

Committee Date	05.08.2021		
Address	Highway and Land Canterbury Close Beckenham		
Application Number	21/00292/FULL1	Officer - Russell Penn	
Ward	Copers Cope		
Proposal	Erection of three storey building, with basement, comprising 5 flats and the laying out of associated parking spaces and amenity space.		
Applicant	Agent		
Mr T Joseph	Mr Kelvin Hinton		
C/o Agent 6 Harold Avenue Hailsham BN27 1EL	6 Harold Avenue The Brook Hailsham BN27 1EL		
Reason for referral to committee	Call-In	Councillor call in Yes	

RECOMMENDATION	Permission
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 12</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Vacant site.	0
Proposed	C3	412

Residential Use – See Affordable housing section for full breakdown including habitable rooms					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total / Payment in lieu
Market		4	1		5
Affordable (shared ownership)					0
Affordable (social rent)					0
Total					5

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	0	5	5
Disabled car spaces	0	0	0
Cycle	0	10	10

Electric car charging points	0
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Representation summary	Neighbour letters were sent on 09/02/2021 and 18/06/2021. An Article 13 site notice was displayed on the site in March 2021
Total number of responses	63
Number in support	3
Number of objections	60

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The site optimisation and unit type of the proposed scheme is acceptable and the development would not be detrimental to the character and appearance of the area and locality.
- The proposed development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers.

- The standard of the accommodation that will be created will be good.
- The proposal would not have an adverse impact on the local road network or local parking conditions.
- The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency.

2 LOCATION

- 2.1 The site is located to the southern side of The Avenue, approximately 40m west of the junction of Mayfair Close and comprises land located on the east and south east side of Canterbury Close. The site is currently undeveloped and laid to grass with some trees and vegetation along the eastern boundary. A private footway crosses the land to the adjacent Mayfair Close flats.
- 2.2 Canterbury Close was adopted as a highway maintainable at the public expense on 11 September 1973, the land subject to the planning application forms part of the adopted highway.
- 2.3 The site is not located in a conservation area nor is the building listed. The site is not a designated green space.

Site Location Plan:

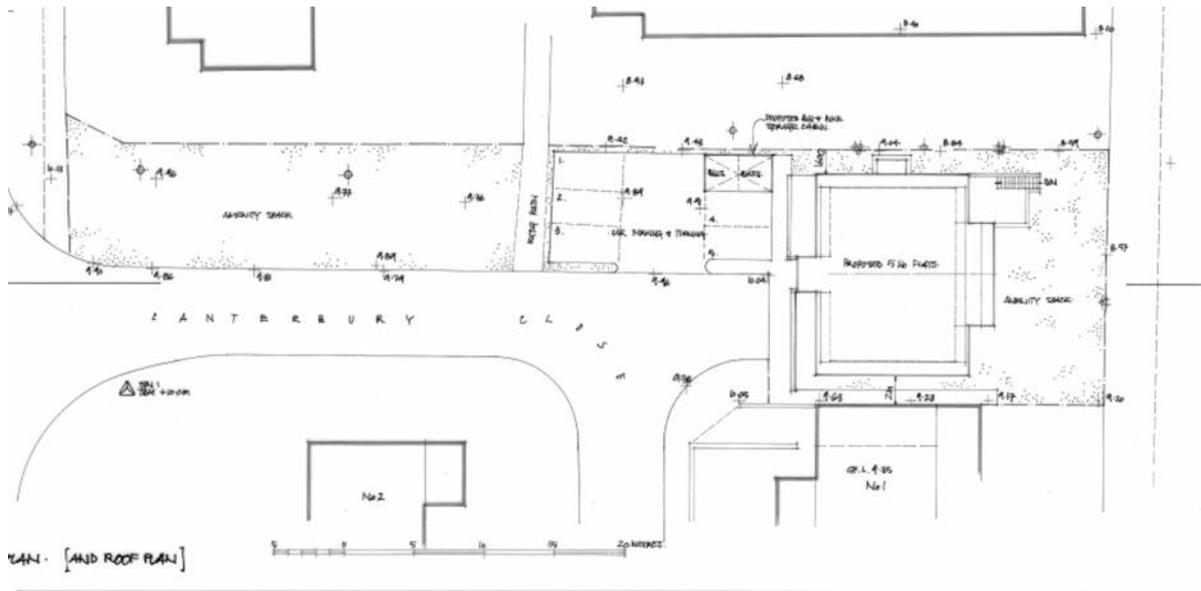


3 PROPOSAL

- 3.1 Planning permission is sought for the erection of three storey building, with basement, comprising 5 flats and the laying out of associated parking spaces and amenity space.
- 3.2 The five flats would comprise 1 three bedroom unit and 4 two bedroom units. The building would be sited at the southern end of the site, in line with the existing adjacent terraced housing. Five parking spaces would be provided immediately to the front of the building, served by a new crossover from Canterbury Close. The

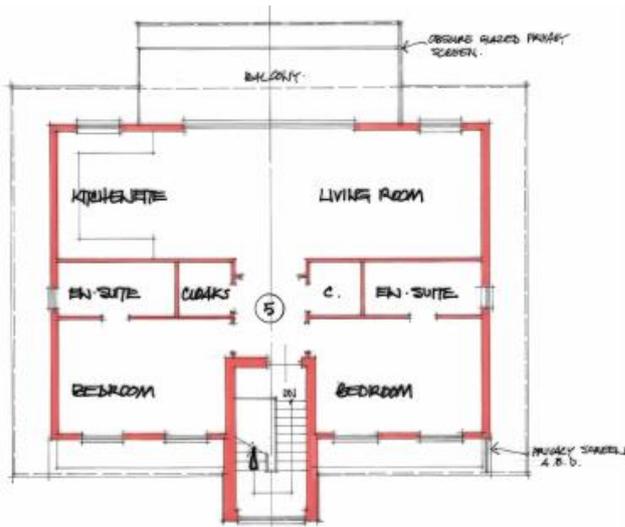
northern front most part of the site would be laid out as a landscaped amenity area. A private amenity area would also be provided to the rear of the building. The existing footway to Mayfair Close would be retained.

Proposed site layout:



Floor plans:





SECOND FLOOR PLAN.



BASEMENT FLOOR PLAN.

Elevations:





4 RELEVANT PLANNING HISTORY

4.1 There is no relevant planning history relating to the application site.

5 CONSULTATION SUMMARY

A) Statutory

Environmental Health Officer – No objection

- I have considered the above and have no objections within the grounds of consideration.

Drainage Officer – No objection

- The proposed access drive and parking area must be constructed with permeable paving. The applicant must also consider incorporating an Aco drain at the cross over to prevent surface water run-off discharging onto the highway. Further details of surface water drainage to be sought by planning condition.

Highways Officer: – No objection

- According to Transport for London's (TfL) Planning Information Database the site has a PTAL rating of 3 (on a scale of 0 – 6b, where 6 is the most accessible). The proposed development would comprise for erection of three storey building, with

basement, comprising 5 flats and the laying out of associated parking spaces. The proposed mix is 4 x 2 bedrooms and 1 x 3 bedrooms. Five parking bays and cycle parking are shown in the revised plan. This is acceptable.

- Canterbury Close was adopted as a highway maintainable at the public expense on 11 September 1973 and I include an extract below showing the land subject to the planning application. This clearly shows that the land to which Planning Application 21/00292/FULL1 relates forms part of the adopted highway and is therefore subject to public rights of passage, which would need to be extinguished before the site can be used for any other purpose.



- The Stopping Up application will be processed once the planning application has been granted permission.

Tree Officer – No objection

- The tree constraints have been addressed in the arboricultural submission. I am satisfied with the precautionary measures set out. I would therefore recommend planning permission be granted with conditions applied.

Thames Water – No objection

- Waste comments - Thames Water would advise that with regard to waste water network and sewage treatment works infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided.
- With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.
- As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or

equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

- Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging 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. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk .
- Water comments - On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.
- There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

- The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

Network Rail – No objection

- Due to the close proximity of the proposed works to Network Rail's land and the operational railway, Network Rail recommends that the applicant / developer contacts Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionLondonSouthEast@networkrail.co.uk prior to works commencing. Our Asset Protection will ensure that 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/>.
- As well as contacting Network Rail's ASPRO Team, the applicant / developer must also follow the Asset Protection informatives (compliance with the informatives does not remove the need to contact ASPRO).

B) Local Groups

No comments received.

C) Adjoining Occupiers

Objections

Character (addressed in para 7.2)

- The site is an important green space used for amenity by local residents now and historically.
- Concerns regarding loss of the green space as a civic amenity in an area deficient of local parks.
- Basement not in character with the area.
- Concerns regarding, scale, proportions and the height of the building in relation to locality and change to the areas character as a result.
- Inconsistency in the design proposed with the two-storey, terraced, 1960s homes in Canterbury Close.
- Materials and design proposed do not accord with the existing character and context of the Close.
- Loss of uniformity of buildings in the close if built and not in keeping with the houses on Canterbury Close.

- Introduces irregularity to the building line of Canterbury Close.
- Overdevelopment at expense of context.
- Loss of openness context of Canterbury Close.
- Preference not to see more flats built.

Neighbouring Amenity (addressed in para 7.5)

- Impacts to future installation of neighbouring property window on the boundary.
- Overlooking from balconies and loss of privacy to neighbouring property.
- Loss of light to neighbouring properties.
- Concerns regarding loss of 'distance' views due to the development.
- Building will be overbearing.

Highways and Parking (addressed in para 7.4)

- Comments that the land is adopted highway land.
- Comments that the land was not built on to allow a bridge to be built connecting to Albemarle Road.
- Comments regarding Westgate Bridge close to the site being made into a one way.
- Comments regarding right of way over the land by adjoining property.
- Comments regarding any removal or movement of footways would be dangerous.
- Concerns with safety, access for emergency and delivery vehicles.
- Concerns regarding loss of on street parking spaces.
- Concerns regarding an increase in parking congestion in Canterbury Close.
- Parking area is too visually prominent in the streetscene.

Noise and disturbance (addressed in para 7.5)

- Additional flats will increase noise and pollution.

Accommodation standards (addressed in para 7.3)

- Concerns with quality of accommodation offered.
- Bin and bike store appears inadequate.
- Minimal landscaping being offered.

Other comments (addressed generally and via planning conditions where relevant to planning)

- Concerns with loss of green space and impacts to biodiversity on the site. Preference to see a formal green play space provided.
- Comments regarding the sale/ownership of the site.
- Comments regarding the process of the planning application need to be followed correctly.
- Comments the application should be more robust with additional reports.
- Comments that not all residents of Canterbury Close were notified of the application.
- Comments regarding covenant only allowing two storey height.

- Results in loss of property value.
- Concerns regarding the impacts of the construction process on amenity of local residents and traffic management of construction process.
- Concerns with impact to services infrastructure – water/ drainage in Canterbury Close.
- Residents of Canterbury Close have not been allowed to build an additional floor.
- Concerns with impact to trees near east boundary of the site.
- Concerns with impact to railway line embankment.
- Submitted imagery is misleading.

Support

- There is a need for more housing in Beckenham.
- Privacy screens overcome overlooking issues.
- Stepped design mitigates height differences between houses and Mayfair Court.
- Good use of a vacant are of land.
- Partly mitigates commuter parking issue.

6 POLICIES AND GUIDANCE

6.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

6.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

6.3 The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.

6.4 The application falls to be determined in accordance with the following policies:-

6.5 National Policy Framework 2021

6.6 London Plan 2021

- D1 London's form and characteristics
- 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, security and resilience to emergency

D10	Basement development
D12	Fire safety
D13	Agent of change
D14	Noise
H1	Increasing Housing Supply
H2	Small sites
H5	Threshold Approach to application
H8	Loss of existing housing and estate redevelopment
H9	Ensuring the best use of stock
H10	Housing Size Mix
S4	Play and informal recreation
G5	Urban greening
G6	Biodiversity and access to nature
G7	Trees and woodlands
SI1	Improving air quality
SI4	Managing heat risk
SI5	Water infrastructure
SI7	Reducing waste and supporting the circular economy
SI12	Flood risk management
SI13	Sustainable drainage
T2	Healthy Streets
T3	Transport capacity, connectivity and safeguarding
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T6.1	Residential Parking
T7	Deliveries, servicing and construction

6.7 Bromley Local Plan 2019

1	Housing supply
4	Housing design
8	Side Space
30	Parking
32	Road Safety
33	Access for All
34	Highway Infrastructure Provision
37	General design of development
56	Local Green Space
59	Public Open Space Deficiency
73	Development and Trees
74	Conservation and Management of Trees and Woodlands
77	Landscape Quality and Character
112	Planning for Sustainable Waste management
113	Waste Management in New Development
115	Reducing flood risk
116	Sustainable Urban Drainage Systems (SUDS)
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 dioxide reduction, Decentralise Energy networks and Renewable Energy

6.8 Bromley Supplementary Guidance

Housing: Supplementary Planning Guidance. (March 2016)
 Technical housing standards - Nationally Described Space Standard (March 2015)
 SPG1 General Design Principles
 SPG2 Residential Design Guidance
 National Design Guide – (September 2019)

7 ASSESSMENT

7.1 Principle of development

- *Housing Supply*

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

7.1.2 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.

7.1.3 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.

7.1.4 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.

7.1.5 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.

7.1.6 This application includes the provision of five residential dwellings and would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

- *Optimising Sites:*

7.1.7 Policy H1 Increasing Housing Supply of the London Plan states that to ensure housing targets are achieved boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. Policy 1 of the Local Plan and Policy H1 of the London Plan set the context in the use of sustainable brownfield sites for new housing delivery.

7.1.8 Policy H2 Small Sites of the London Plan states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to significantly increase the contribution of small sites to meeting London's housing needs.

7.1.9 The London Plan does not include a prescriptive density matrix and promotes a design-led approach in Policy D3 to optimise the capacity of sites. 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. Policies D2 and D4 are also relevant to any assessment of development proposals, including whether the necessary infrastructure is in place to accommodate development at the density proposed.

7.1.10 Local Plan Policies 4 and 37 accord with paragraph 127 of the National Planning Policy Framework, which requires development to be sympathetic to local character whilst optimising the potential of sites.

7.1.11 The supporting text to Policy H2 of the London Plan describes that incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role

in contributing towards the housing targets for small sites. The site has a PTAL of 3 and is less than 400m by road to Beckenham Junction railway station.

7.1.12 The site is not designated as Local Green Space in the Local Plan under Policy 56 and although Policy 59 identifies the wider area as an area with a public open space deficiency this small site would not provide a suitable space in this respect, as the Council's priority is to address lack of open space at local park level (2ha).

7.1.13 Therefore, on this site location the Council will consider a residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore, the provision of a residential development on the land appears acceptable in principle subject to an assessment of the site's design led optimisation, unit mix, appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

- *Housing unit mix:*

7.1.14 Policy H10 Housing size mix of the London Plan states that schemes should generally consist of a range of unit sizes and regard should be had to local evidence of need.

7.1.15 Local Plan Policy 1 Supporting Text (paras 2.1.17 and 2.1.18) highlight findings from the 2014 Strategic Housing Market Assessment (SHMA) that the highest level of need across tenures within the Borough up to 2031 is for one bedroom units (53%) followed by 2 bedroom (21%) and 3 bedroom (20%) units. Larger development proposals (i.e. of 5+ units) should provide for a mix of unit sizes and be considered on a case by case basis.

7.1.16 The application proposes 1 three bedroom unit and 4 two bedroom residential units which is considered an acceptable mix at this location.

7.2 Design – Layout, scale – Acceptable

7.2.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

7.2.2 Paragraph 124 of the NPPF (2019) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.2.3 Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not

just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 7.2.4 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.5 Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.
- 7.2.6 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.2.7 Policy D5 of the London Plan relates to 'Inclusive Design' and states that development proposal should achieve the highest standards of accessible and inclusive design.
- 7.2.8 Policy H2 of the London Plan states that Boroughs should also recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.
- 7.2.9 The general aims of the Council's design policies state that housing development should be designed to the highest level both internally and externally. In addition, the Council seeks that developments should have regard for the wider context and environment and should seek to enhance the residential environment and attractiveness as a place to live.
- 7.2.10 Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density.

To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan density matrix whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.

7.2.11 Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.

7.2.12 Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants; be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.

7.2.13 Canterbury Close is characterised by two storey 1960's era terraced housing with uniquely flat roofed formats. Closest to the site on the same side, the footprints of houses are arranged in groups of three and three with a staggered arrangement between each group of three which steps back the massing in the streetscene at midpoint. A similar principle is shown opposite in Canterbury Close in a three, two, three arrangement. Furthermore, single storey front projections are incorporated to each of the dwellings design in Canterbury Close. This creates some variety to the building lines in Canterbury Close as part of the context of the locality. No1 has also recently been extended with a two storey side extension adjoining the application site.

7.2.14 The siting of the proposed building would largely align with No's 1 to 5 with design elements of the building providing interest and variation to the front elevation following the principles established within the existing dwellings.

7.2.15 The height of the building would be three storey which increases the height of the building above the terraced housing. However, the height increase needs to be viewed in the context of the buildings location between the two storey houses and the four storey flats to the east of the site at Mayfair Court and as such the building

would provide a suitable transition between the two contextual elements. Furthermore, the three storey height of the building is considered to be largely mitigated by the recessed design of the upper level which, in addition to the different materiality of the upper floor, minimises the massing arrangement in terms of the visual impact of the building to the neighbouring properties in Canterbury Close.

7.2.16 Spatially the building is set in 2m from the western boundary with No1 and 1.6m to the eastern boundary with Mayfair Court. The level of separation is considered suitable at this location.

7.2.17 It is noted that a basement is incorporated to the east side of the building. The size of the basement is small and not considered to have a negative impact in respect of Policy D10 of the London Plan which seeks to address the impacts of large scale basement developments.

7.2.18 On balance the development would provide a suitable transitional infill development that overall will harmonise with the character of the surrounding development east and west of the site.

7.3 Standard of residential accommodation – Acceptable

7.3.1 In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It 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. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

7.3.2 Policy D6 of the London Plan relates to 'Housing quality and standards' states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. The policy also prescribes internal space within new dwellings and external spaces standards that are in line with the National Technical Housing Standards.

7.3.3 Policy D7 of the London Plan - Accessible Housing, states that to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and; all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

- 7.3.4 A Part M compliance statement has been submitted that details compliance with the relevant sections of Part M. A compliance condition is recommended with any permission in this regard.
- 7.3.5 Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.
- 7.3.6 The floor space size of each of the residential units ranges between 63.8m² and 139m² respectively over single levels for four flats and a duplex format for flat 1. The nationally described space standard requires various sizes of a GIA depending on the number of bedroom and persons intended. The sizes of the flats have been reviewed on this basis. The floorspace provision for all of the units is compliant with the required standards and is considered acceptable.
- 7.3.7 The shape and room size in the proposed flats is generally considered satisfactory where none of the rooms would have a particularly convoluted shape which would limit their specific internal use by occupiers.
- 7.3.8 Amenity space is provided to upper level flats with balconies to the rear and at the front for the top level flat. Obscure glazed screening is indicated to the side of the balconies to maintain privacy and amenity. In addition, a garden amenity space is provided to the rear for each ground floor flat. On balance, given the balcony spaces and the rear garden areas available, the provision of amenity space is considered acceptable at this location.

7.4 Highways – Acceptable

- 7.4.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.4.2 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 7.4.3 London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking

standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.

7.4.4 The Council's Highway Officer has reviewed the current application and not raised any objection to the level of parking provided at the site and access arrangements to and from the site in principle subject to further details to be sought by planning condition.

7.4.5 The land that is the subject of this application currently forms part of the adopted highway and is therefore subject to public rights of passage, which would need to be extinguished before the site can be used for any other purpose. A Stopping Up application has been submitted to the Highway Authority. The Highways Officer has commented that the Stopping Up application will be processed once the planning application has been granted permission.

7.4.6 Electrical car charging points should be provided as per the requirements of the London Plan. A condition for further details and requiring installation prior to occupation is recommended in this regard.

- Cycle parking

7.4.7 Cycle parking is required to be two spaces per units for the unit type proposed. The applicant has provided details of a shared bin and bike store within the corner of the car parking area to the front of the site for four cycle spaces. Two further cycle spaces are located integrally within the building and separate cycle spaces are provided to the ground floor flats within their respective rear curtilage. The provision and locations are considered acceptable. A planning condition is recommended for further details of a containment structure for the car park area provision.

- Refuse storage

7.4.8 All new developments shall have adequate facilities for refuse and recycling. A refuse storage area for the development in close proximity to the front curtilage footpath within the corner of the car parking area will be provided. A planning condition is recommended in this regard for further details of a containment structure.

7.5 Neighbouring Amenity – Acceptable

7.5.1 Policy 37 of the Bromley Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

7.5.2 Policy 4 of the Bromley Local Plan also seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

- 7.5.3 In terms of outlook, the fenestration arrangement is intended to provide main front and rear outlook overlooking amenity space and to the railway line beyond or overlooking the street. Representations received have raised concerns regarding the loss of privacy and overlooking to the gardens of adjacent properties. There are no habitable room flank windows proposed. Windows to the flank elevation are bathroom areas which can be obscure glazed as necessary. The balconies proposed have privacy screens with also obscure glazing to the side indicated.
- 7.5.4 On balance, the outlook as arranged from windows and external balconies from the proposed building is commonplace for an urban environment and is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property.
- 7.5.5 The adjoining property at No1 has rear facing windows within the main rear elevation of the building. There are no flank windows in No1 at the present time, although comments have stated they may wish to install a window at a future date. In the circumstances with the flank wall of No1 on the boundary and relying on the adjacent land to allow any windows usefulness it would not be reasonable to withhold planning permission on this basis. The proposed building would extend slightly beyond the main rear elevation of No1. It is noted that the rear elevation position would comply with the 45dg rule of thumb in terms of massing. The footprint arrangement as proposed is not considered to create an overbearing massing relationship that would warrant refusal on this basis.
- 7.5.6 In respect of Mayfair Court, it is noted that there is tree cover adjacent to this boundary which provides some level of privacy to Mayfair Court occupiers. The ground floor of Mayfair Court is also set out for car parking only, with no flats on the ground floor closest to the application site. The siting of the proposed building is also positioned at approximately midpoint to the Mayfair Court elevation. Given the lesser depth of the proposed buildings flank elevation and approximate 10m distance between elevations, this relationship is not considered to create any overbearing massing or loss of outlook that would warrant refusal on this basis.
- 7.5.7 Consideration is also made in respect of the level of occupation of the site in that noise and disturbance will increase from a previously unoccupied open site. On balance there will be an increased impact of this nature, however, in an urban environment the increase in terms of potential occupier noise is not considered unduly unacceptable at this location.

7.6 Sustainability – Acceptable

- 7.6.1 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 7.6.2 Paragraph 9.2.3 of the London Plan states that Boroughs should ensure that all developments maximise opportunities for on-site electricity and heat production from solar technologies (photovoltaic and thermal) and use innovative building materials and smart technologies. This approach will reduce carbon emissions,

reduce energy costs to occupants, improve London's energy resilience and support the growth of green jobs.

7.6.3 Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.

7.6.4 An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

7.7 Sustainable Drainage

7.7.1 Policy SI 13 Sustainable Drainage of the London Plan states that 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.

7.7.2 Policy 116 of the Local Plan details that all developments should seek to incorporate sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible.

7.7.3 The Councils Drainage Officer has reviewed the submitted details in respect of surface water drainage. It is recommended that further detail is sought by planning condition with any permission.

7.8 Air Quality

7.8.1 Policy SI 1 Improving air Quality states in summary that development proposals should not lead to further deterioration of existing poor air quality and shall minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro-

7.8.2 Policy 120 of the Local Plan states that 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.

7.8.3 The site is located within the Bromley AQMA. In this case, given the location it is considered prudent for the development to incorporate Ultra Low NOx boilers for the flats. A condition is recommended in this regard.

7.9 Trees, landscaping and biodiversity

7.9.1 Policy 72 of the Local Plan states that planning permission will not be granted for development or change of use of land that will have an adverse effect on protected species, unless mitigating measures can be secured to facilitate survival, reduce disturbance or provide alternative habitats.

7.9.2 Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining

land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

- 7.9.3 Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.
- 7.9.4 An indicative landscaping layout has been submitted that details the areas given over to garden for external amenity for ground floor occupiers by way of garden areas to the rear to be landscaped. The provision of the garden spaces is considered to offset any minor impact to biodiversity as regards the loss of the lawned site as existing. Further details are recommended to be obtained by planning condition in respect of landscaping species and planting.
- 7.9.5 As detailed above trees are located to the east boundary of the site within the adjacent property at Mayfair Court. A submitted plan indicates the building close to the canopy spread and root protection areas. An Arboricultural report has been submitted which has been reviewed by the Council Tree Officer who has not raised objection in this regard subject to a compliance condition.

7.10 CIL

- 7.10.1 The Mayor of London's CIL and the Borough CIL (adopted 15/6/21) is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

8 CONCLUSION

- 8.1 Taking into account the above, the proposed development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the site optimisation and unit type of the proposed scheme is acceptable and that the development would not be detrimental to the character and appearance of the area and locality. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.
- 8.2 On balance the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply.
- 8.3 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: Application Permitted

Subject to the following conditions:

Standard condition

1. Standard time limit of 3 years
2. Standard compliance with approved plans

Pre-commencement

3. Details of sustainable surface water drainage.
4. Details of a Construction Management Plan.

Prior to above ground works

5. Details of landscaping for hard and soft areas.
6. Details of materials.
7. Details of lighting scheme.
8. Details of acoustic protection.
9. Details of the parking area highway drainage.
10. Details of car park management scheme.
11. Details of refuse storage/cycle storage in car park area
12. Details balcony screening

Prior to occupation/use

13. Parking arrangements to be installed as approved.
14. Cycle storage implementation
15. Details of electric car charging points.
16. Details of obscure glazing to flank windows.
17. Details of vehicle entrance visibility splay sightlines.

Compliance conditions.

18. No additional pipes or plumbing to be installed on outside of buildings.
19. Slab levels compliance.
20. Arboriculture report – compliance with tree protection.
21. No use of flat roofs.
22. No loose materials for car park surface
23. Restriction on height to front and flank boundary enclosures.
24. Compliance with Part M of the Building Regulations.
25. Installation of ultra-low NOx boilers.

Any other planning condition(s) considered necessary by the Assistant Director of Planning

Informatives

1. Reminder regarding submission of pre commencement conditions.
2. Contact naming and numbering Officer at the Council.

3. Reminder regarding crossovers. Vehicle Crossover Application will need to be made to the Highway's Department.
4. Reminder of CIL payments.
5. Trees adjacent to site.
6. Reminder regarding Part M compliance.
7. Construction machinery emission
8. Any street works are at applicants' costs.
9. Compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017
10. Contact Environmental Health re contamination.
11. Thames Water - ground water management
12. Thames Water - water pressure standard.
- 13 Thames Water – working near our pipes
14. Network Rail - contact Network Rail's Asset Protection and Optimisation (ASPRO) team.
15. Energy efficiency measures.