



## Appeal Decision

Hearing Held on 4 February 2020

Site visit made on 4 February 2020

**by E Symmons BSc (Hons) MSc**

an Inspector appointed by the Secretary of State

**Decision date: 03 March 2020**

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### **Appeal Ref: APP/G5180/W/19/3235672**

### **34 West Common Road, Hayes, Bromley BR2 7BX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Renaissance Retirement Ltd against the decision of the Council of the London Borough of Bromley.
  - The application Ref DC/18/01537/FULL1, dated 29 March 2018, was refused by notice dated 21 February 2019.
  - The development proposed is Demolition of existing buildings and redevelopment to form 28 sheltered apartments for the elderly, including communal facilities, access, car parking and landscaping.
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### **Decision**

1. The appeal is allowed and planning permission is granted for demolition of existing buildings and redevelopment to form 28 sheltered apartments for the elderly including communal facilities; access; car parking and landscaping at 34 West Common Road, Hayes, Bromley BR2 7BX in accordance with the terms of application reference DC/18/01537/FULL1, dated 29 March 2018 subject to conditions set out in the attached schedule.

### **Procedural Matters**

2. The Statement of Common Ground includes a list of plans which the parties consider relevant to the appeal. Plan 5724-03-A-11 Rev A which had not been previously submitted and Plan 5724-03-A-03 Rev D were tabled, discussed and the Council raised no concerns. During the hearing it was agreed that plan 5724-03-A-22 Rev E was unnecessary and should be disregarded in favour of plan 5724-03-A-22 Rev D. Additionally, plans 5724-03-A-103 Rev C; 5724-03-A-110 Rev B; 5724-03-A-111 Rev B; 5724-03-A-112 Rev B; 5724-03-A-120 Rev B and 5724-03-A-121 Rev B and the officer report for a recently granted planning permission for the appeal site reference 19/03215/FULL1, were submitted.
3. The London Borough of Bromley Local Plan 2019 (Local Plan) was recently adopted and Policies 4 and 37 which are most relevant to this appeal are consistent with the National Planning Policy Framework<sup>1</sup> (The Framework) and specifically paragraphs 127, 130 and 192 which seek that proposals are of good design and produce proposals which make a positive contribution to local character.

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<sup>1</sup> February 2019.

4. The Council can only demonstrate a 4.25 year housing land supply which falls below the five year supply required. Paragraph 11d, footnote 7 of the Framework states that when this is the case, and as this appeal relates to the provision of housing, the need for the proposal to be considered against paragraph 11d is triggered. However, although the proposal must be determined within the context of paragraph 11d, I consider the Local Plan policies are a material consideration within this decision which carry full weight because they are consistent with the Framework.
5. During the hearing the Appellant drew my attention to paragraph 2.1.55 within the supporting text to Policy 4 of the Local Plan. This states that specialist housing is exempt from housing standards set out in the London Plan. The text however, goes on to say that a satisfactory standard of accommodation should still be expected for specialist housing. Additionally, Policy 37 of the Local Plan requires all development to be of a high standard of design and layout.
6. Within the Statement of Common Ground, Policies 3.10, 3.11 and 3.13 of the London Plan and Policy 2 of the Local Plan were cited as relevant to this appeal. During the hearing it was agreed that these were most relevant to the submitted planning obligation made under Section 106 of the Town and Country Planning Act, as amended. This matter is discussed later.

### **Main Issues**

7. It became clear at the hearing that the second main issue identified on the agenda regarding the effect of the proposal on the residential amenities of the area did not refer to harm to the living conditions of neighbouring occupiers. It related to a concern regarding an impression of enclosure caused by the proposed building. It was agreed that this was relevant to assessment of the proposal's effect upon the character and appearance of the area. The main issues are therefore:
  - the effect of the proposal on the character and appearance of the area, and
  - how the planning balance, involving the benefits and disbenefits of the proposed development, should be assessed.

### **Reasons**

#### *Character and appearance*

8. The appeal site has a prominent position on the corner of West Common Road and Ridgeway. This enclosed, redundant industrial site has six disused, single-storey buildings with intervening areas of hard standing and an overgrown garden area adjacent to the northern boundary. One of the buildings presents a blank single-storey side elevation directly on to the back of the West Common Road pavement. As observed during my site visit this wall runs more than halfway along the site boundary and is an obtrusive feature within the streetscape. From Ridgeway the site is set back from the highway being physically and visually separated by an area of grass containing two tall mature trees which partially screen views of the site from this direction.
9. The surrounding neighbourhood has a mixed but residential character. A two-storey, detached dwelling at 32 West Common Road (No 32) sits along the north boundary, and The Knoll, a street of two-storey interwar period dwellings, sits to the rear (west). The appeal site is not read within the context

- of The Knoll due to the intervening and relatively long rear gardens which separate them. To the south of the site, on the opposite side of the West Common Road/Ridgeway junction, is 56 West Common Road (No 56). This, in common with the properties which run south from this corner, is a substantial two-storey semi-detached dwelling.
10. Further north beyond No 32 there are two more modern detached properties, The Priest House and Our Lady of the Rosary Roman Catholic Church. These are set back from the highway behind deep landscaped areas. The building line along West Common Road created by the site and other buildings running northwards towards Baston Road is therefore not distinct. Opposite the site are school playing fields which are bounded along the roadside by a line of mature conifers which significantly filter views west towards the appeal site from this direction. Other mature trees and shrubs in the vicinity in both private gardens and the public realm, give a green and verdant character to the area.
  11. Public views of the proposal would be from either direction along West Common Road and from the west looking along Ridgeway. These views would be limited due to the narrow width of West Common Road at this point and the absence of a pavement along its east side.
  12. In December 2019 planning permission was granted for demolition of existing buildings on the appeal site and redevelopment to form 25 sheltered apartments for the elderly, including communal facilities, access, car parking and landscaping. The officer report for this scheme stated that although its height and scale were considered larger than the existing buildings on the site, the setback was sufficient to allow it to respect the established character of the area and I concur with this view. The approved scheme was discussed at the hearing and it was clear that it represented a credible fallback position which has a greater than theoretical possibility of being implemented.
  13. Site and elevation plans for this fallback scheme show the outline of the appeal scheme as a dotted line. The appeal scheme would have a greater footprint and mass than the fallback due to the presence of a northern arched element (northern wing) and a rear, west extending part of the building. Both features are omitted within the fallback scheme which consequently has a greater separation from both the northern and western site boundaries.
  14. In general design terms, the Council considers that the fallback scheme better respects the built character of the semi-detached dwellings on West Common Road. Computer generated images of the appeal scheme showing oblique views from both the north and the south were submitted. These however, demonstrate that the presence of the proposed projecting bays and recessed elements facing West Common Road, would result in a similar frontage to semi-detached dwellings in the area.
  15. The difference in height between the two schemes was agreed to be less than one metre. Additionally, the appeal scheme would have some points on the east and west elevations which would be lower than that of the approved scheme. I therefore do not consider that the height of the proposal would have significantly greater impact upon the character and appearance of the area than the fallback.
  16. The Council considers that the proposal would result in an overbearing 60 metre long frontage along West Common Road. However, the front building

- line would not be continuous as the northern wing would be set back 15 metres from the highway. The continuous front building line would therefore comprise a 45 metre long frontage which would be similar in scale to the fallback.
17. The relative positions of both the fallback and appeal scheme in relation to No 32 are important. This property is set back 12 metres from West Common Road. The proposed 15 metre setback of the northern wing would situate this part of the proposal behind the front building line of No 32. This relationship is slightly awkward. However, it would be mitigated by the similarity in height between the one and a half-storey northern wing and No 32. Additionally, the lack of a strong building line running north from No 32 towards Baston Road would also mitigate this. In general, the appeal proposal would respect the position, height and mass of No 32 and on balance, the northern wing would not cause significant harm to the character and appearance of the area.
  18. When the site is viewed from the south looking along West Common Road, the current single-storey building is the most prominent feature seen. The proposal would set the building line back around 6 metres from the pavement. This would widen the gap between the site and the school boundary on this narrow section of West Common Road. Although this benefit would be tempered by the two and a half-storey height of the proposal which would be considerably taller than the current building and to some extent visually enclose the additional space, two factors regarding this viewpoint must be considered. Firstly, both schemes would have a very similar scale and appearance from this view. Secondly, both schemes would be partly screened by the two retained trees situated between the building and the highway.
  19. The Council expresses concern that the front building line of the proposal would not respect that of No 56. As observed during my site visit, when viewed from within West Common Road, No 56 is not read within the context of the appeal site. This is due to the position of the appeal site which sits well forward of No 56; to the width of the intervening junction and the presence of trees on both sides of Ridgeway and outside No 56. Additionally, the appeal scheme would follow a broadly similar building line to the acceptable fallback scheme and would not appear unduly incongruous.
  20. Views of the site from around the Ridgeway/West Common Road junction are seen within the context of the relatively long rear gardens of The Knoll. When looking down Ridgeway towards West Common Road, the site is seen against the trees which border the school grounds. The western part of the proposal's frontage along Ridgeway was estimated to be around six metres greater than the fallback. Although the proposal would be relatively close to the rear boundary of the site at this point, this would not be particularly evident from public views as this part of the building would be set back from, and sit at an angle to, Ridgeway and behind the retained trees. Its prominence would therefore be significantly reduced mitigating its impact on the streetscene.
  21. The Council estimates that proposed hard standing and buildings would cover 64% of the site, with insufficient separation from the site boundaries, and this, combined with the proposed density, would lead to a scheme which would be cramped and have a poor layout.
  22. The proposal would have a larger footprint and be closer to the site boundaries than the fallback and have a somewhat greater impact upon the character and appearance of the streetscape. However, for the northern wing this impact

would be mitigated by its subordinate position and scale, its considerable set back from the highway and its respect for the presence of No 32. For the western rear part of the building, which would also be set back from the highway, screened by trees and at an oblique angle to Ridgeway, its impact would also be lessened. Consequently, the proposal would not significantly harm the character and appearance of the area.

23. On balance I consider that notwithstanding the height of the building the six metre set back of the building line along West Common Road, would improve the openness of this narrow part of the road. Introduction of soft landscaping along this boundary would also be an improvement on the current situation. In terms of scale, mass, height and footprint, the proposal would not have a significantly greater effect upon the character and appearance of the area than the fallback scheme.
24. Having regard to all of the above points, I conclude that the proposed development would not have a harmful impact upon the character and appearance of the area. The proposal would therefore not conflict with Policies 4 and 37 of the Local Plan. These policies require development to recognise and complement the qualities of the surrounding area regarding site layout, other buildings and surrounding space, and be of an appropriate scale and proportion, making a positive contribution to the streetscape. Nor is there conflict with Policies 7.4 or 7.6 of the London Plan which require proposals to have regard to architectural quality, orientation, scale, proportion and composition.

#### *Planning Obligation*

25. A signed Section 106 Agreement was submitted prior to the hearing. I consider that this adequately addressed the matters of affordable housing, carbon off-setting and healthcare contributions. These contributions have been justified by the Council and are appropriate to mitigate the impact of the proposal.

#### *Appropriate planning balance*

26. In addition to the policies referred to in the reasons for refusal, the Appellant considers that other policies and guidance within the Local Plan; the London Plan; The Mayor of London Housing Supplementary Planning Guidance 2016; the Framework and the Housing for Older and Disabled People National Planning Policy Guidance 2019 (PPG) also carry weight and support the proposal.
27. These policies and documents acknowledge and support the need for specialist dwellings of this type and redevelopment of windfall sites for housing. Additionally, paragraph 123 of the Framework states that where there is an existing shortage of land for meeting identified housing needs, decisions should avoid homes being built at low densities assuming that acceptable living conditions can be met. Furthermore, paragraph 016<sup>2</sup> of the Housing for Older and Disabled People PPG states that Local Authorities should take a positive approach to schemes if there is an identified unmet need.
28. The proposal would deliver 28 specialist retirement properties within Bromley, three more than the fallback. This would contribute towards a target of 205 specialist units per year set out within Annex 5 of the London Plan and the

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<sup>2</sup> Paragraph: 016 Reference ID: 63-016-20190626. Revision date: 26 June 2019.

Council's Older Persons Accommodation Evidence Base 2016<sup>3</sup> and the supporting text to Policy 11 of the Local Plan. The Council does not have figures available regarding progress towards delivery of this target. This proposal would make a modest but important contribution to supply of this type of housing.

29. In conclusion, substantial evidence has been provided to establish the national and local need for housing of this type with policy support for its delivery. Therefore, within the planning balance these benefits of the proposed development carry significant weight.

### **Conditions**

30. The conditions set out in the accompanying schedule are based on those discussed at the hearing. These conditions have been considered against the tests of the Framework and advice provided by the PPG on conditions<sup>4</sup>. I have undertaken some minor editing and rationalisation in the interests of precision and clarity. Those included in the schedule are found to be reasonable and necessary in the circumstances of this case. Some of the conditions are pre-commencement and these were agreed in writing within the Statement of Common Ground and verbally at the hearing.
31. For certainty, conditions have been included regarding time for implementation and approved plans. Conditions regarding details of materials have been included, as has a requirement for submission of existing site and proposed slab levels. This will ensure the development has a satisfactory form and does not harm the character and appearance of the area. Similarly, a condition to ensure provision and retention of refuse and recycling storage facilities has been included in the interests of residential and visual amenity.
32. Conditions have been added to reduce the impact of flooding arising from surface water; implement a sustainable drainage hierarchy; to identify visibility splays; stop-up the existing site access and further detail parking and turning spaces. These will ensure highway safety and reduce the impact of the proposal on other highway users. To reduce reliance upon private cars a condition has been imposed to ensure and retain suitable cycle parking facilities. A lighting scheme has been submitted for the access and car parking area however, I have included a condition to ensure that it is of a suitable standard and is retained to ensure the safety of site users.
33. In the interests of the living conditions of neighbouring occupiers and for highway safety, conditions requiring production and implementation of a construction and environmental management plan and a highway cleaning scheme, have been included.
34. To ensure that biodiversity and protected species are safeguarded a condition has been included which requires implementation of recommendations contained within the Phase 1 Habitat Survey. Submission, implementation and monitoring of tree protection details has been required to ensure the longevity of retained trees within the development. A landscaping scheme has been submitted, however, a condition requiring hard and soft landscaping details has been included to ensure that the proposals achieve a suitable standard of specification, implementation, management and retention.

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<sup>3</sup> Older Persons Accommodation - Draft Submission Local Plan evidence base. London Borough of Bromley 2016.

<sup>4</sup> Guidance. Use of Planning Conditions. Last updated 23 July 2019.



35. To provide and retain specialist accommodation and ensure the living conditions of future occupiers, conditions to ensure appropriate building regulations and retention of specialist units, have been included.
36. Finally, during the hearing a condition was proposed regarding measures to be taken to ensure security and crime prevention for the residential units. This was discussed and amended with omission of the final clause.

### **Conclusion**

37. The proposal must be determined within the context of paragraph 11d of the Framework which states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole.
38. The delivery of specialist housing for which there is a national and local need, although a modest number, carries significant weight. The parties agree that the materials and architectural detailing are acceptable, there would be no adverse impact on the living conditions of neighbouring or future occupiers and when compared with the current situation, use as retirement accommodation is more consistent with the residential character of the area. When considered within the context of the credible fallback position, the proposal would not have a significantly greater impact upon the character and appearance of the area and does not conflict with the Local Plan. There is therefore a presumption in favour of this development.
39. As the proposal would support the policies of the Local Plan and the Framework when taken as a whole, the appeal is allowed.

*E Symmons*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved in writing by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.
- 3) (a) Surface water from private land shall not discharge on to the highway.  
(b) Prior to the commencement of above ground works details of the drainage system for surface water drainage to prevent the discharge of

surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority.

(c) Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the details approved under Part (b) and shall be retained permanently thereafter.

- 4) Before any of the development is first occupied, details of the visibility splay shall be submitted to and approved in writing by the Local Planning Authority and those approved works should be implemented and thereafter retained in perpetuity.
- 5) The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such and the footway/verge reinstated as approved.
- 6) Before commencement of the use of the land or building hereby permitted, parking spaces and/or garages and turning space shall be completed in accordance with the details as set out in this planning permission. Thereafter these shall be kept available for such use and no permitted development, whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.
- 7) (a) Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works.  
(b) The approved scheme shall be self-certified to accord with BS 5489-1:2003.  
(c) The lighting scheme shall be implemented in full accordance with details submitted under Part (a) before the development is first occupied and the lighting shall be permanently retained thereafter.
- 8) No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. As a minimum the plan shall cover:
  - (a) Dust mitigation and management measures.
  - (b) The location and operation of plant and an area of hard standing for wheel washing facilities.
  - (c) Measures to reduce demolition and construction noise.
  - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:
    - (i) Rationalise travel and traffic routes to, from and within the site.



- (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
  - (iii) Measures to deal with safe pedestrian movement.
  - (iv) Full contact details of the site and project manager responsible for day-to-day management of the works.
  - (v) Parking for operatives during the construction period.
  - (vi) A swept path drawing for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.
  - (e) Hours of operation.
  - (f) The development shall be undertaken in full accordance with the details approved under Parts a–e.
  - (g) Any accidental accumulation of mud on the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.
- 9) (a) Details of arrangements for bicycle parking (including covered storage facilities where appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works
- (b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.
- 10) (a) Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works.
- (b) The arrangements as approved under Part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.
- 11) Prior to commencement of the development hereby permitted, as set out in the phase 1 Habitat Survey (July-August 2017) an ecologist must check for nesting birds and bats before any clearance or demolition is begun on site. Garden clearance and demolition of the buildings must take place outside the bird nesting season (March–August inclusive), or an ecologist must check the site for nesting birds immediately before work commences. If during any works nesting birds or bats are found to be present, then an additional habitat survey should be completed, and an appropriate remediation scheme submitted to the Local Planning Authority for approval in writing.
- 12) (a) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- i) Location and installation of services/utilities/ drainage.
  - ii) Methods of demolition within the root protection area (RPA as defined in BS 5837:2012) of the retained trees.
  - iii) Details of construction within the RPA or that may impact on the retained trees.
  - iv) A full specification for the installation of boundary treatment works.
  - v) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
  - vi) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within RPAs is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
  - vii) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
  - viii) A specification for scaffolding and ground protection within RPAs.
  - ix) Tree protection during construction indicated on a TPP, and construction and construction activities clearly identified with signage as prohibited in this area.
  - x) Details of site access, temporary parking, on-site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing and use of fires.
  - xi) Methodology and detailed assessment of root pruning.
  - xii) Arboricultural supervision and inspection by a suitably qualified tree specialist.
  - xiii) Reporting schedule for and details of inspection and supervision.
  - xiv) Methods to improve the rooting environment for retained and proposed trees and landscaping.
- (b) The development thereafter shall be implemented in strict accordance with the approved details.
- 13) Details of the materials to be used for the external surfaces of the building, including all windows and doors, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced. The works shall be carried out in accordance with the approved details.
- 14) The development hereby approved shall be carried out in accordance with the application plans, drawings and documents as detailed below:  
Location Plan 5724-03-A-01; Block Plan 5724-03-A-02; Proposed Site Plan 5724-03-A-03; Ground Floor Plan 5724-03-A-10 Rev A; First Floor 5724-03-A-11 Rev A; Second Floor 5724-03-A12; Roof Plan

5724-03-A-13 Rev A; North and West Elevations 5724-03-A-21 Rev D; South and East Building Elevations 5724-03-A-20 Rev D; Street Scene 5724-03-A-22 Rev D; Proposed Substation 5724-03-A-25 Rev A; Existing Survey AD/1603056; Tree Constraints Plan 17211-BT1; Planting Plan PP001; Landscape Plan LANDP001; Planting Maintenance Schedule; Lighting Plan LP001 and Lighting Plan LP002.

- 15) a) Prior to commencement of above ground works details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:
- (i) A scaled plan showing all existing vegetation to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock and no invasive species.
  - (ii) Proposed hardstanding and boundary treatment.
  - (iii) A schedule detailing sizes and numbers of all proposed trees/plants.
  - (iv) Sufficient specification to endure successful establishment and survival of new planting.
- (b) There shall be no excavation or raising or lowering of levels within the prescribed RPA of retained trees unless agreed in writing by the Local Planning Authority.
- (c) Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.
- 16) Prior to commencement of development (excluding demolition) details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with the approved levels.
- 17) The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(3) 'wheelchair user dwellings' for the units identified in the application as wheelchair units and shall be permanently retained thereafter. All other units shall be built in accordance with Building Regulations M4(2) and shall be permanently retained thereafter.
- 18) (a) The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and development. No above ground construction shall take place until details of such measures have been submitted to and approved in writing by the Local Planning Authority.
- (b) The approved measures shall be implemented before the development is occupied.

- 19) The apartments within the building hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, be used solely for the designed purpose of providing self-contained independent living units of accommodation for person or persons who, for the purpose of acquiring purchase or lease of any of the approved apartments will have a minimum age of not less than 60 years old (or a spouse/or partner (who are themselves over 55 years old) living as part of a single household with such a person or persons). The building shall not be used or occupied for any other purpose (including equivalent provision in Class C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any equivalent provision, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (2015) and no permitted changes of use shall occur, unless express written permission of the Local Planning Authority has been obtained.

END OF SCHEDULE

## **APPEARANCES**

### FOR THE APPELLANT:

Ms Heather Sargent  
Mr James Green  
Ms Christine McNulty BA(Hons) DipTP MRTPI  
Ms Annabel Prentice

Landmark Chambers  
Williams Lester Ltd  
Pegasus Group  
Lifestory

### FOR THE LOCAL PLANNING AUTHORITY:

Mr David Bord

London Borough of Bromley

## **DOCUMENTS SUBMITTED AT THE HEARING**

- Plan 5724-03-A-11 Rev A.
- Plan 5724-03-A-03 Rev D.
- London Borough of Bromley officer report for application 19/03215/FULL1.
- Plans 5724-03-A-103 Rev C; 5724-03-A-110 Rev B; 5724-03-A-111 Rev B; 5724-03-A-112 Rev B; 5724-03-A-120 Rev B and 5724-03-A-121 Rev B relating to application 19/03215/FULL1.
- A list of four additional planning conditions, three of which had previously been agreed by the Appellant.