be provided for the residential units. The right of the future residents to apply for a parking permits should be removed. Two years car club memberships with twenty free hours driving hours should be provided for each dwelling. The details of servicing and delivery arrangement should be secured by a planning condition. A planning obligation £ 15, 000 should be secured

in line with the Health Street assessment. The cost for any amendment of traffic should be pay for by the developer.

Cycle parking

Dedicated and separated cycle storage areas would be provided and would comply with the London Plan requirements.

Waste storage

The Council's Waste services should be consulted regarding to the waste storage and collection details.

Should planning permission is recommended the following should be secured by a planning condition

- Parking;
- Servicing and delivery plan;
- Refused storage;
- Car park management plan.

4.2 Drainage (lead local flood authority) – No objection

The surface water drainage scheme as outline in the Flood Risk Assessment Report (prepared by Eckersley O'Callaghan dated October 2020) shall be fully carried out in accordance with the report. The development shall not commence until the detail has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off no higher than 2 litres per second as outlined in the report.

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. There are water mains crossing or close to the site. The applicant is also reminded that there are water mains crossing or close to your development. Any building over or construction within 3 metres of water mains would not be permitted.

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 9 litre/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.

The site is located within source protection zones for ground water and a source protection strategy detailing its impact during and after its construction should be submitted and approved by the local planning authority and in consultation with Thames water. 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 Greater London Authority

Whilst the application is supported in principle, the application does not currently provide affordable housing and does not comply with the Local Plan. The below issues must be addressed:

Principle of development: The principle of a mixed-use development including the retained employment floor spaces and residential units is supported in principle. However, the proposal must provide its fullest contribution to affordable housing

Housing: New housing within the opportunity area is supported. Affordable housing figures have not been provided at the beginning of the application and is wholly unacceptable. Prior to the determination, the viability report will be scrutinised by GLA viability team to ensure that a suitable affordable housing offer is achieved on site. Both early and late-stage review mechanism would also need to be secured.

Urban Design, Heritage and Views: Strategically, the overall height, size and scale of the scheme is supported. There is some concern with the overall quality of accommodation for future residents in terms of aspect, unit sizes, layout and potential exposure to noise and pollution. Additional information regarding the Fire Safety Statement must be provided prior to determination

Transport: The number of parking spaces on site must be reduced to meet the new London Plan requirement. The quantum of cycle storage is acceptable. Additional information regarding access to and from the storage areas within the basement area should be provided. Technical approval will be required from TfL and potential design changes to ensure that the integrity of the TLRN and access thereto is maintained.

Council should secure contribution towards Healthy Streets Improvements that would mitigate some of the deficiencies identified in the ATZ assessment.

Sustainability: Further information on energy, urban greening, and confirmation with compliance with air quality guidance is required.

4.5 Transport for London – No objection (original comment)

Comments on transport matters were included in the GLA Stage 1 report of 11th January 2021. The application is subject to a Stage 2 consultation with the GLA. Based on the revised scheme, TfL officers have provided the following comments:

The site lies adjacent to Kentish Way, which forms part of the Transport for London Road Network (TLRN). TfL is the highway authority for Kentish Way. Kentish Way is retained by a wall approximately 3.5 metres high along the eastern boundary of the site and TfL also own this structure.

- Trip generation and public transport impacts

The site has a wide range of public transport options commensurate with its location within a metropolitan town centre so there is unlikely to be an adverse impact on public transport capacity.

- Healthy Streets – need updates from TfL

The Mayor's Healthy Streets (HS) Approach aims to reduce vehicle dominance, improve air quality, increase walking and cycling, and make attractive places. All developments are expected to deliver improvements that support the ten Healthy Streets Indicators in line with policy T2 (Healthy Streets) of the Publication London Plan.

The submitted Transport Assessment included an Active Travel Zone (ATZ) assessment which identified some deficiencies in healthy street improvements. To address these deficiencies, the council should secure a contribution towards Healthy Streets improvements that would mitigate some of the deficiencies identified in the ATZ assessment. Ideally, these mitigation measures should complement already-planned improvements. We would recommend focussing s106 contributions on improving Elmfield Road, on the route to the station (south) and the Glades/Town Centre (north). A planning obligation of £15,000 for a Legible London sign/local sign refresh should be secured by a legal agreement. This would benefit the development by 'advertising' the commercial element, directing visitors to and from Bromley South and town centre facilities. £15,000 would allow for one new sign adjacent to the site to be provided, and a refresh of other town centre Legible London sign maps, for example at the two stations.

- Deliveries and servicing

Deliveries and servicing is proposed to be within the basement of the building and this accords with Healthy Streets and Vision Zero policies. To ensure the scheme minimises impacts upon the surrounding street network during construction and operation, a delivery and service plan (DSP), car parking management plan and travel plan should be secured, for approval by the council.

- Construction logistic plan

A detailed construction logistics plan (CLP) should also be required by way of condition/s106 obligation, to be approved by the council in consultation with TfL, due to the close proximity of the TLRN. Other licences and consents may be required from TfL as highway authority for Kentish Way and owner of the retaining wall such as crane, oversail and/or party wall agreement.

Potential Impacts of TLRN Infrastructure – pending TfL update

The site lies directly adjacent to the TLRN and associated retaining wall. Although there are no proposed changes to the TRLN retaining wall itself, the space for maintenance access will be significantly reduced as a result of the development. A staircase is proposed for the inside face of the retaining wall to bring users from basement to ground floor, although this will be fixed to the development rather than the TfL owned wall itself.

TfL has a statutory duty to maintain the TLRN and ensure that it is structurally safe for users. In this respect we require access to the Kentish Way retaining wall to allow inspection and maintenance. This should be secured by a s106 Legal Agreement and planning condition. This is the minimum distance required to allow scaffolding to be erected and associated plant to be used, Technical Approval will likely be required from TfL during demolition and construction work, to ensure the integrity of the TLRN is maintained. Planning condition meeting the following requirement should be attached

- TfL requires no less the 2.8m clearance for plant, equipment and vehicles to the 3m distance behind the wall (more specifically, to the 1.9m within the parking area, not necessarily the 1.1m directly behind the wall)
- The 1.1m directly behind the wall will not be covered/ or have any height restriction.
- The step to the 1.1m shall not exceed 0.6m

No permanent or temporary obstruction within the 3m during attendance (any removal for temporary obstruction is the responsibility of the owner It is therefore requested that Council include at least an informative, and ideally a condition, conveying this requirement on any subsequent

planning approval. The applicant should consult the TfL Structures team (StructuresTechnicalApproval@tfl.gov.uk).

- Parking

London plan Policy T6 allow a maximum of three car parking spaces for the employment floor space (including a disabled space), and two disabled spaces for the residential units, with space for five additional disabled car parking spaces to be identified should future demand dictate. Further, Policy T6.2 encourages 'car free' office developments in well-connected parts of outer London, including town centres, in close proximity to stations and in Opportunity Areas, Bromley town centre being all these.

- Cycle Parking

The proposed cycle parking spaces would be in excess of the minimum required by Policy T5 of the Publication London Plan, which is welcomed. Although the overall layout of the cycle storage is generally acceptable, the access to the office cycle storage is narrow and convoluted. A more direct access to this area should be considered. All the internal doors to the cycle stores should be powered. With regards to cycle access to the basement, details should be provided to demonstrate how the traffic light system will work for cyclist accessing the basement level and internal lifts of a sufficient size to accommodate cycles in a convenient and practical manner.

b) Local groups:

4.6 None received.

c) Adjoining Occupiers:

4.7 Fourteen (14) letters of support have been received and the grounds are summarised as below:

- The proposal would provide much needed new and good quality housing and bringing a vacant office site back into use with an improved office accommodation.
- The design of the proposal is extremely high quality and would improve the street scene along Elmfield Road assist to regenerate and attract development in town centre.
- The proposed would assist with the shortfall of housing in Bromley
- Sit and fit in well along with the newly approved development at Wells house. There is less demand for office in Bromley. There are a number of unoccupied office building being redeveloper for housing.

4.8 Eighty (80) letters of objection have been received and the grounds are summarised as below

Excessive density, height, scale and massing (Addressed in section 6.2 and 6.3)

- The height of the proposed building would be taller than the existing building and surrounding buildings including the newly approved Wells House development.
- The revised scheme remains out of keeping and excessive in term of height and scale.

Design (Addressed in section 6.2 and 6.3)

- The emerging context of the site indicated in the submitted statement is irrelevant as planning permission has not been granted.
- Design of the proposal is poor and out of keeping with its surrounding area.
- The design appears to be a 1960's Eastern Europe Development and does not fit in the existing urban grain.
- The proposal would represent an insensitive design and impact on the skyline and would be detriment to the character of the local area
- The proposal would interfere environment and harmony of the local neighbourhoods.
- The south elevation windows should be obscured glazed and external fire stair case should be sited away from the boundary.

Housing (Addressed in section 6.2 and 6.3)

- There is no need for housing and residential flats

Loss of amenities (Addressed in section 6.4)

- Violation of human rights due to privacy
- Loss of outlook and overlooking
- Impact on micro-climate, loss of sunlight, daylight and overshadowing the gardens in the Palace Estate.

Highway (Addressed in section 6.5)

- Inadequate parking spaces and result tin overspill of parking demand on the neighbouring road. Not all residential will use bicycle.

Climate change and biodiversity (Addressed in section 6.7 and 6.8)

- Loss of tree and impact on public realm.

Inadequate infrastructure (Addressed in Section 7)

- Inadequate doctor surgeries and education provisions in the area to support this development.
- Inadequate transport infrastructure.

Others (Addressed in representation summary)

- Timing of consultation is adequate and is during the pandemic and Christmas period.
- Impact on property value.

4.9 One letter of comment as follow (Addressed in addressed in Section 6.4)

- privacy screen should be installed on the proposed balconies and outdoor spaces along the south boundary. External fire stair should be removed
- Windows on the south elevation should be obscure glazed.

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
- SD8 Town centre network
- SP9 Town Centres: Local partnerships and implementation
- 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
- D13 Agent of change
- D14 Noise
- H1 Increasing housing supply
- H2 Small sites
- 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
- E1 offices
- E2 Providing suitable business space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- G9 Geodiversity
- S4 Plan and informal recreation
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- 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
- T1 Strategic approach to transport
- T2 Healthy Streets
- T4 Accessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T6.2 Office 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);
- Play 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
- 47 Tall land Large Buildings
- 48 Skyline
- 59 Public open space deficiency
- 72 Protected Species
- 73 Development and Trees
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 84 Business Improvement Areas (BIAs)
- 90 Bromley Town Centre Opportunity Area
- 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:

- Land Use
- Housing
- Design and layout
- Impact on Neighbouring Amenities
- Transport and Highways
- Biodiversity
- Energy and Sustainability
- Environmental Issues
- Flooding and Drainage
- Planning Obligations and CIL

6.1 Land Use - Acceptable

Whether the quantum of replacement office floor would be acceptable

- 6.1.1 The application site forms part of the Bromley South Business Improvement Area (BIA) in the Bromley Local Plan adopted in 2019 (BLP) and the Bromley Town Centre Area Action Plan adopted in 2010 (BTCAAP). BLP Policy 84 seeks to manage and improve the supply of high-quality office floor space in Bromley Town Centre. Redevelopment proposals resulting in the loss of office floorspace or compromising the primary function of the BIA will not be permitted.
- 6.1.2 The site comprises of a four-storey vacant office building. It was last occupied by Shaw Trust Group as an office until the consolidation of their assets commenced in 2018 and they vacated the site in 2019.
- 6.1.3 The proposal would provide 1, 759sq.m of new replacement office floor area representing an uplift of 253sq.m office space. The proposed office accommodation would be mainly located on the first and second floor with storage and meeting rooms in the basement. The proposal is designed to achieve Grade A office accommodation with improved office layout and dedicated cycle storage and shower facility for the future users.
- 6.1.4 Objections concerning the demand for the future office spaces in Bromley have been received. Undoubtedly, the London office market along with all other sectors of business and industry are facing a difficult recovery due to the pandemic, with more people working from home on a temporary basis. As such, officers consider that the long-term impact on office demand would likely to be less severe. Bromley Town Centre

remains as a prime location for office and employment. Despite the site benefiting from public transport and being within the M25 office market in London, there was a continued decline in office stock in the Borough due to a number of factors, including permitted development rights which was introduced by the Government in 2013.

- 6.1.5 The London Office Policy Review 2017 published by the GLA indicates that there was a substantial loss of office stock in Bromley between 2000 and 2016 at around 70,000sq.m. This is equivalent to 20 to 30% of the Borough's office stock. This report also indicates that there is a general burden of dated office accommodation in Bromley. This is consistent with the condition of this site and planning application records within Bromley South Business Improvement Area.
- 6.1.6 The proposal would replace the existing dated office accommodation with improved accommodation and facilities. Whilst the demand for office accommodation is fluctuated in the short-term, the improved office accommodation would ensure the competitiveness of this established office site and enable the site to remain as an office in the market at this highly sustainable location. Given that the uplift of office space would be limited to 253sq.m, it is considered that the proposal would not lead to an over-provision of office space in this instance. The proposal would replace the existing office space with high-quality office accommodation is therefore considered acceptable.

Whether the introduction of residential use would be acceptable

- 6.1.7 The site is located within an area of Town Centre characterised by larger buildings such as Bank of America, Unicorn House, Wells house and Crosby House. It is noted that the majority of the existing buildings along Elmfield Road are occupied as commercial and office uses. Crosby House and Title House on Elmfield Road are mixed use buildings with residential floor spaces. BLP Policy 84 does not preclude other proposed uses, except an Article 4 Direction removing the permitted development for change of use to dwellings. As such, it is considered that the principle to introduce residential use would not be incompatible to the prevailing uses which exist along Elmfield Road and is not unacceptable in this instance.
- 6.1.8 The design and layout of the proposal is well defined with the focus of office use at the lower levels. The main entrance to the building and the proposed office floor space would be centrally sited and facing Elmfield Road. The entrance to the residential element would be separated from the office and would be located to the side of the building. The spaces between the proposed uses are well defined. The outdoor spaces, storage facilities and activities associated to the residential uses are clearly defined or enclosed for its intended purposes. The proposed layout indicates that the proposal would not compromise the office accommodation on the lower floors. Therefore, it is considered that the

principle to introduce residential use to make more efficient use of land is supported.

6.1.9 Kentish Way (A21) is adjoining to the east of the site and the site is located within the Air Quality Management Areas. London Plan Policy D13 - Agent of Change, places the responsibility for mitigating impacts from existing noise and other nuisance generating activities or uses on the proposed new noise-sensitive development. Planning decisions are required to reflect the Agent of Change principle and take account of existing noise and other nuisance generating uses in a sensitive manner when new development is proposed nearby.

6.1.10 A land contamination, noise and air quality assessment accompany this planning application. These have been reviewed by the Council's Environmental Health division and there is no objection is raised to introduce residential use. This will be subject to the mitigation measures secured by planning conditions and these are outlined in the relevant section of this report. As such, it is considered that the introduction of residential use at this sustainable location is considered acceptable.

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 24th September 2020. The current position is that the FYHLS (covering the period 2020/21 to 2024/25) is 2,690 units, or 3.31 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.

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 61 residential dwellings and would make a considerable contribution to the achievement of the Council's housing targets. This is considered a significant benefit of the scheme.

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 requirement will be secured by way of a legal agreement should planning permission be granted.

6.2.8 BLP Policy 2 seeks 35 percent of affordable housing be provided 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 2020, the quantum of the proposed residential element has been revised to reflect the reduction of building height and revised housing mix. The proposed residential units are reduced from 71 units to 61 units. The proposal would provide 8 intermediate units and these are to be located on the entire floor on Level 3.

6.2.11 A Financial Viability Assessment (Nov 2020) and an addendum (April 2021) to reflect the amended scheme providing 8 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. 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. As such, it is considered that the level of affordable housing is acceptable in this instance.

6.2.12 Officers considered that the proposed affordable housing would contribute to the Council's affordable housing stock. The proposal would provide a total of 61 units (127 by habitable room) including 8 intermediate units (13.1 percent by unit or 12.6 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:

	Studio	1 bed	2 bed	Total (by Unit)	Total (by Habitable room)
Market	8	32	13	53	111
Intermediate	1	6	1	8	16
Total	9	38	14	61	127

Table 2. Proposed housing mix, size and tenure

6.2.13 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.

6.2.14 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 noticeable 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 proposed outdoor communal garden and child play areas on Level 2 would be accessible by all units. 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 eight 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 at 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 locations 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 Whilst there are no family units (3 bedrooms or more) provided at this town centre location, it should be noted that the proposed housing size and mix would range between studio, one and two bed units for up to 4 persons occupancy. Given that the site is located at a town centre location and the proposal would be located above an office, it is considered that proposed housing mix and tenure with a focus of 1 and 2 bed 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 make more efficient use of the land providing 61 residential units with a proportionate density of 1,110 habitable rooms per hectare (127 habitable rooms; Residential GIA 4,615sq.m; Office GIA 1,759sq.m, site area 0.158 hectare). The quantum of the proposal is considered acceptable at this town centre location. The design, layout and standard of accommodation proposed is outlined in the following section 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.

	Policy requirements	Proposed internal floor area
Studio	39sq.m	40sq.m to 43sq.m
1 bed/2 person	50sq.m	51.1sq.m to 60sq.m
2 bed/3 person	61sq.m	64sq.m to 68sq.m
2 bed 4 person	70sq.m	82sq.m to 88sq.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 six wheelchair units would be required. The proposal indicates that 6 x 2 bed wheelchair user units would be provided. Two internal lifts would be provided and would be accessible to all floors including the communal outdoor garden area on Level 3. Residential disabled persons spaces would also be provided in the basement car park. 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 The proposed residential units would all 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.

	Policy requirements	Proposed balcony
Studio	5sq.m	5 to 6sq.m
1 bed/2 person	5sq.m	7sq.m to 10sq.m
2 bed/3 person	6sq.m	7sq.m to 12sq.m
2 bed 4 person	7sq.m	12sq.m to 13sq.m

Table 4. Proposed balcony size and requirement.

Communal garden

6.2.30 Communal spaces should be designed to be safe, accessible, inviting and well used, without the fear of crime. It should encourage an appropriate sense of ownership and should be managed to ensure that it remains useful and welcoming to all users.

6.2.31 In addition to the private balcony, a communal residential garden measuring approximately 145sq.m and a child play area with child play equipment measuring approximately 145sq.m would be provided on Level 2. The proposed communal residential garden area would be landscaped with planting and an outdoor seating area for the future residents. The proposed soft landscaping would assist to reduce the degree of heating of the urban environment. It is considered that the proposed communal outdoor space would provide a good quality living environment for the future occupiers.

Child play

6.2.32 London Plan Policy S4 states that development proposal that are likely to be used by children and young people should:

1) increase opportunities for play and informal recreation and enable children and young people to be independently mobile;

2) for residential development, incorporate good-quality, accessible play provision for all ages. At least 10 square metres of play space should be provided per child.

6.2.32 The London Mayor's Shape 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 estimated child yield of this proposal would be 7.4 child. The proposal is designed to provide on-site door step play space for the future occupiers with an area which measures 145sq.m floor area. This is in addition to the proposed communal garden and would also be located on Level 2. Subject to a planning condition securing the details of play equipment focusing on ages between 0 to 4 years old and 5 to 11 years old including its maintenance of the facilities, it is considered that the proposal would provide a good quality living environment and play space for the future occupiers.

Dual Aspect

6.2.34 Natural light is vital to a sense of wellbeing in the home and this may be restricted in densely development parts of the city. Dual aspect development should be encouraged and single aspect north facing unit should be minimised in line with Standard 29 of the London Housing SPD.

6.2.35 The revised internal layout places the larger units at a higher priority with 79 percent of the two bed units achieving dual aspect. Whilst the proposal would provide 35 single aspect units, it should be noted that the revised internal layout is designed to ensure there are no single aspect north facing units and main habitable room windows would be facing Elmfield Road or Kentish Way. This is to ensure all habitable room windows would not be reliant upon the neighbouring land for their natural sunlight, daylight and overlook. As such, it is considered that the design of the internal layout is acceptable and would provide a good quality living environment for the future occupiers.

Secured by Design

6.2.36 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).

6.2.37 The proposed layout is designed with clear route and uses of spaces are well fined. 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

6.2.38 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.

6.2.39 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 of a taller building

6.3.1 London Plan Policy D9 states boroughs should determine if there are locations where tall buildings may be an appropriate form of development.

6.3.2 Bromley Town Centre is a Metropolitan Town Centre in the Borough 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.

6.3.3 The site is located on the edge of the town centre. Whilst the site is neither allocated nor identified for tall buildings in the Bromley Town Centre Area Action Plan and Bromley Local Plan, the building typology within the Bromley South Business Improvement Area is distinct from the buildings located along Bromley High Street to the west of the site and the domestic suburban houses outside Bromley Town Centre

boundary beyond Kentish Way. The immediate area of the site is characterised by sizeable buildings in larger plots. There is also a general focus of office and commercial activities at the street level. The existing buildings located on the western side of Elmfield Road are relatively more significant in size and scale. The existing buildings on the eastern side of Elmfield Road range between four to five storeys in height and form a transition towards the domestic houses beyond Kentish Way. Planning permission was granted for the redevelopment of the adjoining site (Wells House) for a part 7 and part 8 storey office building.

- 6.3.4 The height of the proposed building has been reduced to 10 storeys, and is of a comparable height with the Bank of America building located opposite to the site and the approved office development at Wells House. Given its town centre location, it is considered that the principle for a taller building is acceptable.

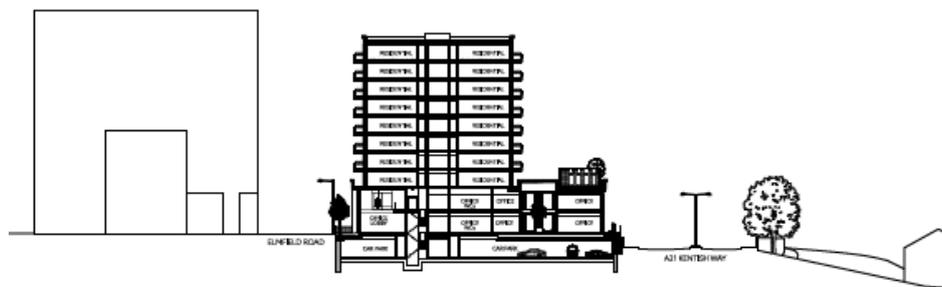


Fig 2. Section drawing – across Elmfield Road and Kentish Way.

Form and layout

- 6.3.5 The form and layout of the proposal is designed to integrate with the prevailing character of its immediate area. The proposed office accommodation would occupy the prominent part of the building with a double height commercial and active appearance at the street level. Whilst the proposed front building line would be closer than the existing building to Elmfield Road, it should be noted that the proposed office entrance would be centrally sited and the proposed front building line would be staggered and set away from the road. New planting would be introduced between the front of the building and the road and this would ensure adequate space can be maintained towards Elmfield Road.
- 6.3.6 The access to the site is via Elmfield Road and identical to the existing arrangement. The rear elevation of the building would be highly visible from Kentish Way. The proposed residential and office outdoor spaces are designed to incorporate planting and soft landscaping. This part of the proposal would positively improve the appearance of the site when viewed from Kentish Way. Overall, it is considered that the proposed

layout arrangement is considered to respond appropriately to the site's context and constraints.

Height, scale and massing

6.3.7 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.

6.3.8 The proposed building would be located near to an existing cluster of tall buildings along Elmfield Road. Unicorn House and Bank of America are office buildings up to 10 storeys in height. Elizabeth Wheeler House is a residential block above a commercial multi-storey car park and comprises of 13 floors. The proposed building would be 10 storeys in height and measures approximately 32 metres from Elmfield Road. Whilst the height, scale and massing of the proposed building would be significantly greater than the existing building, it should be noted that the proposal has been reduced in terms of height and would be more comparable to the existing development along Elmfield Road including the approved/emerging context along Elmfield Road. The width of the proposed from the proposed second floor is also reduced. The rear of the proposed residential units would be positioned between 18.5 and 20 metres away from Kentish Way. It is considered that the revised proposal would be of a size and scale compatible to its surrounding area.



Fig. 3 Proposed East elevation facing Kentish Way

Design and appearance

- 6.3.9 The architectural language and style of the proposal is inspired by the vibrant architectural building style in Bromley Town Centre including the Art Deco buildings along Bromley High Street. The colonnade double height glazed office at the entrance and first floor would echo the commercial and business environment in the area. The proposed car park would be located in the basement which removes cars from the street level.
- 6.3.10 The applicant considered that Art Deco buildings are mostly symmetrical in style and focus on horizontal bands. The typical features of Art Deco apartment blocks also present a curved or square corner with balconies with curved bay windows. The residential elements on the upper floors would represent a contemporary and distinguishable architectural feature on Elmfield Road. The proposed architectural treatment of the residential element provides a well-balanced approach which focuses on horizontal banding with a clear vertical rhythm. The corner of the residential element is designed with receding balconies or staggered building lines which add to the interest of the proposed building.
- 6.3.11 Overall, the proposed architectural approach is considered to be acceptable and would positively integrate with the surrounding area.

Material palette

- 6.3.12 The proposed external materials for the colonnade plinth columns on the ground and first floor would mainly comprise of precast concrete and clear glazing. The external walls of the building would be mainly made of pale grey toned brick and light cream toned precast concrete for the horizontal banding balconies. The balustrades of the balconies would be of metal with a brushed nickel finish. Subject to the full specification and performance details of the proposed external materials including the windows and doors, it is considered that the proposed material palette would be acceptable.



Fig 4. CIG – Proposed front elevation



Fig 5. CIG – Rear elevation at Level 2

Skyline and impact

6.3.13 London Plan Policy D9 states that development should address the long-range, mid-range and immediate visual impact. Tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding. 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. The site is not designated or located near to any identified strategic or local view in the London Plan, Local Plan or Bromley Town Centre Area Action Plan (BTCAAP). The nearest local view of local importance in the BLP and BTCAAP is the view of Keston Ridge from southern section of Bromley High Street.



Fig 6 Key views in BTCAAP

6.3.14 An updated townscape and visual impact assessment including a total of 13 long-range, mid-range and immediate viewpoints is submitted. Policy D9 states the immediate view to show the impact of the surrounding streets and attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.



View 1 Outside Wells House, Elmfield Road



View 2 Outside Crosby House, Elmfield Road

- 6.3.15 The immediate views above indicates an active and commercial frontage would be maintained at street level. The immediate surrounding properties are between 4 to 10 storeys in height. It is considered that the proposal is designed to respond to the setting and the emerging context of the immediate area along Elmfield Road.
- 6.3.16 Policy D9 states that mid-range views should focus attention on the form and proportions of the building and make a positive contribution to the local townscape in terms of legibility, proportions and materiality.
- 6.3.17 The proposal would be visible from the Palace Estate and the surrounding neighbourhoods. The mid-range and long-range views indicate that the visual impact would be relatively more prominent as illustrated in View 4 and View 7. However, these views are not considered particularly sensitive and would not have an impact on any protected views or landmarks as defined in the BLP. It should be noted that View 6, 8 and 12 demonstrate that the proposal building would be seen together as a cluster with the existing tall buildings along Elmfield Road. As such, the impact on the skyline is considered to be low.



View 4



View 7: Junction of Palace View and Rafford Way



View 6 Outside No.74 Palace View



View 8 Kentish Way



View 12 Car park adjacent to Bromly South Station

6.3.18 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:

- View 5: Junction of The Chase and Murrey Avenue
- View 10: Outside No.15 Ravensbourne Road
- View 11: Queensmead Recreation Ground

6.3.19 In summary, the visual assessment indicates that the proposal would not have a high level of impact in terms of the local views and landmark buildings, identified in the BLP and BTCAAP. The level of visual effects and impact upon the skyline is considered to be moderate when viewed from the surrounding neighbourhoods. However, the proposal would be adjacent to an existing cluster of buildings with a building portion

comparable to its immediate surroundings. The impact on skyline is therefore considered acceptable.

6.4 Impact on neighbouring amenities – Acceptable

- Sunlight and daylight

6.4.1 Development should 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 surroundings. The BRE Guide states that the amount of daylight (VSC) and its distribution (NSL) are important. The reductions in daylight would be noticeable to occupiers if the VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value.

6.4.2 The BRE Guide states that sunlight availability would be adversely affected if the centre of a window receives less than 25% of annual probable sunlight hours or less than 5% of probable sunlight hours between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year of over 4%. BRE guidance suggests that for a space to appear sunlit throughout the year, at least 50% of the amenity area should receive at least 2 hours of direct sunlight on 21st March. It states that the “availability of sunlight should be checked for all open spaces”, which usually includes gardens, sitting-out areas, parks or playgrounds.

6.4.3 Crosby House and Title House are residential and mixed-use buildings located approximately 62 metres north and 81 metres south from the application site. Due to the location and distance between the site and these buildings, it is considered that the proposal would not have an adverse impact upon the residential units in terms of sunlight or daylight.

6.4.4 No. 1 to No. 15 Rafford Way are the nearest residential properties and the rear habitable room windows would be affected by the proposal. A sunlight and daylight assessment has been carried out which indicates that the proposal would result in a minor reduction of daylight and sunlight. The result indicates that there are no habitable room windows that would be below its former value in excess of 80 percent and a good level of daylight and sunlight can be maintained. In line with the BRE guidance, it is considered that the proposal would not have a material impact in terms of the living conditions of the neighbouring properties.

6.4.5 The application site is located to the west of the houses on Rafford Way and overshadowing would occur from 3pm. The BRE Guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March. The sunlight and daylight report indicates the overshadowing impact to the rear gardens of the

houses are limited as none of the houses would have less than 50 percent of the garden below two hours of sunlight on 21st March. As such, it is considered that the proposal would not significantly overshadow the rear gardens of the houses on Rafford Way and an acceptable level of amenity can be maintained.

- Outlook and privacy

6.4.6 The suburban houses in the Palace Estate are located to the east of the site beyond Kentish Way adjoining to Bromley Town Centre and the ground level of the houses on Rafford Way are lower than Kentish Way. Objections are received on the grounds of loss of outlook, increase sense of enclosure and privacy as the proposal would introduce new residential windows and balconies. It is noted that the existing use is office, with no residential windows or balconies facing the Palace Estate at present. As such, it is considered that the proposal would have an impact on the perception of overlooking, outlook and privacy. However, consideration should be given to the distance between the proposed residential element and the houses beyond Kentish Way. The proposed residential windows and balconies would be positioned between 45 and 49 metres from the rear boundary of the houses on Rafford Way. The distance between the rear walls of the buildings would be up to 70 metres. Given that the site is located within Town Centre and the distances between the buildings, it is considered that a good degree of privacy can be maintained between the building and the proposal would not lead to a significant loss of privacy or loss of outlook which would warrant a refusal.

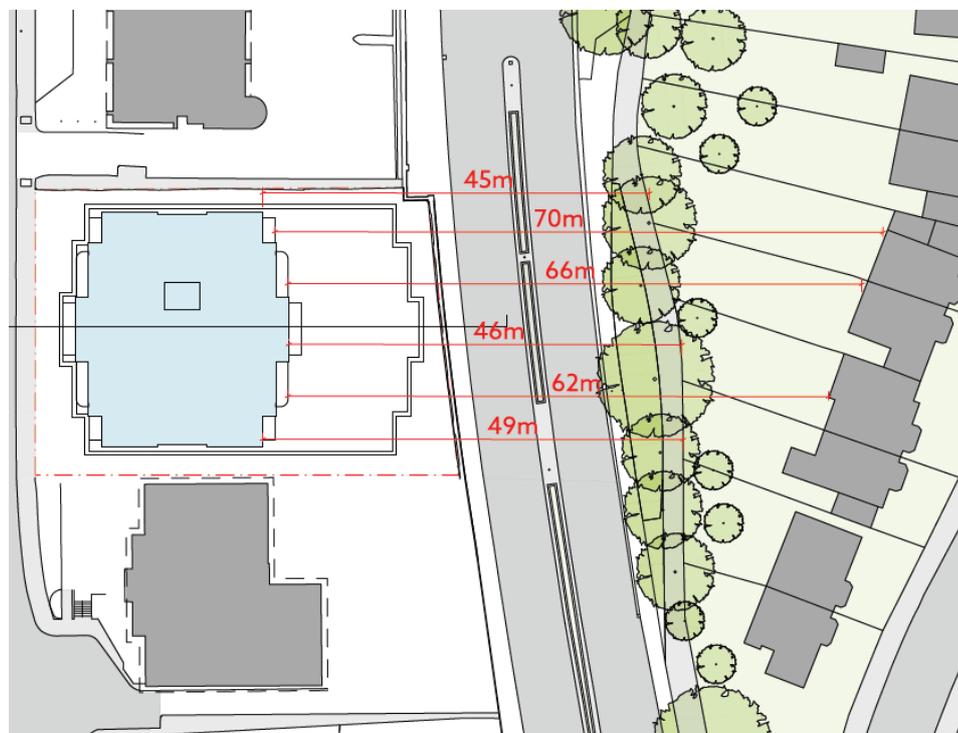


Fig 7: Distances to the houses on Rafford Way

6.4.7 Furthermore, it should be noted that there is an avenue of trees along or near to Kentish Way which offers a degree of screening. As such, it is considered that a good degree of privacy would be remained and the impact on residential amenities is considered acceptable.



Picture 1: Picture in Design and Access statement taken from Prospects House in November 2019.

6.4.8 A comment was received regarding to the proposed side windows, balconies and outdoor spaces along the southern boundary. It should be noted that the main habitable room windows including the positioning of balconies are all directed to the west or east. The proposed building is located to the north of Kingfisher House. Due to its siting, orientation and layout of the proposed units, it is considered that the proposal would not give rise to unacceptable level of privacy or prejudice any future development along Elmfield Road which may come forward.

- Wind assessment

6.4.9 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.

6.4.10 The result indicates that the wind condition around the proposed development is expected to be suitable for its intended pedestrian uses. The balconies to the west and south-east corner on and above 7th floor are expected to be windier than desired. It is therefore recommended that a solid balustrade and side screen of at least 1.1 metres high should

be included for the balconies. Subject to the details of the balustrade, it is considered that the proposal would be acceptable.

6.5 Transport and Highways - Acceptable

6.5.1 Elmfield Road is a one-way road located within Bromley Town Centre Controlled Parking zone which operates between 8am to 8pm on Monday to Saturday and 10am to 5pm on Sunday with a maximum stay of 2 hours. There are on-street parking bays outside the application site and along Elmfield Road.

Access

6.5.2 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.

6.5.3 The residential and office access including the vehicular access to the basement car park would be located at the street level facing Elmfield Road. The existing vehicular access to the site would be utilised providing access to the basement car park with 11 parking spaces. There are no pedestrian, cycle or vehicle access from Kentish Way (A21). Vehicles will access the basement car park via a gated ramp. The ramp will operate on a traffic light with a stop line provided within the basement to regulate the flow of vehicles using the ramp. The ramp will accommodate one vehicle at a time.

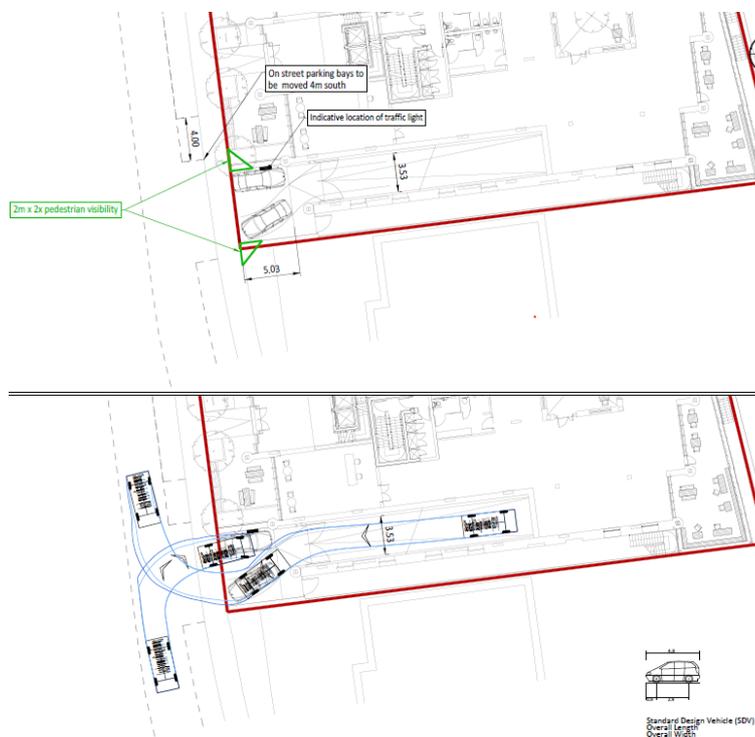


Fig 8 .Swept path analysis and location of traffic light system at street level.

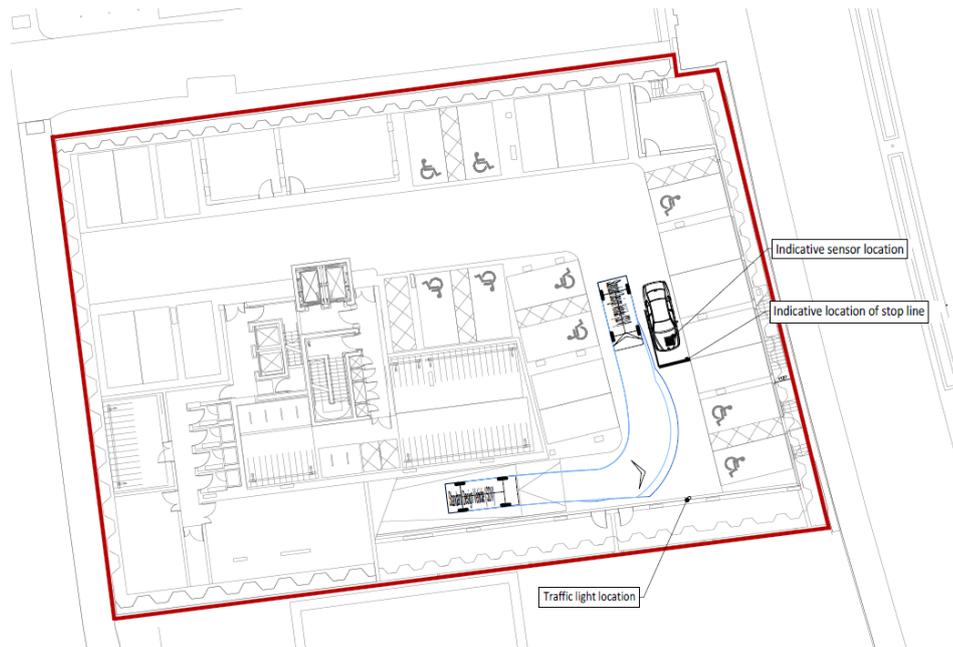


Fig 9. Swep path analysis and location of traffic light system at basement level.

6.5.4 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 - residential

6.5.5 The London Plan states new development in Town Centre should be car free, with adequate level of disabled residential parking spaces. Officers consider that car-free development should be the starting point for development located in the town centre as the site is well-connected by public transport.

6.5.6 London Plan Policy T1 states that 80 percent of all trips in London should be made by foot, cycle or public transport by 2041. 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 of the London Plan sets 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.

6.5.7 London Plan Policy T6.1.G states that residential disabled persons parking should be provided at grade. A minimum of 3 percent disabled parking spaces should be provided from the outset and the proposal should demonstrate how the proposal could provide the remaining 7 percent disabled parking spaces as part of the parking design and management plan, should demand arises.

6.5.8 The proposal would intensify the use of the site with a net increase of 61 residential units and an uplift of office floor space. The proposal would provide a total of 11 parking spaces including 6 residential parking spaces (equivalent to 5.5%) from the outset and 5 enlarged spaces. The enlarged parking spaces are designed to accommodate the needs of the future wheelchair users/disabled person associated to this development, should there be a demand arising from the development. 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

6.5.9 The Council's highway division considers that the reduction of parking spaces is regrettable and consider that Bromley town centre is expected to grow and a balance should be struck to meet the competing needs of the population. However, as explained above in a location such as this car free is the policy compliant position...

6.5.10 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;

6.5.11 London Plan Policy T2 requires development proposal to demonstrate how they will deliver improvements that support the Healthy Street indicators in line with the Transport for London guidance, reduce the dominance of vehicles on London's streets whether stationary or moving, be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport.

6.5.12 As part of the transport assessment, a healthy street assessment is provided which identified some deficiencies in healthy street improvements. Transport for London have advised that the route to Bromley South station (southern end of Elmfield Road) and the route to the town centre (northern of Elmfield Road) can be improved and a contribution should be secured to improve the walking environment along Elmfield Road. A £15,000 planning contribution towards way finding and other town centre legible London sign maps should also be secured by a s106 legal agreement.

6.5.13 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 11 active electric charging points would be provided for all the disabled and enlarged parking spaces in the basement. A condition would be attached to ensure the delivery of these provisions.

6.5.14 This revised proposal indicates that adequate disabled parking spaces would be provided from the outset exceeding the minimum requirement. A further 5 disabled parking spaces may be required, and the proposed basement plan indicates that this provision can be achieved 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. In view of the new London Plan Policy requirements and the proposed mitigation measures, it is considered car-free development should be supported.

6.5.15 In summary, the site has an excellent accessibility rating 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

6.5.16 London plan Policy T5 states proposals 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.

6.5.17 The proposal is required to provide a minimum of 94 long stay cycle storage and 3 short stay cycle storage spaces for the residential element, 24 long stay and 4 short stay for the office element. The proposal would provide 124 residential cycle storage spaces and 30 office storage spaces and would comply with the policy requirement. The details are outline as follow:

	Long Stay	Short Stay	Minimum requirement in total	Proposed spaces in total
Business Office	1 space per 75sq.m	First 5,000sqm: 1 space per 500sq.m.	28	30
Residential	1 space per studio or 1 person	First 5 to 40 dwellings: 2 spaces. Thereafter:	97	124

	1.5 spaces per 2 person 1 bed dwelling.	1 space per 40		
	2 spaces per all other dwellings			

Table 4. Cycle storage requirements

Servicing and delivery

6.5.18 The transport assessment indicates that the future servicing and delivery to the site can take place within the basement car park for Transit-style vehicles. If these require longer durations of stay, these can be accommodated in the two enlarged spaces in the car park. The Council’s highway division has raised no objection to this element of the proposal and consider that the details of servicing and delivery arrangement should be secured by a planning condition.

Waste storage

6.5.19 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.

6.5.20 The waste storage area for the residential element would be separated from the business storage area. Commercial waste would be privately collected, and it is considered that a waste strategy confirming its collection arrangement should be secured by a planning condition.

6.5.21 The residential waste storage area would be located on the ground floor and approximately 12 metres from the Elmfield Road with a floor area capable to accommodate 11 x 1100 litre non-recycle bins, 11 x 240 litre bottles and 11 x 240 litre of paper bins. Officers note that the back wall of the proposed storage area would be over 18 metres from the road. Whilst the proposed layout has been updated to ensure the residential storage area can be positioned closer to the highway without compromising the active frontage of the building, officers considered that a waste strategy covering the measures to assist waste collection on collection dates and management responsibility 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.

6.6 Trees

6.6.1 Trees play an important role within the urban environment. London Plan Policy G7 states development proposal should ensure that wherever possible, existing trees of value are retained. BLP Policy 73 states new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interest of visual amenity and/or wildlife habitat.

6.6.2 An Arboricultural Impact Assessment is submitted which indicates eighteen individual trees and a collection of ornamental shrubs would be removal. The southern-eastern boundary of the site is occupied by a low-quality collection of Lawson Cypress and a single Lime Pollard (T1 to T13). Whilst these trees collectively provide a large area of canopy cover, they are considered to represent unremarkable examples of their type. The Cypress have established large crowns as a consequence of lapsed hedge management and have reached a size whereby intervention will be necessary withing the foreseeable future to manage them within their current setting. The northern boundary of the site features an early mature Lime tree, early mature Ash and two self-seeded early mature Sycamore (T16 to T19) and these trees present a moderate quality examples of their type. There is an early mature English Oak (T15) of moderate arboriculture quality adjacent to the site's frontage.

6.6.3 The condition of the trees/shrub to be removed are as follow:

Category A	Category B	Category C
N/A	T15 English Oak T16 Lime T17 Ash	T1 to T12 Lawson Cypress T13 Lime T18 to T19 Sycamore G1 Mahonia, Lonicera, Pyracantha

6.6.4 The proposal would result in the loss of moderate quality trees which cannot be directly migrated for in the short-term. New planting would be introduced along the front of Elmfield Road. The proposed communal garden and child play area is also designed compensate the loss of plantings. An indicative landscaping plan is submitted which indicates that the proposal can accommodate a quantum of replacement planting within the site. The Council's tree officers have advised that there are no tree protected under tree preservation order. Subject to the details of a landscaping plan confirm the sizes, species and type of the replacement tree and a detailed arboriculture method statement be secured by a planning condition, the proposal is considered acceptable.

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 A preliminary ecological appraisal is submitted which considers any likely impact of the scheme upon protective species including bats. This town centre site is occupied and surrounded by built development and is not located within or adjacent to any statutory or non-statutory designed sites. Beckenham Place Park is the nearest Local Nature Reserve located approximately 2.3 km to the north west of the site. Bromley Civic Centre Grounds located approximately 125m north east from the site is the nearest non-statutory designated site comprising a range of wildlife habitat including ponds, woodland and meadows.

Bats

- 6.7.3 The site including the internal and external condition of the building have been surveyed. The external features of the building are considered to be in good condition with no substantial crevasses or voids present considered to be of potential value to roosting bats. The trees at the site were assessed for their suitability to support roosting bats based on the presence of features such as holes, cracks, splits, or loose bar. There were no features considered suitable to support roosting bats identified during the survey work undertaken. The proposal is considered to be of negligible value to foraging and commuting bats.

Other protected species

- 6.7.4 The stie is largely dominated by buildings and hardstanding with secondary habitat such as ornamental planting and ruderal vegetation. The site is deemed to have negligible potential to support badges, invertebrates, hedgehog and flora.

Biodiversity enhancements and urban greening

- 6.7.5 London Plan Policy G5 states major development should contribute to the greening of London including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping, green roofs, green wall and naturel- based sustainable drainage. The London plan recommends a target score of 0.4 for developments that are predominantly residential, and a target score of 0.3 for predominantly commercial development. London Plan Policy G6 states development should manage impacts on biodiversity and aim to secure net biodiversity gain.
- 6.7.6 The biodiversity enhancements as part of this proposal include the provision of a green roof at roof level, outdoor communal garden and child play area with landscaping at Level 2, replacement trees facing Elmfield Road at ground level and installation of a mixture of bat boxes,

bird boxes and swift nest bricks. The bat and bird boxes should be installed at a height of 3 metres or more or at eaves height. The proposal would also achieve an Urban Greening Factor of 0.41 which satisfies the minimum recommendations for both residential and non-residential elements.

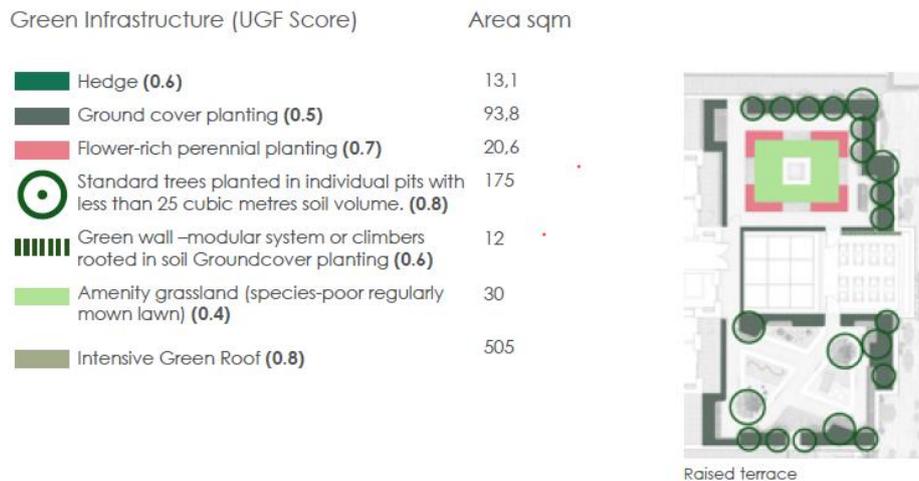


Fig 10. Urban Greening Factor

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.

6.8.3 London Plan requires a net zero-carbon target for all new major developments with at least a 35% on-site reduction beyond Part L 2013 of the Building Regulations. Under the Be Lean measures, 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.
- 6.8.4 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.
- 6.8.5 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 performance and insulation, minimising thermal bridging, 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.
- 6.8.6 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. A dedicated plant room is provided in the basement for future connection when this technology became available in the area.
- 6.8.7 Under "**Be Green**" category, a range of on-site renewable energy technologies. It is considered that the use of air source heat pumps, central communal heat pumps and solar photovoltaic (PV) would be the most feasible option for this site as the development comprises of both residential and commercial space which requires active cooling.
- 6.8.8 The air source heat pumps would operate by extracting heat energy from the surrounding air and transferring that energy in the form of higher-grade heat into the building using under floor heating or radiator systems or through an all-air system. A central communal heat pumps system will provide spaces heating and hot water to the residential floor spaces. A total of 88 solar panel (1m x 1.6m) covering approximate 140sq.m metres of the roof space are proposed to achieve the required standard (over 25, 000kWh/a).

Residential

- 6.8.9 The updated energy assessment indicates that the total regulated on-site carbon saving for the residential element would achieve 28.3 percent (27.6 tonnes) carbon saving against Part L 2013 of the Building Regulations Compliant Development. There is a shortfall of 51.7 percent (29.6 tonnes) and a planning contribution of £ 84,255 would be secured by a legal agreement. The breakdown is as follows:

- On site regulated carbon dioxide emissions (Building Regs 2013 Compliant Development) = 57.2 tCO₂ per annum
- Proposed on site reduction of carbon emissions from energy demand/CHP/renewables = 27.6 tCO₂ per annum
- On site shortfall = 29.6 tCO₂ per annum
- Payment-in-lieu amount calculated as 29.6 (tCO₂) x £95 (per tCO₂) x 30 (years) = £84,255

Office

6.8.10 The proposed office element would achieve 46 percent (35.6 tonnes per annum) carbon saving against Part L 2013 of the Building Regulations Compliant Development. There is a shortfall of 36.4 percent (8 tonnes) and a planning contribution of £39, 921 would be secured by a legal agreement. The breakdown is as follows:

- On site regulated carbon dioxide emissions (Building Regs 2013 Compliant Development) = 22 tCO₂ per annum
- Proposed on site reduction of carbon emissions from energy demand/CHP/renewables = 8 tCO₂ per annum
- On site shortfall = 14 tCO₂ per annum
- Payment-in-lieu amount calculated as 14 (tCO₂) x £95 (per tCO₂) x 30 (years) = £39,921

6.8.11 The Council's Energy officer has been consulted and no objection is raised to the proposal and recommended the total carbon offsetting payment of £124, 176 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.

Overheating

6.8.12 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.

6.8.13 An overheating analysis assessed against standard CIBSE TM59 - overheating test for residential is provided. The results indicate that the proposed residential units would comply with the guidance with limited south facing glazing and thermal mass. It is noted that the proposed glazing g-value at 0.6 is high and officers considered that the details and specification of the glazing achieved a g-value of 0.6 should be provided and an updated overheating assessment should be secured by a planning condition.

Water infrastructure

6.8.14 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.

6.8.15 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 which means the site is located within an area that has been declared for exceedance of the annual mean Air Quality Objectives for nitrogen dioxide (NO₂). An air quality assessment is submitted which assess the likely effects of the proposals for the proposed end-users, and to assess potential impacts as a result of the development.

- 6.9.4 Kentish Way is adjoining to the east of the site. Dispersion modelling indicates that annual mean pollutant levels across the application site were below the relevant air quality objectives. The location is therefore considered suitable for the proposed uses without the implementation of protective mitigation techniques. The assessment also indicates the proposal would not have an adverse impact on air quality, except during the construction period. A range of mitigation measures is outlined in the construction and management plan aiming to minimise or reduce dust would be required and implemented during demolition and construction stages.
- 6.9.5 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 plan and in line with the Council's Control of Pollution and noise from demolition and construction site code of practice 2017.
- 6.9.6 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 NO₂ and PM₁₀ (particles with a diameter up to 10µm) and PM_{2.5} (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

- 6.9.7 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.
- 6.9.8 A noise impact assessment is submitted which indicates that insulation, glazing and ventilation system would be required and employed to ensure the quality of living environment and compliance with the British Standard BS8233:2014. Plant rooms would be mainly located in the basement and Level 3.

6.9.9 The Council Environmental Health were consulted and considered the proposed measures would be acceptable. The details and specification of any external plant, equipment, insulation, glazing and ventilation strategy should be secured by a planning condition. An updated noise assessment to verify the internal and external noise levels in accordance with the BS8233:2014 should also be secured by a planning condition,

Land Contamination

6.9.10 In accordance with BLP new development of contaminated land, or land suspected of being contaminated is proposed, details of site investigation and remedial action should be submitted. A Phase 1 Geo-Environmental Assessment has been reviewed by the Council's Environmental Health, Subject to the details of Phase 2 assessment including site investigation works and sampling in consultation with Environmental Health, the proposed is considered acceptable and these details will be secured by a planning condition.

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 located within Flood Zone 1 where the probability of river or sea flooding is less than 0.1% (1 in 1000) chance in any given year as defined by the Environment Agency. A Flood Risk Assessment is submitted which indicates that the site is located within an area subject to the low risk of surface flooding. A surface water drainage strategy has been designed in line with the most recent EA Climate Change Guidance to consider and manage the impact of a 1 in 100 year plus 40% climate change rainfall. The surface water will be accommodated within the site and therefore prevent potential exceedance flows off-site.



Fig 11. Surface Water Flood map

- 6.10.3 The existing site is extensively cover by hardstanding and surface working is collected to the existing drain network.. The ground levels of the site varying from 57.57 AOD on the north western boundary, to 53.54m AOD on the east boundary of the site.
- 6.10.4 The proposed drainage strategy indicates that the surface water from the site will be discharged to a proposed underground cellular attenuation tank with a surface water storage capacity of 117 cubic metres. The post development discharge will be restricted to a rate of 2 litre/second which represent a 73 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 drainage strategy works be implemented, ground water source protection strategy and a pilling method statement be provided in consultation with Thames Water. Subject to the conditions and informative, it is considered that the proposal would be acceptable with regards to the surface water run-off and drainage.

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 and formal approval by Full Council, the Bromley Local CIL will be adopted on the 15th June 2021 and will apply to any development determined on or after 15th June

2021. CIL payments will also replace some contributions outlined below such as health and education after this date.

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 £ 56,372.76;
 - Health: £ 80, 764;
 - Energy £ 124,176;
 - Health Street improvement imitative £15,000;
 - Signage and wayfinding £15,000;
 - Affordable housing: 8 intermediate units;
 - Early and late stage affordable housing viability review;
 - TfL access right to Kentish Way for maintenance;
 - 2 Year car club members and a minimum of 20 hours of free dwelling time per dwelling;
 - Removal of rights for resident's permit;
 - Amendment of traffic order; 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 design of the proposal is influenced by the existing Art Deco style buildings on the High Street. The proposal has been subject to a design review process resulting in a reduction of building height, massing, scale and layout. The design quality of the proposal reflects the role of this designated site as Business Improvement Area in Bromley Town Centre. The proposed building would echo the building typology along Elmfield Road with a cluster of buildings up to 10 storeys in height.
- 8.2 The internal layout demonstrates adequate and accessible internal living and external communal outdoor and child play area including a good range of housing size between one to four persons. The proposal would maintain an acceptable level of sunlight and daylight and would have a limited impact on the neighbouring residential amenities in terms of privacy and outlook. 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.

- 8.3 The proposed new office accommodation would strengthen the competitiveness of the site and provide an improved office environment in Bromley Town Centre. This application includes the provision of 61 residential dwellings including 8 intermediate dwellings and this would represent a significant contribution to the supply of housing within the Borough and optimist the potential of the site. The proportion, scale residential density of the proposal would be intensified which reflects the role of this designed town centre site.
- 8.4 Whilst the proposal would have an impact on suburban houses beyond Palace Estate, the planning merits arising from this proposal would significantly outweigh the impact arising from this proposal. 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.
- 8.5 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. TfL Infrastructure Protection Agreement, in accordance with National Standards (CG 300 -Technical approval of highway structures).
4. Slab level

5. Construction and Environmental Management Plan
6. Ground water source protection strategy
7. Phase 2 Land contamination assessment
8. Pilling method statement
9. Arboriculture method statement

Above Ground Construction Conditions:

10. External materials including balcony balustrade
11. Energy Assessment including g-value of glazing, specification implementation and maintenance of the air source heat pumps.
12. Green roof
13. Hard and soft landscaping
14. Child Play and strategy and management plan
15. Mechanical ventilation details
16. Fire statement including Part B5 of Building Regulations Approved Document B
17. Water infrastructure
18. Energy Statement including Be Seen measure and BREEAM excellent rating for commercial element
19. Noise assessment including specification of glazing, balcony screen and all internal and external plant.

Prior to occupation conditions:

20. Car park management plan
21. Servicing and delivery plan
22. Refuse strategy and management
23. TfL access rights
24. Wheelchair units
25. Electric charging points (active)
26. Secure by Design
27. Travel plan
28. Swift nest bricks, bird and bat boxes

Compliance conditions:

29. Air quality assessment
30. Surface Water Drainage
31. Parking spaces
32. Cycle storage
33. Affordable Housing
34. Hardstanding for wash-down facilities for construction vehicles
35. All Non-Road Mobile machinery to comply with relevant emissions standards
36. Parking spaces
37. Use of the office floor space as office Class E(g)(i) only
38. Removal of PD right for upward extensions and change of use on the ground floor.
39. TfL Access rights for maintenance

Informatives

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