

<b>Committee Date</b>	20/05/2021	
<b>Address</b>	56 Bourne Way Hayes Bromley BR2 7EY	
<b>Application number</b>	<b>20/04226/FULL1</b>	<b>Officer: Jessica Lai</b>
<b>Ward</b>	Hayes and Coney Hall	
<b>Proposal</b>	Demolition of the existing club house buildings, erection of a part four and part five storey building to provide 32 residential flats comprising of 13 x 1 bed and 19 x 2 bed with 23 parking spaces and enabling the approved redevelopment of Track Pavilion, Norman Park, Hayes Lane to provide a part single and part two storey multi-sports facility and associated works under planning reference (ref: 18/01660/FULL1).	
<b>Applicant</b>	<b>Agent</b>	
Mr J Stocks Bromley South Ltd Danesway House 3 Danesway Oxshott Surrey KT22 0LU	Mr David Marsh Concept Architects 75 Fernlea Road London SW12 9RP United Kingdom	
<b>Reason for referral to committee</b>	Major application outside delegated authority.	<b>Councillor call in</b> No

<b>RECOMMENDATION</b>	<b>PERMISSION SUBJECT TO S106 LEGAL AGREEMENT</b>
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<p><b>KEY DESIGNATIONS</b></p> <p>Biggin Hill Airport Safeguarding Area of Open Space Deficiency London City Airport Safeguarding PTAL 3</p>
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<b>Vehicle parking</b>	Existing number of spaces	Total proposed spaces	Difference in spaces (+ or -)
Parking spaces	Undefined	23	23
Wheelchair accessible car spaces	N/A	4	+4
Cycle	N/A	78	+78

<b>Electric vehicle charging points</b>	5 active charging points
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<b>Use</b>	Existing	Proposed	Difference (+ or -)
Club and coach house	478sqm	0sq.m	- 478sq.m
Dwellings	0sq.m	3,073sq.m (GIA) or 32 units	+ 3,073sq.m (GIA) or 32 units

<b>Representation summary</b>	<p>Neighbouring consultation letters were sent on the 8<sup>th</sup> December 2020. A 14 days re-consultation letters were sent on the 1<sup>st</sup> April 2021.</p> <p>A site notice was displayed on the 4<sup>th</sup> January 2021. The application was also advertised in the press on the 30<sup>th</sup> December 2020.</p>
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<b>Total number of responses</b>	240
<b>Number in support</b>	23
<b>Number of objection</b>	217

<b>Section 106 Heads of Term</b>	<b>Amount</b>	<b>Agreed in Principle</b>
<b>Education</b>	£ 62,179.64	Yes
<b>Health</b>	£ 48, 832	Yes
<b>Energy</b>	£ 52, 497	Yes

<b>Child play</b>	£12, 800	Yes
<b>Early and late stage review mechanism</b>	N/A	Yes
<b>Total</b>	<b>£ 176, 309</b>	

## **SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle to redevelop this previously developed land to provide housing and utilising the existing access road to provide housing and access to the residential car park is supported.
- The proposal would not result in loss of a community service in the local area as the club would be relocated to Norman Park.
- The proposal is designed to respond to the relationship between the site and the neighbouring properties taking into account the siting, distance, topography and orientations. The height and scale of the proposed building has been reduced. The internal layout of the proposed residential units has been revised to ensure that there are no habitable room windows facing to the rear of on Prickley Wood. The proposed window and balconies would not be directly facing the rear windows of the neighbouring properties and a good distance would be maintained. The ground level of the site is lower than the neighbouring properties.
- This application includes the provision of 32 residential dwellings which would represent a significant contribution to the supply of housing within the Borough.
- A financial viability assessment has been assessed by an agreed independent assessor and confirms that the proposal would be unviable and not able to provide affordable housing irrespective of the applicant's intended cross-subsidy to support the development of sports facilities in Norman Park. The absence of affordable housing has been justified in accordance with the development plan.
- A sensitivity analysis is included in the submitted FVA which indicates that the proposal would generate a surplus should the residential value of the development be increased by 10 percent. In line with the London Plan, an early stage and late stage viability review would be secured by a s106 legal agreement.
- 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 two to four persons would be provided.
- The existing access to the site would be reused and would be managed by a traffic light system without any vehicles reversing onto the highway. A pedestrian path delineating pedestrian spaces from the cars would be provided. A transport assessment, Stage 1 and Stage 2 Road Safety Report have been reviewed by the Council's Highway officer and waste services

and no objections is raised subject to planning conditions. Fire Brigade was consulted and no objection is received.

- The development is considered acceptable from a sustainability, air quality and environmental perspective.
- The planning issues, harm and merits arising from this proposal is assessed in accordance with the adopted development plan policy.
- 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 2,090sq.m (0.209 hectares) and is adjoining to the rear gardens of No. 9 to No.12 Prickley Wood, No. 58 to No. 64 Bourne Way and a row of lock up garages associated to a three storey residential apartment facing Bourne Way, known as Woodgrange Court. The ground level of the site is lower than the houses on Prickley Wood, Bourne Way, Saville Row and the railway line.



Fig 1. Site location plan

- 1.2 The site comprises of two buildings and is occupied by Blackheath and Bromley Harriers Athletic Club as their headquarters. There is an existing disused two storey coach house located to the north-east corner

of the site. There is an area of hardstanding located between the existing buildings. The vehicular and pedestrian access to the site is via Bourne Way between No, 56 Bourne Way and Woodgrange Court which measures approximately 50 metres in length.

- 1.3 To the north of the site is the railway line towards Hayes Railway Station. Saville Row is a row of residential houses located to the north-east of the site. The houses on Dene Close and Hurstdene Avenue are located beyond the railway line to the north.

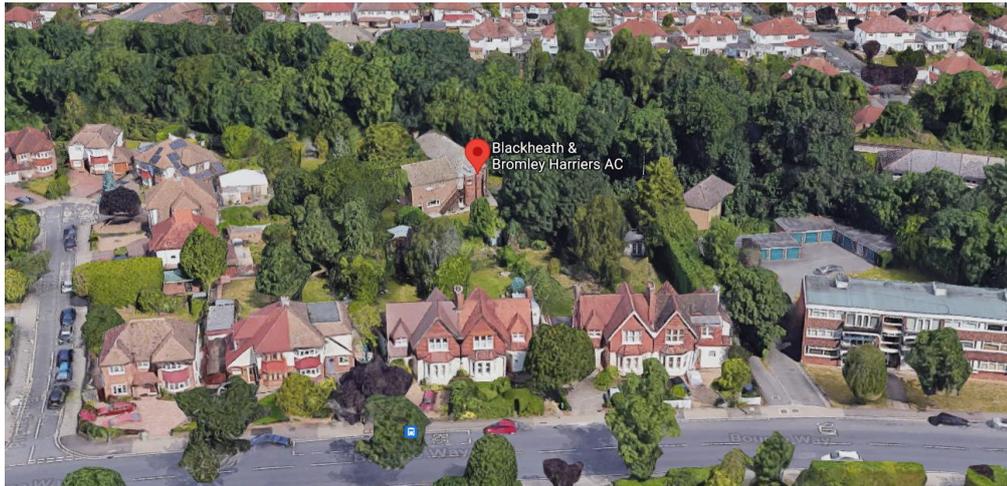


Fig 2. Aerial photo of the site and its surrounding.

- 1.4 The public transport accessibility of the site is rated at 3 on a scale between 0 to 6b where 0 is worst and 6b is excellent. Bromley South Railway Station is approximately 340 metres to the east of the site. There are six bus routes currently serving Bourne Way.
- 1.5 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 high surface water flooding risk as defined by the Environment Agency.
- 1.6 The site is not located within a conservation area and the existing trees are not subject to any tree preservation orders. The properties are unlisted and there are no listed buildings in the vicinity.

## 2. PROPOSAL

- 2.1 Full planning permission is sought for the demolition of the existing buildings and erection of a part four and part five storey building to provide 32 residential flats with 23 off-street parking spaces.
- 2.2 Following the planning consultation responses, revised plans have been received and the proposed building is reduced from 5 storeys to part 4 and part 5 storeys measuring approximately 13 metres in height to the four storey element and 16 metres in height to the five storey element.

The proposed building is sited along the northern boundary of the site and would be positioned approximately 4 metres further than the existing club house building towards the rear boundary of No.10 Prickley Wood.

- 2.4 The internal layout of the proposal is also revised which removes main habitable rooms facing the rear gardens of Prickley Wood and Bourne Way.
- 2.5 The proposal would provide 32 new residential units which comprises of 13 x 1 bed and 19 x 2 bed. Three internal lifts would be provided and accessible to all floors. Twenty-three parking spaces including four disabled persons parking spaces would be provided.
- 2.6 The internal and external living spaces are designed to comply with current planning policy requirements. Each unit would be provided with a private outdoor space and the larger units would be provided with two balconies.
- 2.7 The existing vehicle access would be utilised and provides pedestrian and vehicular access to the site. A traffic light system with a sensor would be installed along the access road to ensure highway safety. A 1.2 metres wide pedestrian walkway is also proposed to delineate the pedestrian path from cars.
- 2.9 A total of 9 low quality (Category C) trees would be removed from the site and new trees would be replaced within the site. Two dedicated, safe and secured cycle storage areas with a capacity of 78 cycle storage spaces would be provided. Two waste storage areas would also be provided.

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

- 3.1 Full planning permission was granted for a single storey extension, first floor extension for a lift. Cladding and elevational alterations, external first floor access provision, resurfacing and laying out of parking area. Part retrospective application to change the use of land from residential 13/00135/FULL1 curtilage to use by the sports club (D2) on the 21<sup>st</sup> March 2013 (ref: 13/00135/FULL1).
- 3.2 Full planning permission was refused for single storey/two storey extensions; cladding and elevational alterations; external first floor access provision; resurfacing and laying out of parking area on the 30<sup>th</sup> August 2012 (ref: 12/01845/FULL1)
- 3.3 Full planning permission was granted for the demolition of the existing coach house and erection of a 3 storey building comprising ladies changing room on ground floor and 2 two bedroom flats on upper floors on the 25<sup>th</sup> June 2009 (ref: 09/01163/FULL1).

- 3.4 Full planning permission was refused for the demolition of the existing coach house and erection of 3 storey building comprising ladies changing room on ground floor and 2 two bedroom flats on upper floors on the 5<sup>th</sup> March 2009 (08/04234/FULL1).
- 3.5 Full planning permission was granted for a two storey side extension to provide office and kitchen and storage and toilet for sports club on the 9<sup>th</sup> April 2008.
- 3.6 Full planning permission was granted for a two storey extension for bar, kitchen, store, toilets and showers on the 11<sup>th</sup> October 2001.
- 3.7 Full planning permission was granted for an external fire escape.

#### **4. CONSULATION SUMMARY**

##### **a) Statutory:**

##### **4.1 Highways – No objection**

###### *Vehicular access*

The existing vehicle access would be used to access the proposed car park. A traffic light system is proposed to control the traffic flow along the access with a holding area within the site. Both ends of the access will have a sensor to detect and manage vehicles entering or leaving the site. The traffic light at the entrance to the site will be green as default. This will ensure priority is given for vehicles entering the car park. The traffic light will only change to red when a vehicle is detected leaving from the car park. Once the sensor has been activated vehicles will be held at the northern edge of the site, within the shown holding area. This will allow a vehicle to traverse through the access before meeting with another vehicle. Only once the vehicle has left the access road will the light go green and allow access to the waiting vehicle. The principle to use traffic light and sensor is considered acceptable in principle, subject to the detailed plans including pedestrian walkway and specification of traffic light system to be secured by planning conditions.

###### *Parking*

Twenty-three parking spaces would be provided and would comply with the parking standard in the Bromley Local Plan.

###### *Cycle parking*

The provision of cycle parking is acceptable

### *Waste storage*

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

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

- Detailed plans including pedestrian walkway and specification of traffic light system;
- Parking;
- Parking spaces
- Cycle parking
- Refuse storage;
- Highway drainage; and,
- Construction management plan.

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

The surface water drainage scheme as outlined in the Flood Risk and Drainage Statement (prepared by Aval Consulting Group March 2021) indicated that surface water run-off generated by permeable area would be stored in sub-base before its conveyed into the pipes network with a limit of rate off rate at 0.9 per second. Subject to the details be provided in consultation with the Council prior to any commencement of the development, it is considered that the proposal would be acceptable.

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

No objection with regard to the water, 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.

An informative advising a Groundwater Risk Management Permit from Thames Water will be required for any discharge of groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

A sequential approach to the disposal of surface water should be used. A prior approval from Thames Water Developer Services will be required for any discharge of surface water to a public sewer.

#### **4.4 Network Rail – No objection**

Prior to works commencing on site, the applicant / developer is requested to contact Network Rail's Asset Protection and Optimisation (ASPRO) team to ensure the proposed development can be completed without any risk to the operational railway. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

#### **b) Local groups:**

**4.6 None received.**

#### **c) Adjoining Occupiers:**

**4.7 Twenty-three (23) letters of support have been received and the grounds are summarised as below:**

- The proposal would provide much needed housing.
- The proposal would maintain an adequate distance and level of residential amenities for the neighbouring properties. The proposed use would be compatible to its surrounding.
- The site is located at a sustainable location close to the station and local shops.
- The proposal would assist to provide an improve sport facilities in Norman Park available for the residents in Bromley. The health benefits associated to this proposal should be considered.
- Blackheath and Bromley occupied the current site since 1926 and there is a derelict cottage within the site which is inhabitable. The club has served the community for 94 years with countless members, world and Olympian runners trained by the club and use the Norman Park Facility 7 days a week. The existing buildings are not suitable for the club's needs.
- The drive to redevelop the site is to ensure the facilities in Norman park can be improved and maintain. The club has been servicing the community for decades and this proposal would enable a directly investment into a community sporting facility to support the physical and mental health of the local community.

**4.8 Two hundred and seventeen (217) letters of objection have been received and the grounds are summarised as below**

### **Backland and garden land development**

- The proposal would constitute backland and garden land development as part of the site forms part of the former gardens of Bourne Way.
- Loss of a community building.

### **Excessive density, height, scale and massing (Addressed in section 6.37 and 6.13)**

- The revised scheme remains out of keeping, out of scale and excessive in term of height and scale. The proposal would impact on skyline and would not comply with Bromley Local Plan;
- Excessive height and density. The proposal would be visible from a distance. The proposal should be limited to 3 storey;
- The proposed building would be 5.5 metres higher than the neighbouring properties. The ground level of Prickley Road is approximately 0.5 metres higher than Bourne Way and not 2.5 metres higher than the site;
- The reference as a brownfield site and brown colour of the proposed is misleading;
- Lack of elevation details. The street scene from Bourne way; Prickley Road, Hurstdene Avenue and Dene close is limited;
- The earlier applications to extend the club house were refused and this proposal should not be refused.

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

- The proposed building would be close to the boundary with the railway line and would impact on railway maintenance.
- The design, layout and proposed materials are poor and would represent a carbuncle development.
- The proposal would be out of keeping with its surrounding area.
- The backland site would attract anti-social behaviour.
- The access detail along the side of 58 Bourne Way is not fully indicated. The width of the access confirming the access would be safe for a wheelchair user or with a pushchair to walk on the pavement should be provided.

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

- No affordable housing or family is proposed.
- Hayes is a family area and there is no need for one bed flat
- Residential flat is unviable as indicated in the financial viability report.
- Child play area is not provided.

- The site is close to the railway line and unsuitable for residential and impact on railway maintenance

#### **Loss of amenities (Addressed in section 6.4)**

- The proposal would be close to the neighbouring properties with windows and balconies resulting in loss of privacy, loss of outlook and overlooking;
- Loss of sunlight, daylight and overshadowing;
- Noise and light pollution;
- Disturbance during construction

#### **Highway (Addressed in section 6.5)**

- Inadequate parking provision and result in overspill of parking demand on neighbouring roads already full of commuters parking.
- The low PTAL rating of the site should be taken into account.
- A minimum of 25 parking spaces should be provided and no visitor parking will be provided.
- The single access track is narrow, unsafe and dark at night. The access is connected to a busy major road and is used by 6 local bus routes. The access road is not suitable for waste and emergency vehicles.
- The speed survey is 5 years old which indicates the vehicle travel speed along Bourne Way is 37mph.
- The proposal would have an adverse impact upon the Station Approach Roundabout.
- The access road would be used by the future residents on a 24 hours basis with pedestrian, cyclist and people in a pushed chair. The access road does not have any passing place for vehicle traveling in the opposite direction and vehicles will have to reverse back onto highway. Therefore, the access road would be unsafe.
- Bourne Way is subject to a high daytime demand for parking due to the proximity to the train station. Any cost to introduce or amend the control parking zone should be secured and paid for by the developer.

#### **Flooding, climate change and biodiversity (Addressed in section 6.7, 6.8 and 6.10)**

- The site is subject to high surface water flooding and the proposal would increase the risk further.
- The proposal would result in loss of trees and adverse impact on wildlife

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

- Inadequate doctor surgeries, schools, shops and education provisions in the area
- Inadequate transport infrastructure.

### **Others (Addressed in representation summary and 6.4)**

- Inadequate planning consultation as timing of consultation includes Christmas and Easter Holiday. No site notice was displayed. The houses on Hurstdene Avenue and Dene Close are not consulted.
- The Club should increase their annual subscriptions and match fee to fund their proposal. The funding to support the club should not be a reason to justify this development. The financial details associated to Norman Park project should be provided.
- There are manhole covers within the site and the proposed electricity substation will present a potential health hazard for the future occupiers.
- The supporters of this proposal are not local.

## **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
- 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
- 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
- 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
- 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
- 20 Community facilities

- 30 Parking
- 31 Relieving congestion
- 32 Road Safety
- 33 Access for all
- 34 Highway Infrastructure provision
- 37 General Design of Development
- 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
- 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

## **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**

### *Loss of community facilities*

- 6.1.1 BLP Policy 20 states that planning permission will not be granted for proposals that would lead to the loss of community facilities, unless alternatively enhanced provision is to be made in an equally accessible location for the community it serves.
- 6.1.2 Blackheath and Bromley Harriers Athletic club (BBHAC/the club) is one of the oldest and largest athletic clubs in the country with over 850 club members. The club has occupied the existing club house for the past few decades as their headquarters. The club was formed in 1869 and is registered as a charitable organization since 2017. The club promotes community participation in healthy recreation, including running and athletics. The club provides athletic training, coaching and outdoor sports facilities to the local community, schools, organizations, and members of the public. The sports activities, training and facilities associated to the club are mainly carried out at the Track Pavilion in Norman Park as there are no outdoor sports facilities at the application site, No. 56 Bourne Way. The Track Pavilion has been the training centre for the vast majority of the club's track and field athletes. The BEES Academy also holds regular training exercises and activities for children at the site. Their record indicates that a total of 683 children attended their sessions at the site in 2018. A number of local community groups, running clubs including scouts also hold sport sessions, competition and sports days at Norman Park.
- 6.1.3 The site comprises of a two storey club house building and a disused two storey buildings with an off-street parking area. Planning permission is sought for the redevelopment of the club house site to provide housing and fund the development of sports facilities at Norman Park. The headquarters of the club will be relocated to the Track Pavilion site in Norman Park which is located approximately 2,470 metres away from the application site. The proposal would result in a loss of an existing club house building. However, it should be noted that the activities associated to sports training and facilities are located in Norman Park. Given that the sports facilities are not located at the application site and the club will be relocated in Norman Park within an accessible location for the community it serves, it is considered that the loss of a club house building is acceptable.

### *Introduction of residential use*

- 6.1.4 The site is not allocated or designated for any particular use in the BLP. The redevelopment of this previously developed land for housing is supported in principle. The site is surrounded by a mixture of domestic houses and residential apartment buildings which range between two to four storeys in height on Prickley Wood, Bourne Way and Saville Road.

To the north of the site is the railway leading to Hayes Railway Station. Given that the site is located within an area with easy access to local facilities and transport, it is considered that the principle to introduce residential use at this sustainable location is supported.

- 6.1.5 Concern is raised regarding to noise during the early and later hours of the day as the site is located close to the railway line. The application site is located to the south of the railway line and near to Hayes Railway Station. However, it should be noted that the site is located approximately 10 metres to 12 metres away from the boundary of the railway line. The residential accommodation in Saville Row and Farnborough Crescent are located approximately 3 metres to 16 metres from the boundary of the railway line. Subject to a noise, air and land contamination assessment and its recommended mitigation measures, it is considered that the proposal would be compatible with its surrounding area and would be acceptable for residential use.

#### *Enabling development*

- 6.1.6 The application submission indicates that the proposal is intended to function as an enabling development to support the delivery of new indoor sports facilities at Norman Park Athletics Track which were granted planning permission under ref. 18/01660/FULL1. The Club intends to dispose of their asset at 56 Bourne Way for redevelopment, to enable the release of the required capital to help fund the Norman Park scheme and then relocate their headquarters there. The application has been submitted without any affordable housing, which the applicant confirms is due to the need to secure the maximum value for the land to help fund the Norman Park development as outline above. However, as set out in the 'affordable housing' section of the report, it has been demonstrated by way of a financial viability assessment that the development would not be able to support any affordable housing irrespective of the intended cross-subsidy of the Norman Park development. On this basis there is no conflict with affordable housing policy that would necessitate the cross-subsidy and enabling development argument being given weight in the overall planning balance.

## **6.2 Housing - Acceptable**

### *Housing Supply*

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

- 6.2.2 The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 6.2.3 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.2.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.
- 6.2.5 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.
- 6.2.6 The proposal would provide 32 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 sets 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 units. London Plan Policy H6 sets the following affordable housing tenure threshold:

- 1) A minimum of 30 percent low cost rented homes, 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 proposed residential units would all be private units and would be contrary to the affordable housing policy requirements without adequate justification. In line with the London Plan, a Financial Viability Assessment (FVA) is submitted and has been independently reviewed and assessed by an independent viability consultant appointed by the Council.

6.2.10 The independent viability report indicates that the redevelopment of 56 Bourne Way would generate a deficit of £36, 417 (including the required planning obligations) when assessed against the agreed benchmark land value. When including the cross subsidy of £2m proposed by the applicant, the proposal would also be unviable with a deficit making the scheme substantially less viable. It is therefore considered that the application has satisfactorily demonstrated that affordable housing cannot be provided, without the need to consider the intended cross-subsidy as justification for the absence of affordable housing.

6.2.11 A sensitivity analysis was carried out by the applicant which indicates that the proposal may become viable including the cross subsidy when the sales value is increased by just over 10 percent. Based on this finding and in order to ensure the proposal can contribute to the affordable housing provision in the Borough, it is considered the proposed development should be subject to an early and late stage viability review in line with the London Plan.

#### *Housing mix*

6.2.13 Pursuant to London Plan Policy H10, schemes should generally consist of a range of unit sizes. To determine the appropriate mix of unit sizes in

relation to the number of bedrooms for a scheme, applications and decision makers should have regard to:

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

6.2.14 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 also a higher requirement for one or two bed units in terms of housing size. The proposal would provide a mixture of 13 x 1 bed and 19 x 2 bed units ranging between 2 to 4 persons occupancy. It is considered that the proposed housing mix focusing on 1 and 2 bed units would be consistent with the 2017 London Strategic Housing market Assessment and would not be unacceptable at this location.

### *Density*

6.2.15 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.

6.2.16 The proposal would make more efficient use of the land providing 32 residential units with a density of 397 habitable rooms per hectare (83

habitable rooms; site area 0.209 hectare). The quantum of the proposal is considered acceptable. The design, layout and standard of accommodation proposed is outlined in the following section of this report.

*Standard of accommodation - Internal floor area*

6.2.17 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.

6.2.18 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 to reflect the national guidance and BLP Policies 4 and Policy 37.

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

	<b>Policy requirements</b>	<b>Proposed internal floor area</b>
<b>1 bed/2 person</b>	50sq.m	51.1sq.m to 53.5sq.m
<b>2 bed/3 person</b>	61sq.m	68sq.m
<b>2 bed 4 person</b>	70sq.m	70sq.m to 85sq.m

Table 3. Proposed internal living space and requirement

*Wheelchair unit and inclusive living environment*

6.2.20 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.

6.2.21 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.

6.2.22 In line with the policy requirement, a minimum of four wheelchair units would be required. The proposal indicates that 4 x 2 bed wheelchair user units would be provided. A total of three internal lifts would be provided and would be accessible to all floors. Four off street residential disabled persons spaces would also be provided from the outset, it is considered that the proposal would achieve an inclusive living environment and would comply with the policies above.

*Private outdoor space*

6.2.23 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.

6.2.24 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".

6.2.25 The proposed residential units would all be provided with a private balcony or terrace. The majority of the proposed two bed units would be provided with two balconies. The proposed balcony is designed to comply with the minimum balcony/terrace requirements. The sizes would be as follows.

	<b>Policy requirements</b>	<b>Proposed balcony</b>
<b>1 bed/2 person</b>	5sq.m	5.4sq.m
<b>2 bed/3 person</b>	6sq.m	5.4sq.m
<b>2 bed 4 person</b>	7sq.m	7.1sq.m to 10.8sq.m

Table 4. Proposed balcony size and requirement.

6.2.26 One of the balconies for a 2 bed/3 person unit would be below the minimum requirement by 0.6sq.m. It should be noted that the internal living spaces of these particular units would measures 68sq.m and would be above the minimum living space requirements. It is considered that the deficiency of outdoor space would be marginal. The overall living spaces for this unit would remain acceptable in this instance.

*Child play*

6.2.27 London Plan Policy S4 states that development proposals 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.

6.2.28 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 Informal recreation SPG.

6.2.29 Based on the proposed housing mix and tenure, the estimated child yield of this proposal would be 4.1 child. Whilst child play space could be allocated within the site to meet some of the quantitative requirements for child play area, it should be noted the spaces are relatively limited and unlikely to provide a high quality outdoor play area. In line with the GLA Play and Informal Recreation SPG, it is considered that a planning obligation for the provision and maintenance of outdoor parks within Hayes and Coney Hall ward and £12,800 would be secured via a s106 agreement.

#### *Dual Aspect*

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

6.2.31 Concern is raised regarding the proximity to the trees outside the application site. The proposal would maintain an adequate distance to the boundary. The proposed internal layout is designed to maximise dual aspect opportunities. A total of 24 units (equating to 75 percent) of the proposed units would be dual aspect. It is considered that the internal layout of the proposal is well designed and would provide a good quality living environment for the future occupiers.

#### *Secured by Design*

6.2.32 London Plan Policy D3 states measures 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).

6.2.33 The proposed layout is designed to ensure the proposal can achieve design out crime accreditation. The design out crime officer was consulted, and no objection was raised in respect to the proposed layout, subject to a planning condition requiring that the proposed development would 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*

6.2.34 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.

6.2.35 The London Fire Brigade was consulted, and no objection is raised. 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**

#### *Siting, form and layout*

6.3.1 The application site is irregular in shape and is land-locked by the residential properties located to the west, south and east of the site. The site is adjoining to the neighbouring residential properties with rear windows and rear gardens facing the application site. The ground level of the site is lower than the neighbouring land and is relatively well screened by dense and semi-mature trees at present. The access to the site is via a long private drive off Bourne Way. The shape of the application site, relationship with its surrounding buildings and the ground levels are the key challenges in designing the siting and layout of the proposal.

6.3.2 The siting and layout of the proposed building is heavily influenced by the prerequisite constraints of the site. The proposed building would be mainly sited along the northern boundary of the site with a U shape building footprint. The siting of the proposed building has taken into account the shape of the application site and its relationship with the neighbouring gardens. The ground floor would be provided with parking spaces and communal cycle and waste storage areas which would be located on the ground floor accessible by the future occupiers. As such, it is considered that the siting and layout of the proposal would be acceptable.

#### *Height, scale and massing*

6.3.3 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.

6.3.4 The site is surrounded by a mixture of two storey domestic houses and purpose built residential buildings facing Bourne Way, ranging between two storeys to 4 storeys in height. The scale and massing of the proposed building would be increased. However, it should be noted that the ground level of the site is lower than the neighbouring land and the proposed four storey element would be comparable to the residential properties on Saville Row, Woodgrange Court and Prickley Wood. The proposed five storey elements would be sited towards the railway line towards the northern boundary of the site and away from the adjoining residential properties towards the southern boundary of the site. Due to the ground level of the site being lower than the neighbouring properties, siting and orientation of the building with the taller element towards the northern boundary of the site, it is considered that height and scale of the proposal would be acceptable at this location. It should be noted that the height of the proposed building has been reduced. The relationship between the proposed building and the adjoining buildings including the reduction in building height are illustrated in the following section drawings.

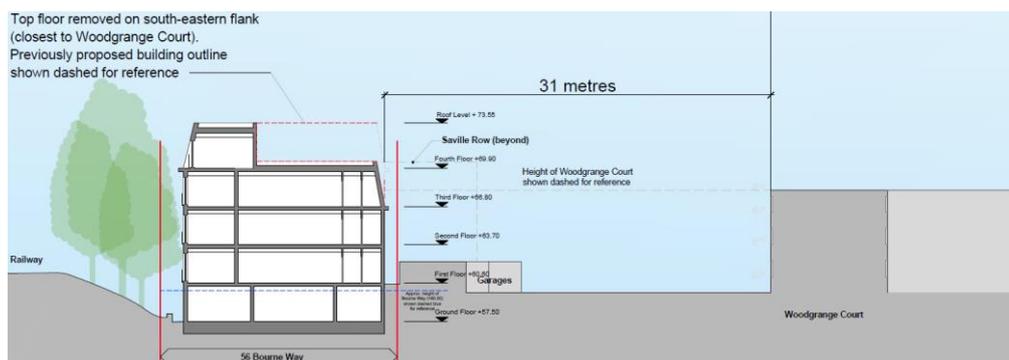


Fig 3. Section drawing towards Woodgrange Court

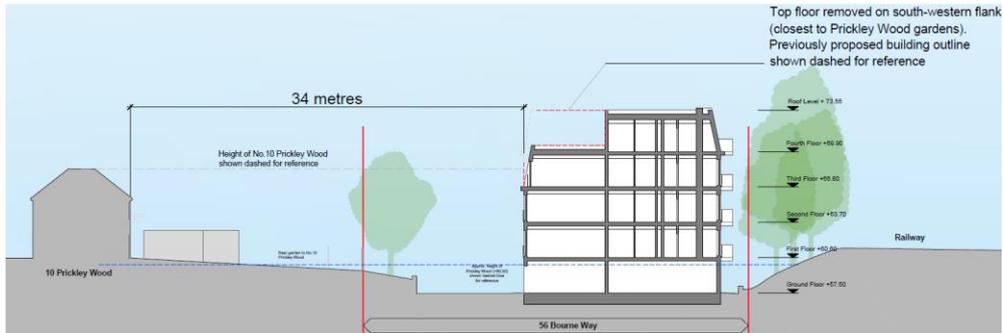


Fig 4. Section drawing towards 10 Prickley Wood

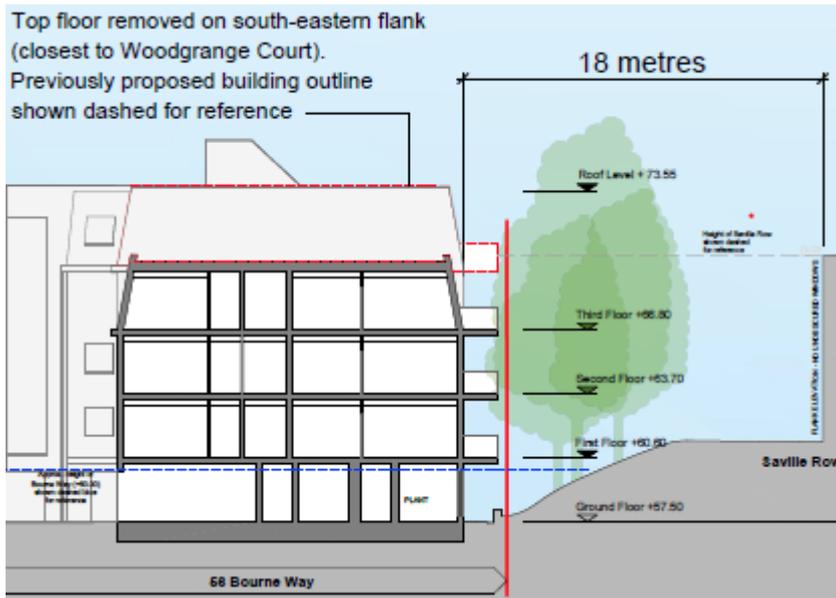


Fig 5 Section drawing towards Saville Row

### *Design and appearance*

- 6.3.5 The architectural language and style of the proposal is contemporary with an emphasis of verticality. The design and position of the windows and balconies would assist to break down the scale and bulk of the proposed building. Whilst the proposed building would be up to 5 storeys in height, the roof profile of the proposed building is designed with a pitched roof with a flat roof on top. This would assist to reduce the visual bulkiness of the proposed building. With a stepped height of part 4 and part 5 storey, it is considered that the proposal would represent a modern and contemporary design and is considered acceptable and would integrate with its surrounding area.

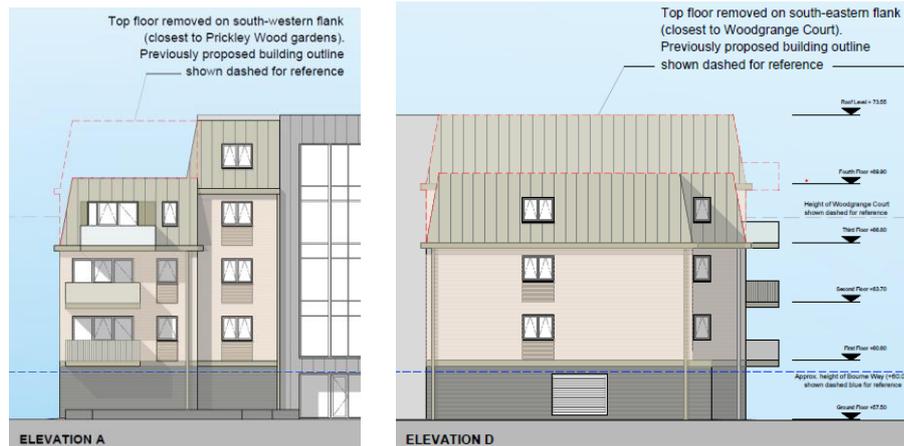


Fig 6: Proposed elevation A and D facing rear of Woodgrange Court



Fig 7 Proposed Elevation H facing rear of Prickley Wood

### *Material palette*

6.3.6 The proposed external materials of the building would comprise of grey colour brick and buff brick. The proposed roofing material would be made of zinc light grey in colour to match the external walls of the proposed buildings. The proposed windows and doors would be made of aluminium double glazed and grey in colour. 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.

6.3.7 Objections are raised as the proposal would constitute backland or garden land development as a proportion of the application site was originally part of the rear gardens on Bourne Way. The proposal would be contrary to the backland and garden land development in BLP and no residential development should be on garden land.

6.3.8 The land registry record indicates that the boundary of the application site was formed since the 15<sup>th</sup> January 1993. Whilst the land registry record indicates that part of the former rear gardens associated to No. 62 and No.63 Bourne Way was transferred to the club in 1993. The use and boundary of the application site has not changed since 1993. Whilst the application site is surrounded by residential gardens, the proposal would be located within the boundary of the application site and would not result in any garden grabbing. Given that the site has been occupied for non-residential use for a few decades, it is considered that the redevelopment of this brownfield site or previously developed land would be acceptable.

#### 6.4 Impact on neighbouring amenities – Acceptable

6.4.1 The proposal is not considered to be a tall building as defined in the London Plan. The nearest residential properties would be affected by the proposal are Woodgrange Court, N0.57 to 64 Bourne Way and No.9 to 12 Prickley Wood.

##### - *Woodgrange Court*

6.4.2 Woodgrange Court is a three storeys residential building located to the south-east of the application site and facing Bourne Way. It is noted that the proposed building would be visible from the neighbours' rear windows and would have an impact in terms of outlook. However, the minimum distance between the rear of the building and its rear boundary measures approximately 30 metres. The proposed building would be located adjacent to a row of lock-up garage and there are no main habitable room windows or rear balcony would directly face the rear windows of the buildings.

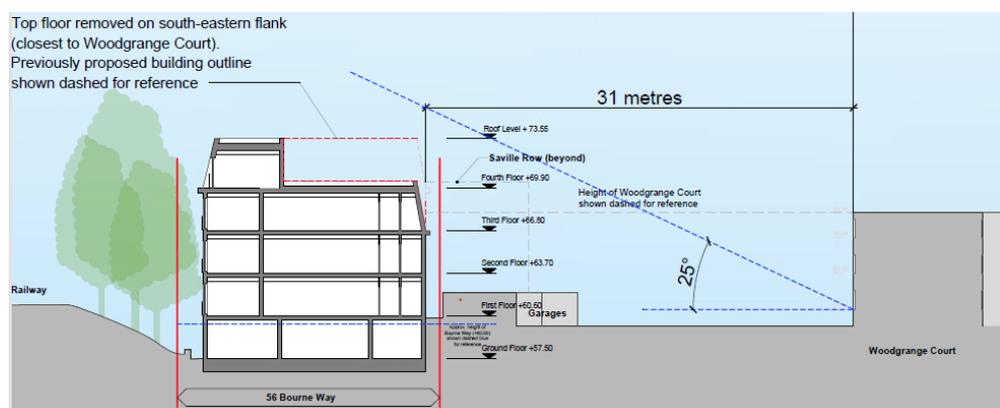


Fig 8 Proposed section drawing – 25 degree line Woodgrange court

6.4.3 The proposed section drawing indicates a 25 degree vertical angle taken from the centre of the lower windows can be maintained and is kept

unobstructed. Due to the distance, orientation and siting of the windows, it is considered that the proposed building would be limited, and a good degree of outlook would be maintained. The proposal would not have an adverse impact in terms of loss of sunlight, loss of daylight and loss of privacy.

#### No..9 to No12 Prickley Wood

6.4.4 It is noted that the length of the neighbouring rear gardens measures approximately 18 metres and these houses have a relatively short gardens when compared with the houses on facing Bourne Way. The existing club house building is located approximately 30 metres from the rear of No. 10 Prickley Wood. The proposed section indicates that the 25 degree line can be maintained. The proposed building would be sited 34 metres away from the rear wall of No 10 Prickley Road, approximately 4 metres further away from the neighbouring property when compared with the existing building. Due to this distance, orientation and the ground level of the application site being lower than the neighbouring houses on Prickley Wood. It is considered that an adequate separation distance can be maintained between the buildings and the proposal would not have an adverse impact in terms of loss of sunlight, daylight and privacy.

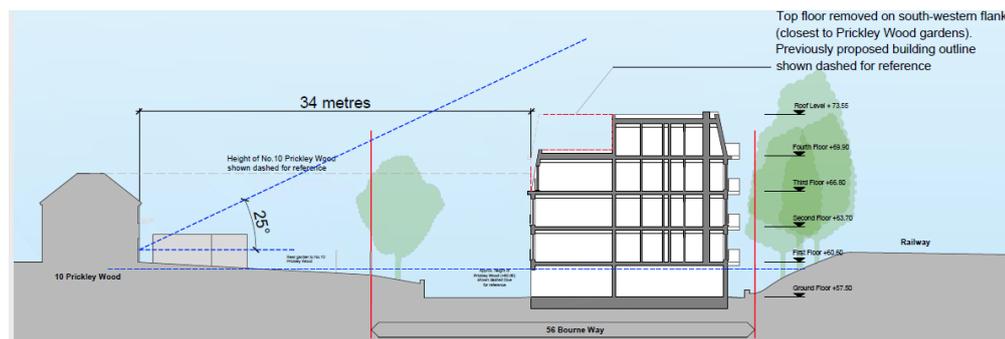


Fig 9 Proposed section drawing - 25 degree line Prickley Wood



Fig 10 Proposed ground floor plan

6.4.5 Furthermore, it should be noted that the internal layout of the proposal is designed to direct windows and balconies away from the rear windows of the neighbouring houses. The windows facing Prickley Wood are all designed with secondary and obscured glazed windows. As such, it is considered that the proposal would not have an adverse impact in terms of overlooking.

6.4.6 The proposal would have an impact in terms of outlook and a perceived sense of enclosure from the neighbouring properties. The proposed building is designed to maintain an adequate distance between the buildings and height of the proposed building is reduced to 4 storey towards the houses of Prickley Wood. It should also be noted that proposed landscaping plan indicate that new trees would be planted along the western boundary of the site. On balance, it is considered that the proposal would not be significant impact in terms of outlook or enclosure.

- *No. 58 Bourne Way to 64 Bourne Way.*

6.4.7 The houses on Bourne Way are located to the south of the application site and the ground level of the application site is lower than the neighbouring houses. It is noted that the proposed building would be visible from the rear windows or rear gardens. However, the minimum distance between the rear walls of the houses and the proposed building measures approximately 34 metres. It is considered that a good distance would be maintained and a good degree of privacy and outlook would be maintained. The application site is screened by a number of existing trees along the southern boundary. Due to the distance, ground level, orientation and relationship with the neighbouring hours, it is considered that the proposal would not have an adverse impact on neighbours' amenities in terms of sunlight, daylight, privacy and outlook.

### *Saville Row*

- 6.4.8 The proposed building would be located approximately 18 metres to the flank wall of the neighbouring properties. There are three side non-habitable room windows on the flank wall. Due to this distance and relationship to the neighbouring properties. It is considered that the proposal would not have an adverse impact on residential amenities.

### *Dene Lose and Hurstdene Avenue*

- 6.4.9 Objections are received in terms of the impact on residential amenities on Dene Lose and Hurstdene Avenue and lack of consultation. The houses located on Dene Close and Hurstdene Avenue are located beyond the railway line. The distance between the application site and the flank wall of the nearest house at No.10 Dene Close is over 50 metres away. The proposed building would be taller than the existing buildings and not considered to be a tall building as defined in the London Plan. Given that the houses are located beyond the railway line and the distance from the site, it is considered that the proposal would not have an adverse impact on residential amenities. The application has been advertised in the press and a site notice is also displayed at the site. Due to the scale of this proposal, it is considered that the level of consultation is adequate in this instance.

## **6.5 Transport and Highways - Acceptable**

### *Parking standard*

- 6.5.1 The site is located approximately 340 metres walking distance from Hayes Railway Station. The nearest bus stop is located on Bourne Way approximately 90 metres away. The site is relatively well serviced by public transport and there are six bus routes serving Bourne Way (Route no. 119, 246, 138, 314 and 353). The public transport accessibility rating is rated at 3.
- 6.5.2 Table 10.3 of the London Plan sets out maximum residential parking standards. For outer London with a PTAL rating of 3, a maximum of 0.75 spaces should be provided for each 1 bed or 2 bed unit. The maximum requirement is therefore 24 spaces.
- 6.5.3 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 arise. A minimum of 1.2 disabled spaces should be provided from the outset.

- 6.5.4 Table 1 in the BLP Policy 30 (Parking) sets a minimum and maximum parking standard for new residential development, subject to the particular characteristics of the development and the public transport accessibility. For site between PTAL 2 and 6, BLP Policy 30 recommends a minimum of 22.4 residential parking spaces and a maximum of 32 parking spaces should be provided (Based on the 0.7 to 1 space per 1 or 2 bed unit).
- 6.5.5 The proposal would provide 23 parking spaces and would comply with the maximum requirement in the London Plan and minimum requirement of the Bromley Local Plan. Four disabled parking spaces would be provided and would comply with the requirement of the London Plan. As such, it is considered that the level of parking spaces proposed would be acceptable at this location.
- 6.5.6 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. A minimum of 5 active electric charging points would be required and this would be secured by a planning condition.

#### *Cycle parking*

- 6.5.7 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.
- 6.5.8 The proposal is required to provide a minimum of 54 long stay cycle storage and 2 short stay cycle storage spaces. Two dedicated, secured, and safe cycle storage area would be provided on the ground floor within the envelope of the building. The proposal can provide up to 64 long stay residential cycle storage spaces and 14 short stay cycle spaces and satisfied the minimum requirement as set out in the London Plan.

#### *Access*

- 6.5.9 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.
- 6.5.10 A transport assessment is submitted which confirmed the sightline of the access would comply with the visibility requirements as set out in the Manual for Streets. The access to the proposed site would be via an existing access shared by cars and pedestrians measures between 2.7 metres to 3 metres wide. The access arrangement would be the same as the existing, except a traffic light system and a 1.2 metres wide

pedestrian walkway would be provided to delineate the pedestrian from the cars.

6.5.11 The application is supported by a Stage one and Stage two Road Safety Audit which identified the highway safety issues associated to the proposed development. The applicant's highway design team responses are outlined as follows:

- **Issue 1:** Access width between 2.7 metres and 3 metres is narrow for proposed use

6.5.12 The applicant's highway design team states the access to the site is a shared surface and is the same as the existing arrangement. A 1.2 metres wide "pedestrian walking zone" is proposed to be delineated along the access road. Two-way traffic is not possible due to the existing width. A traffic light system is proposed. Both ends of the access will have a sensor, one at the northern end to detect when a vehicle is within the holding area and one on the southern access to detect when a vehicle enters the access. The southern access lights will be green as default and only change when a vehicle enters the holding area to the north. Once the sensor has been activated vehicles will be held at the northern edge of the site, within the holding area. This will allow a vehicle to transverse through the access before meeting with another vehicle. Only once the vehicle has left the access road will the light go green and allow access to the waiting vehicle. The traffic light system and sensors will be adapted to include pedestrian movement should there be any deficiency to include a 1.2 metres pedestrian walkway.

6.5.13 The applicant's highway design team response above is accepted by the road safety auditor and the Council's Highway Division subject to the planning conditions as outlined in the consultation section of this report.

- **Issue 2 –** Narrow entrance will lead to injudicious reversing

6.5.14 The applicant's highway design team states that a holding area and traffic light system has been proposed in order to stop two vehicles accessing the access road at the same time. This will avoid vehicles reversing along the access road.

6.5.15 The applicant's highway design team response above is accepted by the road safety auditor and the Council's Highway Division subject to the planning conditions as outlined in the consultation section of this report.

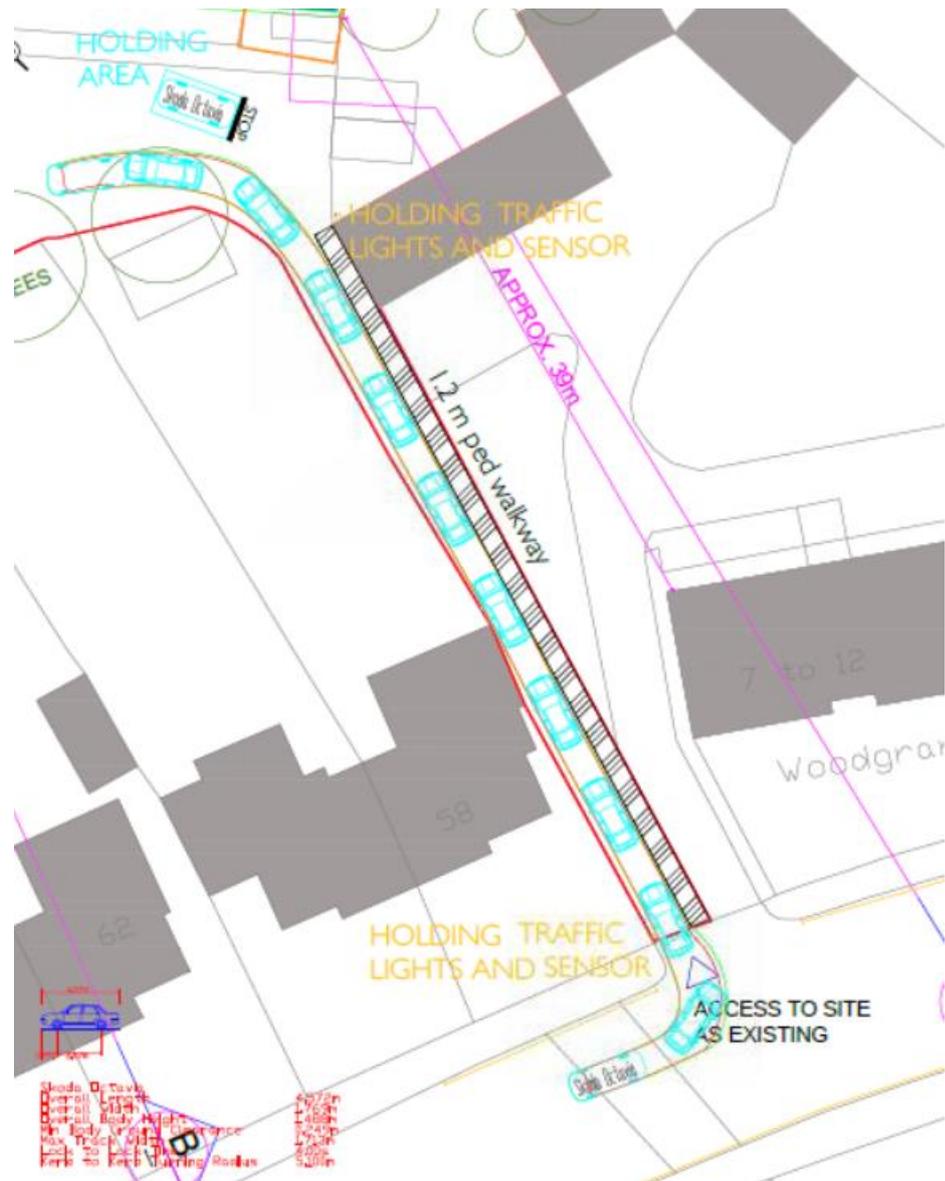


Fig 11. Proposed traffic light system and holding area.

6.5.16 The Council's Highway division was consulted, and no objection is raised in respect of the parking, cycle and access arrangement. Subject to the planning conditions outlined in the consultation response section of this report, it is considered that the proposal would be acceptable.

Objections have been raised in respect of the road speed surveys on Bourne Way and dated April 2015. The Council Highway division considered the content of this report and considered that any new data provided would not be representative due to the reduced level of traffic associated to the pandemic. In addition, the road speed on Bourne Way is 30mph. The 85th percentile vehicle speed on Bourne Way as recorded in April 2015 is 37.0 mph. This means a large number of drivers not observing the local speed restrictions. In accordance with the Manual for Streets guidance, a road with an 85th percentile vehicle speed of 37.0

mph requires the proposed vehicle access onto the highways to have minimum visibility splays of 59 metres in both directions from a 2.4 metre set-back. The existing access would be reused and it is demonstrated that sufficient sightlines looking in both directions on public highway can be achieved. Furthermore, neither the road speed of Bourne Way nor the proposal would involve any changes in terms of the road speed. The road condition and road alignment near the application site has not been changed. As such, it is considered that adequate sightlines can be demonstrated provided. The submitted speed survey remains valid for the purpose of this planning application.



Fig 12 Visibility splay from the site.

### Waste storage

6.5.17 BLP Policy 113 states major development proposals 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.

6.5.18 A minimum of 6 x 1100 litre non-recycle bins, 6 x 240 litre bottles and 6 x 240 litre of paper bins would be required. The proposal indicates that two dedicated waste storage areas capable to accommodate 8 x 1100 litre non-recycle bins, 8 x 240 litre bottles and 8 x 240 litre of paper bins can be required and would comply with the policy requirement.

6.5.19 The Council's waste services has confirmed that the existing waste associated to this site is currently collected by the Council. The Council's waste services operational team has carried out a site visit and has confirmed that the same arrangement will apply to the site and waste vehicles can access the site to collect waste. As such, no objection is

raised in terms of the proposed waste storage location and access. Therefore, it is considered that the proposal would be acceptable.

## **6.6 Tree**

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 evaluates the condition of fourteen individual or group of trees and hedges. There are no trees within the site which are protected under a tree preservation order. A total of 9 trees within the site would be removed. The conditions and species of these trees are follows:

- T4 Dead (category C – low quality);
- T 9 Pear (category C - low quality);
- G10 Holley x 2 and Sycamore (both category C - low quality);
- T12 Sycamore (category C- low quality);
- G13 Sycamore (category C- low quality);
- G14 Elm x 2 (category C- low quality).

6.6.3 An indicative landscaping plan is submitted which indicates that new trees would be introduced along the east, south and north boundary of the site.

6.6.4 The Council's tree officers have advised that there is no tree protected under tree preservation order and no objection is raised in respect of the proposed tree works. An Arboricultural Report has been submitted in support of the scheme and addresses the key tree constraints. Precautionary measures set out within the report will reduce the impact on retained trees and a condition requiring development to be implement in accordance with the submitted report including full details of tree protection works for the retained trees, replacement planting and landscaping details should be secured by planning conditions.

## **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. The

existing buildings are considered to have a “low” suitability rating for bats. It is recommended that an emergence survey should be carried out during the bat activity season between May and September. Any construction work, tree or shrub clearance should be conducted outside of breeding bird season (March to September) or a breeding bird survey should be conducted by a suitable qualified ecologist, prior to any works commencing.

- 6.7.3 In line with the finding of the preliminary ecological appraisal, a bat survey including the conditions of the buildings were carried out between 25<sup>th</sup> to 27<sup>th</sup> August 2020. There were no bats recorded entering or leaving the buildings at dawn or dusk. There were also no bats recorded transecting the site. The proposal is considered to be of negligible impact on the protected species.

#### *Biodiversity enhancements and urban greening*

- 6.7.4 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 nature- based sustainable drainage. The London plan recommends a target score of 0.4 for developments that are predominantly residential. London Plan Policy G6 states development should manage impacts on biodiversity and aim to secure net biodiversity gain.
- 6.7.5 An urban green calculation is submitted which indicates that the proposal would achieve a 0.4 score. New trees and planting would be introduced within the site and a green wall would also be introduced on the north elevation of the building. Permeable paving areas would be introduced. The biodiversity enhancements as part of this proposal would also include installation of a mixture of bat boxes, bird boxes and swift nest bricks. Subject to the details being secured by planning conditions, it is considered that the proposal would achieve an Urban Greening Factor of 0.41 which satisfies the minimum recommendations

### **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. 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, hot water storage, glazing design and specification, wall insulation, pipework insulation and low energy lighting are proposed to reduce the carbon emission of the proposed development. These measures would meet the minimum 10 percent requirement for domestic development 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.

6.8.7 Under "**Be Green**" category, a range of on-site renewable energy technologies including biomass, sola PV panel, solar hot water, wind turbines and air source heat pumps were considered. It is considered that the use of solar photovoltaic (PV) would be the most feasible option for this site.

6.8.9 The energy assessment indicates that the total regulated on-site carbon saving for the proposal 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 18.42 percent (29.6 tonnes) and a

planning contribution of £ 52,497 would be secured by a legal agreement. The breakdown is as follows:

- On site regulated carbon dioxide emissions (Building Regs 2013 Compliant Development) = 28.3 tCO<sub>2</sub> per annum
- Proposed on site reduction of carbon emissions from energy demand/CHP/renewables = 9.9 tCO<sub>2</sub> per annum
- On site shortfall = 18.42 tCO<sub>2</sub> per annum
- Payment-in-lieu amount calculated as 18.42 (tCO<sub>2</sub>) x £95 (per tCO<sub>2</sub>) x 30 (years) = £52,497

6.8.10 The Council's Energy officer has been consulted and no objection is raised to the proposal and recommended the total carbon offsetting payment be secured by a legal agreement. A condition is also recommended to secure the carbon saving measures as set out in the energy assessment can be delivered.

#### *Water infrastructure*

6.8.11 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.

6.8.12 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.

## **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 not located within Bromley Air Quality Management Area. The development is considered air quality neutral and the development is considered suitable for residential development. A qualitative assessment of construction dust effects has been undertaken for the proposed scheme. The proposed development would fall below the IAQM guidance and no further assessment would be required. The construction phase is predicted to have a ‘Medium Risk’ of nuisance and/or loss of amenity impacts due to dust nuisance. However, the risk of dust nuisance during demolition and construction period can be mitigated by implementing the appropriate mitigation measures. The proposal is not anticipated to generate a significant number of additional road traffic during the operational phase. The proposed development is also an air quality neutral development due to the low number of trips made per year from the development and the resulting low number of NO<sub>x</sub> and PM<sub>10</sub>.

6.9.4 The assessment has been reviewed by the Council’s Environment Health and no objection has been raised, subject to implementation of mitigation measures as outline in the air quality assessment be secured by a condition. Furthermore, electric car charging point shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 80% of spaces. A 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 should also be secured by planning conditions.

#### *Noise*

6.9.5 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.

6.9.6 A noise impact assessment including noise surveys is submitted which identifies the design targets to be achieved with respect on noise. A range of mitigations are indicated including glazing, ventilation strategy and insulation. The Council Environmental Health were consulted and

considered the details of the proposed measures should be secured by planning conditions. 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*

- 6.9.7 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 Contaminated Land 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 an area subject to the high risk of surface flooding and 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 and Drainage Statement is submitted which indicates that permeable pavement would be incorporate as part of the proposal. The surface water run-off generated by permeable area would need to be stored a sub-base and release into public sewer with a rate of 0.9 litre per second for all storm events in line with the EA Climate Change Guidance to consider and manage the impact of a 1 in 100 year plus 40% climate change rainfall. The proposed foul water will be discharged into the existing Thames Water trunk foul water gravity sewer located south of the proposed residential building along Bourne Way.
- 6.10.3 The Council's drainage officer and Thames Water have raised no objection to the proposal, except conditions to secure the details of the drainage design and strategy works be provided and provision of permeable paving. 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 15<sup>th</sup> June 2021 and will apply to any development determined on or after 15<sup>th</sup> June 2021.

### *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 £ 62,179.64;
  - Health: £ 48, 832;
  - Energy £ 52,497
  - Child play £12,800;
  - Early and late stage affordable housing viability review;
  - Obligation monitoring fee: £500 per head of terms.
- 7.4 Upon the formal adoption of Bromley Local CIL on the 15<sup>th</sup> June 2021, the planning obligations for Education, Health and Child Play will be replaced by Bromley Local CIL £ 307,300. The requirements for carbon offset setting, early and late stage affordable housing viability report and monitoring fee remain in- situ
- 7.5 These obligations meet the statutory tests set out in Government guidance, i.e. they are necessary, directly related to the development and are fairly and reasonably related in scale and kind to the development.

## **8.0 Planning balance and conclusion**

- 8.1 The proposed development would not result in a loss of existing local community facilities or services in the area. The redevelopment of this previously developed land to provide housing is supported.
- 8.2 The proposal is assessed in line with the adopted Development Plan. A financial viability report has been independently assessed by an agreed independent assessor and the absence of affordable housing is justified.

Any future surplus derived from the residential development will be subject to an early stage and late stage viability review mechanism. The internal layout demonstrates adequate and accessible internal living and external communal outdoor including a good range of housing size between two 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 A transport assessment, Stage 1 and Stage 2 Road safety report have been reviewed by the Council's highway, waster services and fire bridge and no objections are raised, subject to the planning conditions.
- 8.4 The proposal would have an impact on the neighbouring properties. However, planning merits arising from this proposal would significantly outweigh the limited 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 and completion of a S106 legal agreement.

## **RECOMMENDATION**

**PERMISSION SUBJECT TO S106 LEGAL AGREEMENT AND PLANNING CONDITIONS.**

## **SUMMARY OF CONDITIONS AND INFORMATIVES**

### Standard Conditions:

1. Time limit of 3 years
2. Drawing numbers

### Pre-Commencement Conditions:

3. Construction and Environmental Management Plan in consultation with Network Rail
4. Phase 2 Land contamination assessment
5. Stage 3 Road Safety Audit report including traffic lights specifications
6. Noise assessment including specification of glazing, balcony screen and all internal and external plant.
7. Arboriculture method statement
8. Surface water drainage

### Above Ground Construction Conditions:

9. Green wall
10. Permeable paving
11. External materials including balcony balustrade
12. Energy Assessment including verification report.
13. Hand and soft landscaping including green wall and external lighting
14. Mechanical ventilation details
15. Fire statement including Part B5 of Building Regulations Approved Document B
16. Water infrastructure

### Prior to occupation conditions:

17. External lighting
18. Car park management plan
19. Refuse strategy and management
20. Wheelchair units
21. Electric charging points (active)
22. Secure by Design
23. Swift nest bricks, bird and bat boxes
24. Details of permeable paving
25. External lighting

### Compliance conditions:

26. Air quality assessment
27. Parking spaces
28. Cycle storage
29. Hardstanding for wash-down facilities for construction vehicles

30. All Non-Road Mobile machinery to comply with relevant emissions standards
31. Parking spaces
32. Removal of PD right for upward extensions and change of use on the ground floor.

#### Informatives

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