

Committee Date	31/3/22	
Address	85 Royston Road Penge London SE20 7QW	
Application Number	20/05254/FULL1	Officer - Susanna Stevenson
Ward	Penge And Cator	
Proposal	Construction of three storey residential building comprising six flats (1 no one bedroom, 3 no. two bedroom and 2 no. three bedroom) with associated cycle and car parking, refuse storage and landscaping.	
Applicant	Agent	
Neale	Mr Alex Richards	
Countrywide House 23 West Bar Banbury OX16 9SA	31-35 Kirby Street London EC1N 8TE	
Reason for referral to committee	Call-In	Councillor call in Yes

RECOMMENDATION	Permission
-----------------------	------------

<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 51</p>
--

Land use Details		
	Use Class or Use description	Floor space (SQM)

Proposed	RESIDENTIAL	437.2 SQM
----------	-------------	-----------

Residential Use					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total / Payment in lieu
Market	1	3	2		6
Affordable (shared ownership)					
Affordable (social rent)					
Total	1	3	2		6

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	0	3	+3
Disabled car spaces			
Cycle	0	12	+12

Electric car charging points	1 ACTIVE EVCP
-------------------------------------	---------------

Representation summary	
	Neighbour letter sent 21.12.21 (revised plans) Neighbour letter sent 19.07.21 Neighbour letter sent 18.02.21
Total number of responses	27
Number in support	1
Number neutral	1
Number of objections	25

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The site optimisation of the proposal scheme is acceptable and the amended proposals would not be detrimental to the character, appearance or visual amenities of the locality.
- The proposal would provide 6 residential units of an acceptable standard of amenity, design and layout, including with regards to internal noise levels.
- The proposal would not have a significant unacceptable impact on neighbouring residential amenity
- There are no highways objections to the proposal – the proposal would not have an adverse impact on the local road network or local parking conditions
- The impacts of construction and upon the neighbouring culvert are capable of mitigation through suitable conditions.

2. LOCATION



Application site

- 2.1 The application site comprises a vacant piece of land to the south of the right-angle junction of Royston Road and Westbury Road. The site is accessed via a narrow lane which leads from the bend in the street to the south west, towards the site of Royston Hall. The site is bounded to the north east by a gated narrow footpath which separates the site from the end of terrace maisonettes at 81/83 Royston Road and leads to a longer path at the rear, along the course of the culverted river.



Site enclosed by metal palisade fencing

- 2.2 To the north west of the site is the access lane leading to the hall, beyond which is the flank elevation and garden boundary of No. 1 Westbury Road.



Application site in centre of image

- 2.3 To the south west the site is bounded by the retained site associated with Royston Hall (also known as the Penge and District Trade Union and Social Club) and the site itself once hosted an extension to the hall building which has since been demolished. The social club site has a sizeable car park and ancillary caretaker's residence (The Cottage) which is sited towards the south eastern side of the site approx. 45m from the application site and separated by the main bulk of the hall building.

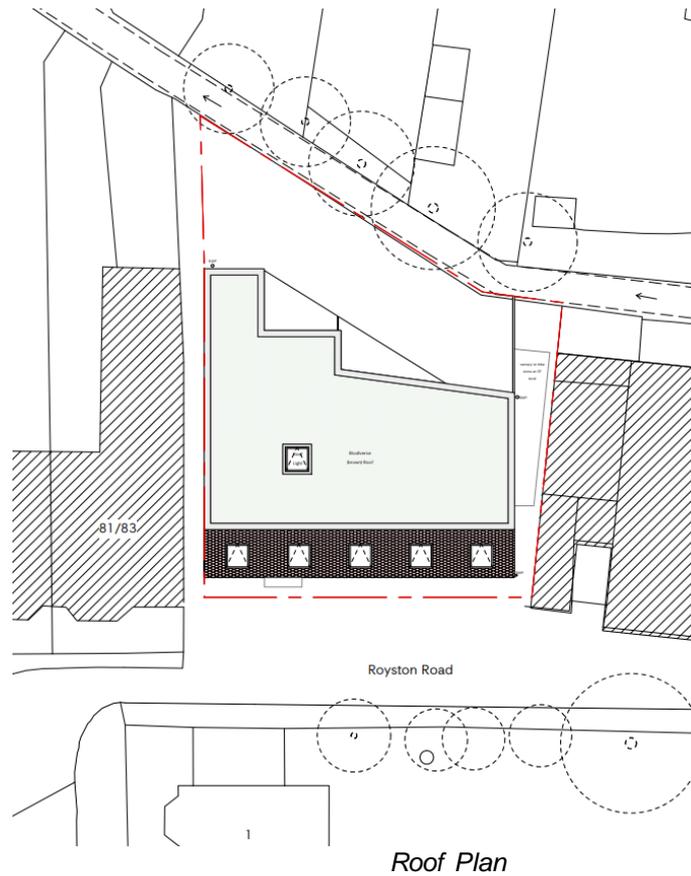


3D View of application site with Hall building beyond

- 2.4 To the rear of the site is an access track which leads between the dwellings fronting Royston Road and those fronting Ravenscroft Road, and this path runs along the course of a culverted river and also forms the local ward boundary.
- 2.5 The site measures 351 sqm and is irregularly shaped. It is currently open, with a metal fence separating it from the access lane. The frontage width of the site is approx. 17m and the front to rear depth of the site ranges from approx. 25m along the north eastern boundary to approx. 15m along the boundary with Royston Hall.
- 2.6 The site does not lie within a Conservation Area.

3. PROPOSAL

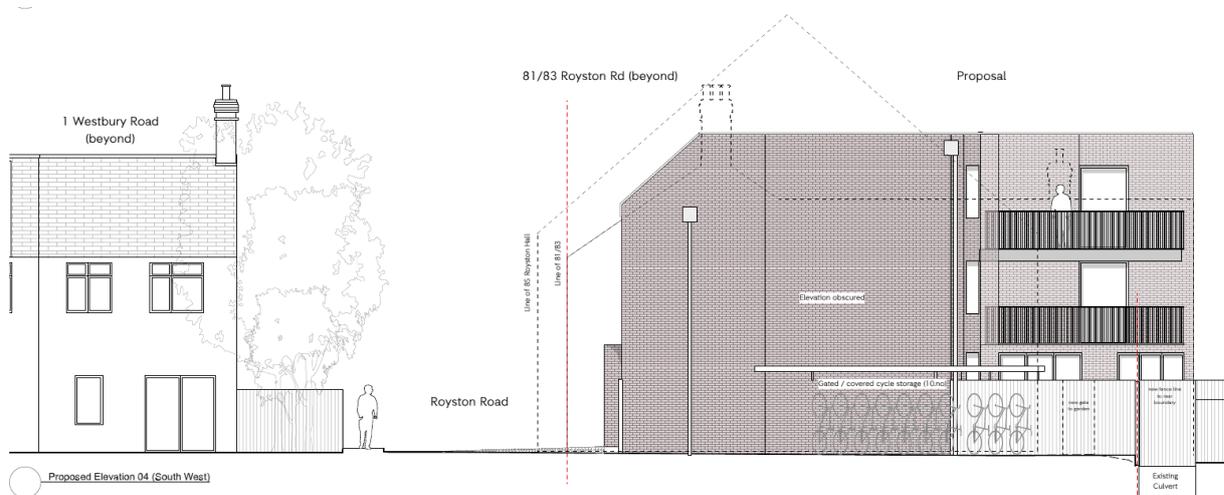
- 3.1 It is proposed to erect a three storey residential building comprising 6 no. residential flats.
- 3.2 The footprint of the building would address the irregular shape of the site, incorporating a staggered/angled rear elevation which presenting a straight elevation to the front of the site.



- 3.3 The building would lie immediately adjacent to the north eastern boundary with the passage/pathway next to 81/83 Royston Road. It would be separated from the flank elevation (retained) of the hall building by a distance of approx. 0.98m (as scaled from the block plan) at the front and approx. 1.9m at the rear. In this space between the building and the boundary (and the flank wall of the hall building) it is proposed to provide a canopy above vertical cycle storage stands. The passage would be gated at the front, and a further gate towards the rear would lead to the amenity space and further cycle storage.
- 3.4 At ground floor level the proposal would include semi-undercroft parking bays set into the front elevation of the building, along with a brick arch feature entrance to the flats and a covered/enclosed refuse store. As scaled from the submitted drawings the parking spaces measure 2.78m in width and the depth from the front boundary of the site to the rear of the undercroft spaces measures approx. 5.08m. Three car parking spaces would be provided in total.
- 3.5 The building would be positioned so as to retain 5m separation to the rear boundary, increasing to approx. 7m where the site is deeper.



- 3.6 The building would provide residential accommodation over three storeys, with the ground and first floors having a vertical front elevation and the second floor relating to a short section of hipped roof at the front. The height of the building to “eaves” at the front would be approx. 7.2m and the height to the top of the pitched roof element would be approx. 9.2m. The remainder of the roof would be flat, with a “brown” biodiverse covering.
- 3.7 The building would be approx. 0.7m higher than the ridgeline of the end of terrace building comprising 81/83 Royston Road and approx. 3.3m lower than the ridgeline of the hall building. The separation between the flank elevation of the building and the main bulk of Royston Hall would be approx. 5.1m and the separation to 81/83 Royston Road would be approx. 1m.



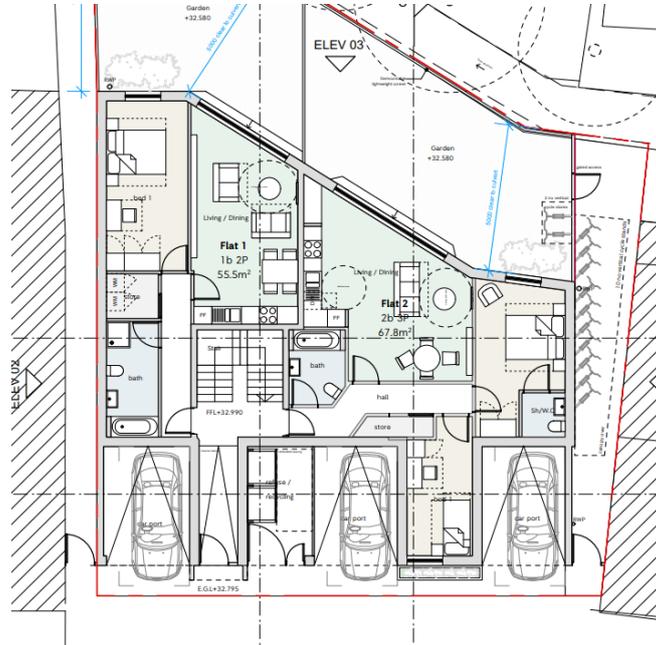
Flank elevation facing north east (rear of 1 Westbury Road on left)

- 3.8 The front elevation of the building would be set back from the front elevation of Nos. 81/83 by approx. 1.58m and would be sited approx. 10.8m from the flank wall of No. 1 Westbury Road and approx. 7m from the flank boundary of that dwelling with the access road.
- 3.9 Internally, the building would provide 6 no. residential flats, arranged with 2 dwellings per floor as follows:

Ground Floor

Flat 1: 1 bedroom/2 person (GIA 55.5sqm)

Flat 2: 2 bedroom/3 person (GIA 67.8sqm)

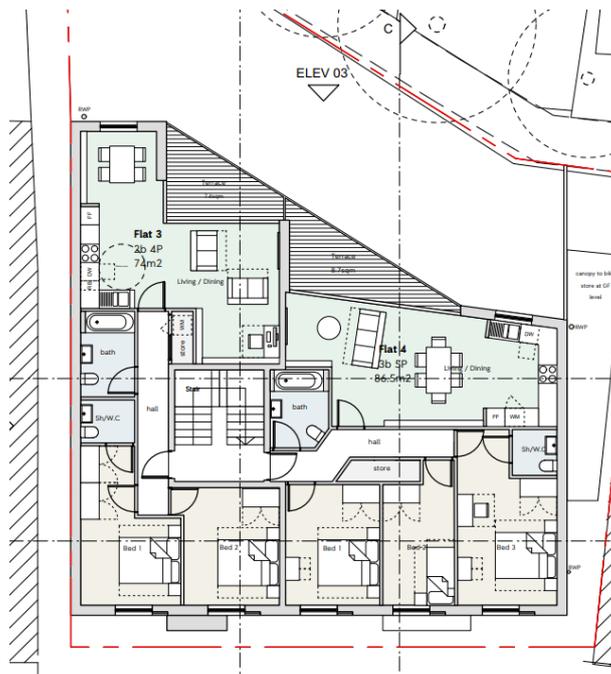


Ground floor plan

First Floor

Flat 3: 2 bedroom/4 person (GIA 74sqm)

Flat 4: 3 bedroom/5 person (GIA 86.5sqm)

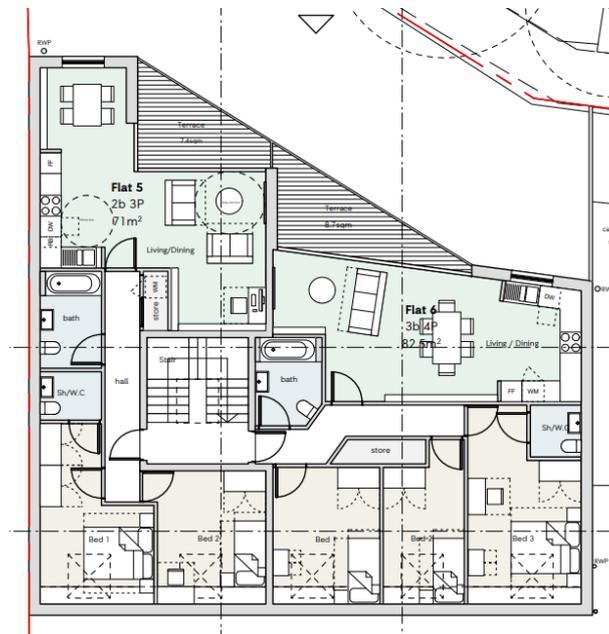


First floor plan

Second Floor

Flat 5: 2 bedroom/3 person (GIA 71sqm)

Flat 6: 3 bedroom/4 person (GIA 82.5sqm)



Second floor plan

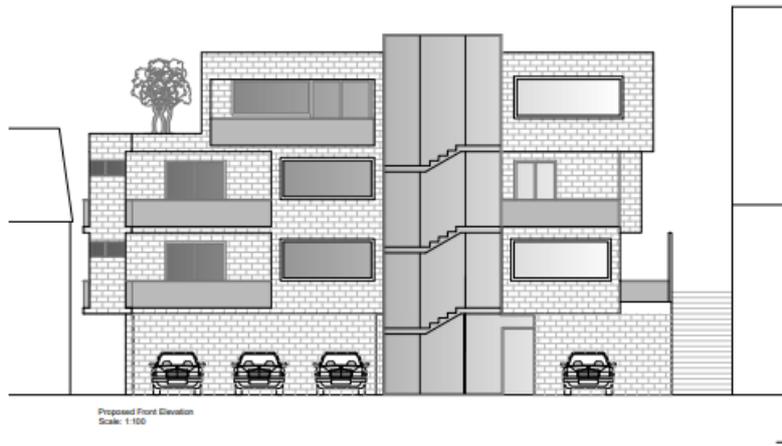
3.10 With regards to amenity space, the flats on the ground floor would have direct access to the proposed garden area at the rear which ranges in depth from 5m to approx. 7m. The flats on the first and second floors would have private amenity terraces, 2 of which would have an area of 7.4sqm and 2 of which would have an area of 8.7sqm.

3.11 The application is accompanied by the following documents:

- Covering letter (revised proposals 7/12/21)
- Planning Statement
- Daylight, Sunlight and Overshadowing Assessment
- Internal Daylight Report
- Transport and Parking Strategy
- Transport and Parking Strategy Addendum (7/12/21)
- Flood Risk Assessment (including Drainage Strategy and Assessment) 7/12/21
- Noise Assessment 2020 (and Addendum 7/12/21)

4. RELEVANT PLANNING HISTORY

4.1 Planning permission was refused in 2015 under reference 15/05451/FULL1 for development comprising the construction of four storey building comprising 9 residential flats (2 two bedroom and 7 one bedroom) with associated amenity space, balconies, refuse and cycle storage and 4 car parking spaces.

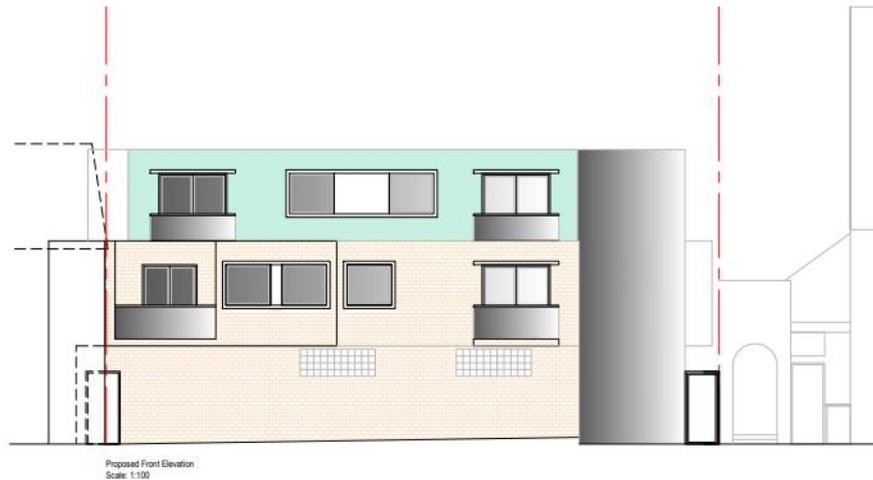


Front elevation refused 15/05451/FULL1

4.2 Permission was refused on the grounds:

1. The proposal, by reason of its height, bulk, design and siting, would result in a cramped overdevelopment of the site incongruous and out of character with the prevailing pattern of development in the locality and detrimental to the visual amenities and distinctiveness of the surrounding area, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, SPG1 and SPG2, Policies 3.5 and 7.4 of the London Plan, the Mayor of London's Housing SPG and the National Planning Policy Framework.
2. The proposal, by reason of its height, siting and design would have a significant detrimental impact on the residential amenities of the occupiers of neighbouring properties, resulting in a loss of privacy, noise, disturbance and visual impact, thereby contrary to Policy BE1 of the Unitary Development Plan, adopted SPG1 and SPG2, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.
3. Insufficient information has been submitted regarding the finished floor levels of the ground floor flat and the relationship between the proposed development and the culverted main river, in the absence of which the impact of the development on the construction, stability and access to the culvert in particular and the flood risks of the development in general are unknown, thereby contrary to the National Planning Policy Framework (NPPF), Planning Practice Guidance and Policy 5.12 of the London Plan.
4. Adequate car parking facilities to provide for the needs of the development cannot be provided within the site and as such the proposal would be likely to lead to an increased demand for onstreet parking on the local roads to the detriment of the amenities of the area, thereby contrary to Policies T3 and T18 of the Unitary Development Plan and Policy 6.13 of the London Plan.

- 4.3 Under reference 16/04224/FULL1 planning permission was refused for a revised scheme which reduced the number of flats from 9 to 6 and the number of floors from 4 to 3.



Front elevation refused and dismissed at appeal 16/04224/FULL1

Planning permission was refused on the grounds:

1. The proposal, by reason of its height, bulk, design and siting, would result in a cramped overdevelopment of the site incongruous and out of character with the prevailing pattern of development in the locality and detrimental to the visual amenities and distinctiveness of the surrounding area, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, SPG1 and SPG2, Policies 3.5 and 7.4 of the London Plan, the Mayor of London's Housing SPG and the National Planning Policy Framework.
 2. The proposal, by reason of its height, siting and design would have a significant detrimental impact on the residential amenities of the occupiers of neighbouring properties, resulting in a loss of privacy and visual impact, and would also fail to provide a satisfactory standard of accommodation for prospective occupants by way of private amenity space, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, adopted SPG1 and SPG2, Policies 3.5 and 7.4 of the London Plan, the London Housing Supplementary Planning Guidance and the National Planning Policy Framework.
- 4.4 A subsequent appeal against the refusal of planning permission was dismissed. The Inspector considered that the main concerns associated with the proposal were the design of the development, with specific reference to the ground floor front elevation, and the impact of the development on the amenities of No. 1 Westbury Road with particular emphasis on loss of privacy.
- 4.5 While the Inspector considered that a contemporary design may (subject to design assessment) have been suitable in the context of the site/surroundings, and that the height and bulk of the building was acceptable, he considered that at ground

floor level the design lost its integrity, with the ground floor dominated by the frontage car parking and a sterile and utilitarian appearance.

- 4.6 With regards to the impact on 1 Westbury Road, the Inspector noted that the line of deciduous trees would provide an effective screen other than when not in leaf. It was considered that the level of overlooking associated with the large glass stairwell (on the right hand side of the front elevation above) and the Juliet balconies in both upper floors of the block would have been unacceptable, harming the residential amenities of No. 1 Westbury Road.

5. CONSULTATION SUMMARY

A) Statutory

Highways - No objection

- Site is located in an area with a PTAL rating of 4
- Taking into account parking stress findings, recommended that a condition be imposed offering membership of nearest car club for a period of 2 years
- 11 cycle parking spaces required
- Refuse storage indicated
- Access from Royston Road utilising existing arrangement is acceptable

Drainage - No objection

- Proposed use of green roof/permeable paving and rainwater butts acceptable
- Pre-commencement surface water drainage condition recommended

Environment Agency - No objection

- Conditions recommended

Environmental Health – No objection

- The Noise Impact Assessment appears reasonable and it is considered that internal noise levels will be suitable subject to a compliance condition (trickle vent installation on windows facing Royston Road)

B) Local Groups

None commented.

C) Adjoining Occupiers

Impact on visual amenity (addressed at 7.2)

- Three storeys would be excessive – building should be limited to two storeys with a pitched roof
- Out of character with surrounding buildings
- Building materials uncharacteristic (grey/glass/zinc)
- Flat roof out of character
- Overdevelopment and increased pressure on local services
- Low standard of landscaping
- Cramped siting relative to boundaries
- Proposal would be backland development

Impact on neighbouring amenity (addressed at 7.3)

- Loss of privacy and light/overshadowing to adjacent residential property (Westbury Road, Ravenscroft Road, Royston Road)
- Impact on outlook, increased sense of enclosure, loss of views of distant trees and towards Ravenscroft Road
- Increased noise and disturbance associated with number of residential flats

Quality of residential accommodation (addressed at 7.4)

- Lack of play space
- Concern regarding louvre windows limiting daylight and sunlight to flats
- Inadequate amenity space in balconies and small enclosed rear garden
- Concern that secured by design measures not integrated into the development
- Lack of adequate refuse storage provision
- Concern regarding noise vulnerability

Highways and parking (addressed at 7.5)

- Increase in traffic and risk of accidents
- Lack of parking
- Would increase congestion
- Controlled parking on opposite corner for refuse vehicles to manoeuvre
- While no objection to lack of parking (fits with Bromley's commitment to reducing reliance on the private car and Mayor's Transport Strategy) it would be ideal if there were safe and segregated cycle routes in the area and bike hangars on Royston Road
- Development not practicable due to limited site space – site does not have its own driveway but shares that of the Hall and the site lacks sufficient parking and turning space
- Car parking spaces inadequately sized

Other matters

- Potential loss of a community asset – Royston Hall (residents likely to complain about noise from the halls)
- Lack of provision for on-site energy generation
- Increased road pollution
- Would set a precedent
- There is a restrictive covenant precluding residential use
- Plans show site context inaccurately – particularly 1 Westbury Road
- Statement misrepresents engagement with neighbours
- Previous appeal is irrelevant and should be disregarded

Support

- The revisions are exceptional and much better than previous design and others nearby
- Proposal will improve the vacant and underused site

Neutral

- Design is improved compared to previous and in keeping with surroundings (including brick materials)
- Residents concerns regarding limited parking provision likely to be ignored based on loose government guidelines. Should consider what powers available to introduce speed calming measures on the rat-run road, and perhaps a dedicated car sharing bay in the vicinity

Members are advised that this is a summary of all representations received, following the submission of the original proposal in December 2020 and not limited to the re-notification following the submission of revised drawings.

Full text of the submitted representations is available on file.

6. POLICIES AND GUIDANCE

National Policy Framework 2021

NPPG

The London Plan

- 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
- D12 Fire safety
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small sites
- H10 Housing Size Mix
- S4 Play and informal recreation
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI1 Improving air quality
- 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

Bromley Local Plan

- Policy 1 - Housing supply
- Policy 3 – Backland and garden development
- Policy 4 - Housing design
- Policy 30 - Parking
- Policy 32 - Road Safety
- Policy 33 - Access for All
- Policy 34 - Highway Infrastructure Provision
- Policy 37 - General design of development
- Policy 77 - Landscape Quality and Character
- Policy 112 - Planning for Sustainable Waste management
- Policy 113 - Waste Management in New Development
- Policy 115 - Reducing flood risk
- Policy 116 - Sustainable Urban Drainage Systems (SUDS)
- Policy 117- Water and Wastewater Infrastructure Capacity
- Policy 118 - Contaminated Land
- Policy 119 - Noise Pollution
- Policy 120 - Air Quality
- Policy 122 - Light Pollution
- Policy 123 - Sustainable Design and Construction
- Policy 124 - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Supplementary Guidance

- Housing (March 2016)
- Control of Dust and Emissions During Construction and Demolition (2014)
- SPG1 General Design Principles

7. ASSESSMENT

7.1 Principle of development/housing land supply – Acceptable

- 7.1.1 Housing is a priority use for all London Boroughs, and Policies H1, H2, H10, D3, D4 and D7 generally encourage the redevelopment of previously developed sites where development is designed to complement the character of the locality, the design and layout make suitable residential accommodation and the impacts of development on neighbouring amenity and on highways matters are acceptable.
- 7.1.2 Policy 4 of the Local Plan advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.
- 7.1.3 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 2 November 2021. The current position is that the FYHLS (covering the period 2021/22 to 2025/26) is 3,245 units, or 3.99 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.
- 7.1.4 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 NPPF paragraph 11 sets out the 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.

7.1.7 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.

7.1.8 The application site lies within a residential urban/suburban area where new development including housing is encouraged to be located, although it is not an allocated or identified site and therefore comprises a windfall site not necessarily expected to become available for development.

7.1.9 While each case is considered on its merits, the planning history of the site is a material planning consideration. While the previous application was dismissed at appeal, it is considered that the principle of a residential development of the site would be acceptable, subject to detailed consideration of the specific proposal.

7.1.10 This proposal would provide 6 new dwellings, which would represent a minor contribution to the supply of housing within the Borough. This aspect of the proposal will be considered in the overall planning balance set out in the conclusion of the report having regard to the presumption in favour of sustainable development.

7.2 Design – layout, scale, height and massing, and impact on visual amenity

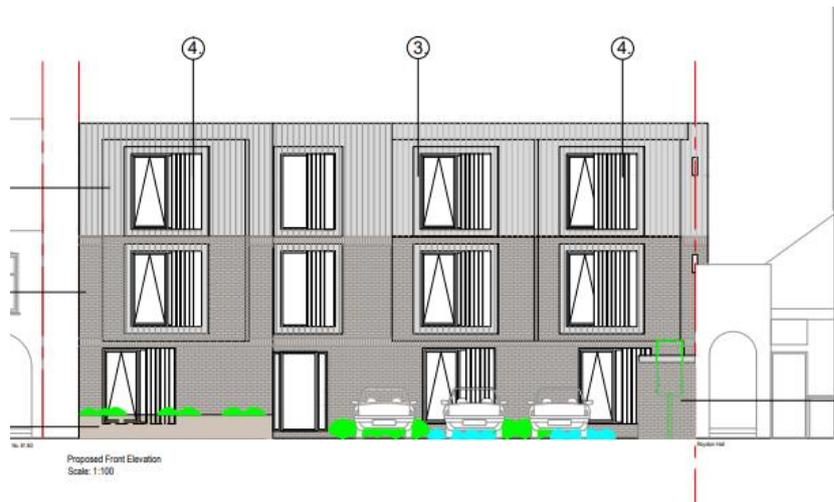
7.2.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

7.2.2 Paragraph 124 of the NPPF 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 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

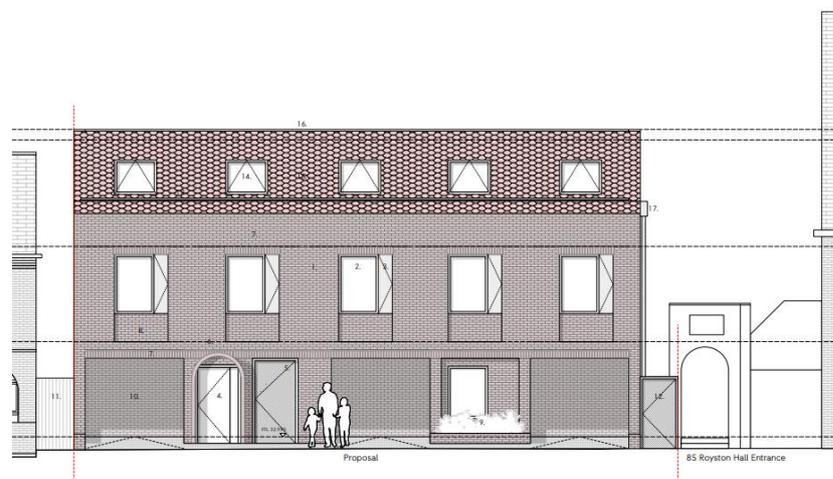
environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, 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 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.
- 7.2.5 Proposals for the development of the application site were first submitted in 2015 and the current application represents the third formal application relating to the construction of flats at the application site. Within this application, the proposals have been amended a number of times, either to attempt to address concerns raised by the Environment Agency or, more recently, to attempt to refine the design and appearance of the building.
- 7.2.6 It is noted that comments have referred to the site as being a backland site. It is acknowledged that the site shares some characteristics common to backland development (i.e. set off the main roadway) but taking into account its siting relative to the adjacent terrace fronting Royston Road and the short distance from the carriageway it is not considered wholly a backland site. It was formerly occupied at least in part by buildings and would be considered a suitable brownfield site for development subject to detailed consideration of any specific scheme.
- 7.2.7 As originally submitted the scheme proposed a sheer front elevation with the use of contrasting materials, including grey brick, grey vertical zinc cladding and full height windows to each floor. The car parking spaces were positioned to one side of the building which also included cantilevered/staggered detailing to the front elevation. The building was also positioned with less space retained to the rear. The footprint of the development followed the geometry of the site and resulted in a convoluted building form with materials and detailing resulting in an imposing development.



Superseded front elevation

7.2.8 The application was subsequently amended, with the external appearance and layout of the building being made more consistent with the layout of the neighbouring dwellings in Royston Road (removing the staggered design elements at the front). The amended proposal incorporates a hipped roof feature which visually lessens the overall bulk of the development, and the materials and design detailing more readily complements the prevailing pattern and appearance of development in the locality.



Revised front elevation (8/12/21)

7.2.9 While the proposal would still provide three floors of accommodation, the formation of the hipped roof element within the front elevation reduces the extent to which the building immediately presents as such, and the reduction in fenestration at second (top) floor level in conjunction with the hipped roof represents an improved design that more readily responds to local context.

7.2.10 The proposed building would still occupy a significant proportion of the application site, although its siting relative to the flank elevation of Nos. 81/83 and the flank of

the hall building would limit the extent to which the depth of the building would be widely appreciable. The revised scheme would also be slightly higher to the top of the roof than the neighbouring maisonette building, and in terms of the separation of the building to the boundary the development remains immediately adjacent to the gated pathway between the site and the maisonettes (although greater separation is shown to the other side, adjacent to the hall buildings).



Axonometric view - front

7.2.11 With regards to Policy 8 of the Bromley Local Plan, this seeks to ensure that development does not result in a cramped appearance, unrelated terracing or a detrimental impact on neighbouring amenity by normally requiring proposals for development of two or more storeys to provide a minimum of 1m side space.

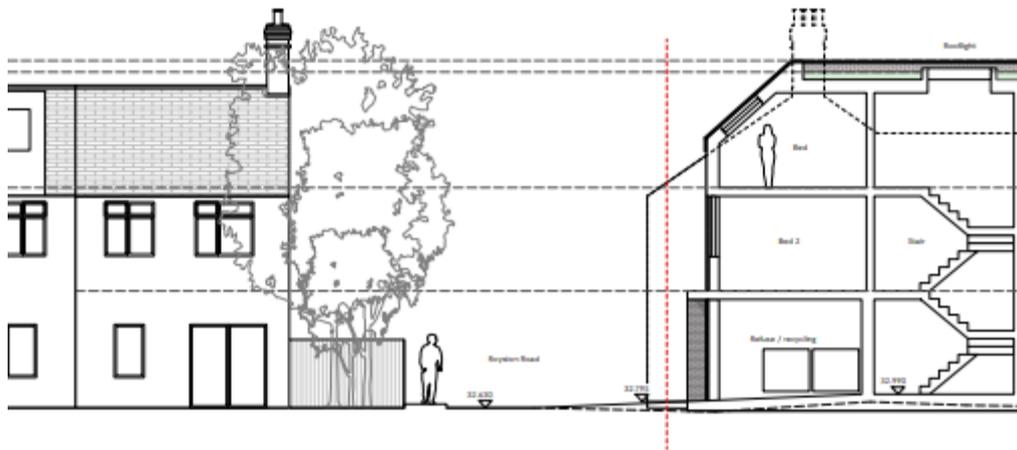
- 7.2.12 The proposal would fail to provide 1m side space to the north eastern boundary. However, taking into account the pattern of development in the locality (and the similar narrow gaps along the terrace fronting Royston Road, including adjacent to No. 41) and the relationship with the neighbouring buildings it is not considered that the proposal would result in the unacceptable impacts that Policy 8 seeks to prevent.
- 7.2.13 There remains some concern from a design perspective regarding the provision of part undercroft parking in view of the appearance of these recesses when empty, and given that the site has some “backland” characteristics in view of its situation at the end of Royston Road, with limited activity and no active frontage opposite the site. While it would be preferable for the building to be set further back into the site, it is acknowledged that the proximity of the culverted river represents a significant constraint in this respect.
- 7.2.14 It is also noted that the proposal provides limited opportunity for softening landscaping to the front of the building, with only the shallow bed proposed between the middle and right hand recesses. However, taking into account the overall design of the development and the existing site context, including its position back from the main rows of residential development in adjacent streets, it is considered that the proposal would not have a significantly detrimental impact on visual amenity such that would warrant the refusal of planning permission on this basis. The proposal would represent a significant development on a site of constrained shape and proportions, but on balance it is considered that the design is acceptable.

7.3 Neighbourhood Amenity - Acceptable

- 7.3.1 Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider include 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.
- 7.3.2 It is noted that concerns have been expressed regarding the potential impact on the residential amenities of neighbouring dwellings, including No. 1 Westbury Road. In dismissing the appeal against the refusal of planning permission under reference 16/04224/FULL1) the Inspector’s focus in this regard was entirely upon the amenities of No. 1 Westbury Road; it was not considered in his analysis of the scope of the proposals that the development then proposed would have had a detrimental impact on the amenities of properties fronting Ravenscroft Road, nor upon other dwellings in Westbury and Royston Roads.
- 7.3.3 This assessment remains applicable in the consideration of the current proposals – that the main potential impact on neighbouring amenity relates to the relationship between the proposed building and the side and rear garden of No. 1 Westbury Road.

7.3.4 The proposal would not project to the rear of the neighbouring maisonettes and the rear first and second floor terraces are positioned so as to be screened from Nos. 81/83 by the bulk of the proposed building. With regards to the impact on dwellings fronting Ravenscroft Road, it is considered that sufficient separation is provided to the rear of those dwellings, and the impact is further mitigated by the tree cover within the end of the neighbouring gardens.

7.3.5 The proposed front elevation of the building would include 5 vertical windows in the first floor front elevation of the building. These windows would serve a total of 5 no. bedrooms (4 double and 1 single). The three windows on the middle and right of the front elevation would face towards the rear garden of No. 1 Westbury Road. While it is noted that concern is expressed regarding overlooking from these windows to the rear facing windows at that dwelling, it is considered that the angle of vision would be significantly oblique and therefore unlikely to result in direct views into the dwelling itself.



1 Westbury Road (L) and proposed building (R)

7.3.6 The separation between the front elevation of the building and the nearest part of the rear garden of the neighbouring dwelling would be approx. 7m. The flank boundary of the neighbouring dwelling is marked by a high fence atop a concrete “kerb” beyond which is a timber pergola structure and trees which extend along the boundary line. These trees are deciduous but have quite dense bare branches outside of spring/summer.



Side fence 1 Westbury Road

- 7.3.7 The roof lights to the front of the second floor of accommodation would be at least 1.59m above the finished floor level of the rooms at this level.
- 7.3.8 It is considered that there will be some perceived and potential actual loss of privacy at certain times of the year within the neighbouring rear garden, and 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 a limited 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. The separation between the front facing first floor windows and the boundary with 1 Westbury Road, the intervening fenceline and the tree screening observed along the boundary is cumulatively considered to adequately limit the impact of the proposal in terms of loss of privacy. With regards to daylight and sunlight and overshadowing, taking into account the appeal history of the property and the separation between development and the neighbouring rear garden it is not considered that the proposal would have an unacceptable impact in this respect.
- 7.3.9 In conclusion, taking into account the comments in the appeal decision, which raised particular concern over the overlooking impact associated with the glazed stairwell and Juliet balconies to first and second floor, and did not express concern regarding daylight and sunlight or loss of outlook, it is considered that the current proposals adequately address the deficiencies of the previous proposals with regards to impact on neighbouring amenity. It is not considered that the refusal of planning permission on this basis would represent a strong ground of refusal in this instance.

7.4 Quality of residential accommodation – Acceptable

- 7.4.1 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.

- 7.4.2 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.
- 7.4.3 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 Government's National Technical Housing Standards.
- 7.4.4 The proposed flats would exceed the minimum floorspace requirements of the technical housing standards. The shape and room size in the proposed units is generally considered satisfactory for the units where none of the rooms would have a particularly convoluted shape which would limit their specific use. The ground floor single bedroom to Flat 2 is somewhat awkwardly sited relative to the neighbouring parking spaces, but its size would seem sufficient for its purpose. The first floor flats would have long corridors which would represent a somewhat inefficient use of space, but viewed as a whole the layout of the development is considered acceptable.
- 7.4.5 The proposed residential units would also have access to outside amenity space which would exceed the minimum required standards, and while it is acknowledged that the depth of the rear garden is not considerable, taking into account the width of the area and the overall shape of the amenity space, it is considered to provide an adequate external amenity facility.
- 7.4.6 The flats would be accessed via a doorway entrance with brick feature. The entrance would be clearly identifiable and accessible from the front of the site.
- 7.4.7 Comments were sought from the Environmental Health team regarding the submitted Noise Assessment/Information and the relationship between the site and the neighbouring community hall, with the aim of ascertaining whether the proposed occupants would be unacceptably vulnerable to or impacted by adjacent uses. No objections were raised regarding concern that occupiers would be particularly vulnerable to noise associated with the hall. The proposed building is separated from the main bulk of the community space. Planning permission (conditional) was recently granted under reference 21/01705/FULL1 for the demolition of the caretaker's cottage attached to the hall building and the construction of 6 no. flats arguably in closer proximity to the main hall activities.

7.4.8 Comments were also received from the Metropolitan Police SE Design out Crime Office which confirmed they would not be seeking a planning condition, while noting that there appears to be no reason why the proposed development cannot achieve the physical security requirements of Secured by Design.

7.5 Highways - Acceptable

7.5.1 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.

7.5.2 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.

7.5.3 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.

- Car parking

7.5.4 Policy T6 of the London Plan recommends that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. Developments elsewhere are expected to be designed to provide the minimum necessary parking.

7.5.5 The application site has a PTAL rating of 4. Taking into account the information available on parking demand and parking stress within the neighbouring streets, there are no technical objections from a highways perspective to the proposal, which provides 3 no. off street parking spaces to serve the 6 proposed flats.

7.5.6 However, in the interest of reducing reliance on private cars it is recommended that should permission be granted, it include a condition requiring that the developer provide the first occupiers of the residential units with car club membership.

7.5.7 Concern has been expressed regarding the size of the parking bays to be provided. As scaled from the submitted drawings the proposed parking bays would appear to meet the minimum dimensions for spaces providing “front on” parking – with the scaled spaces being approx. 2.7m in width by 5.08m in depth.

7.5.8 Members are advised that while not indicated on the submitted drawings, the applicant has agreed to provide 1no. active electric vehicle charging point.

- Construction Management

7.5.9 It is noted that concerns have been expressed regarding the limited accessibility of the site for larger vehicles and for turning/manoeuvring. Since the proposed development of this site was first submitted in 2015 it is recognised that planning permission has been granted for the redevelopment of the caretaker's cottage within the community hall site, and that gates have been erected on the entrance into the hall car park.

7.5.10 It has been recommended that should planning permission be granted it should be subject to a pre-commencement condition requiring the submission and approval of a detailed plan for the management of the construction phase, including with regards to vehicle sizes and types, routes, operative parking and hours of construction. The applicant has agreed to the use of such a condition.

- Cycle parking

7.5.11 For long-term stay (residents), London Plan Policy T5 Cycle Parking states that one cycle space should be provided for one bedroom dwellings and two cycle spaces provided for dwellings with more than one bedroom. The Highways Officer has stated that 11 cycle parking spaces should be provided. The submitted drawings indicate the location of a total of 12 car parking spaces within the site, 10 at the side of the building and 2 no. within the rear garden. A planning condition is recommended for further details of a secure and lockable containment structure for the car park area provision.

- Refuse storage

7.5.12 All new developments should have adequate facilities for refuse and recycling. The submitted drawings indicate the provision of an enclosed refuse storage area at the front of the building, adjacent to the front entrance to the building. A planning condition is recommended in this regard for further details of the containment structure and its capacity and an informative drawing the applicant's attention to the 2014 document "The Storage and Collection of Refuse from Residential and Commercial Buildings" would also be appropriate.

7.6 Drainage/Flood risk/maintenance and repair of culvert – Acceptable

7.6.1 The application site lies partially in Flood Zones 1 and 2 and close to the culverted river that runs along the rear of the site.

7.6.2 Revised plans received in the course of the application clarified and increased the separation between the rear elevation of the building and the rear boundary, providing a defined minimum offset to the culvert of 5m. On this basis the original objection to the development submitted by the Environment Agency has been addressed and the agency has confirmed no further objections to the proposal

subject to a number of safeguarding conditions which have been agreed by the applicant.

7.6.3 No objections are raised by the Drainage Officer to the proposals – a pre-commencement surface water drainage condition has been recommended and agreed by the applicant.

7.7 Sustainability - Acceptable

7.7.1 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.

7.7.2 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.

7.7.3 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.

7.7.4 An informative is recommended with any approval to ensure that the development strives to achieve these objectives. The proposal includes a biodiverse roof and it is noted that the applicant has agreed to provide electric vehicle charging points.

7.8 Air quality - Acceptable

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-fitting.

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 Other matters

- 7.9.1 Concerns have been expressed by local residents regarding the potential that the residential development might undermine the long term operation of Royston Hall through introducing noise-sensitive development close to a building which has a history of uses that generate noise. This is partly addressed in paragraph 7.4.7 but is expanded upon below.
- 7.9.2 The applicants submitted a Noise Assessment on the 20th December 2020 and with the submission of revised drawings on the 8th December 2021, an Addendum to Noise Assessment.
- 7.9.3 The submitted document notes that since the original assessment was prepared, the Royston Hall has reopened as the Matico Dance Studio. A further noise survey was undertaken from the 29th November to the 2nd December 2021, in addition to that originally undertaken in October 2020.
- 7.9.4 The addendum summarised that the development is unlikely to generate noise that will effect neighbouring dwellings once constructed. Construction noise will be short term and temporary in nature, capable of mitigation by construction management best practices.
- 7.9.5 With regards to the noise experienced by future occupiers of the development, the original noise assessment recommended mitigation measures – specifically the installation of trickle vents to any living rooms/bedrooms facing the road.
- 7.9.6 No objections have been raised to the proposals by the Environmental Health Officer, subject to a compliance condition.
- 7.9.7 Concern has also been raised regarding a restrictive covenant on the land. This is a private legal matter that lies outside of Planning Control.

7.10 CIL - Acceptable

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

8. CONCLUSION

- 8.1 The provision of 6 residential units is given significant weight in the planning balance. The proposal would represent an efficient use of the site.
- 8.2 The scale of the building and the footprint of development relative to the constrained size and shape of the site would be significant, and the relationship between the proposed development and the residential garden and dwelling at No.

1 Westbury Road is acknowledged. Residents' concerns regarding the quantum of parking spaces for the development and the location of the site in context with the neighbouring narrow streets are also noted.

- 8.3 The standard of accommodation provided would be acceptable and the proposal would not have a detrimental impact on the neighbouring culverted river or additional flood risk.
- 8.4 On balance, it is considered that the minor contribution of the scheme to housing supply, along with the positive aspects of the development and the efficient use of a vacant site, are of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.
- 8.45 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

As amended by documents received 8/12/21, 9/12/21 & 21/12/21

Subject to the following conditions:

Standard conditions

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.
5. Demonstrate development will not reduce floodplain storage or the flow path

Prior to above ground works

6. Details of landscaping for hard and soft areas.
7. Details of materials.
8. Details of refuse storage
9. Details of lighting scheme.
10. Details of cycle storage
11. No construction within 8m of the culvert until loading plan approved

Prior to occupation/use

12. Parking arrangements to be installed as approved.
13. Details of electric car charging point(s).

14. Compliance with Part M of the Building Regulations.
15. Installation of ultra-low NOx boilers.

Compliance

16. Flood Risk Assessment compliance
17. Noise Assessment compliance

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

Informatives:

1. Reminder regarding submission of pre commencement conditions.
2. Contact street naming and numbering Officer at the Council.
3. Reminder of CIL payments.
4. Reminder regarding Part M compliance.
5. Construction machinery emission
6. Any street works are at applicants' costs.
7. Compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017
8. Contact Environmental Health re contamination.
9. Thames Water - water pressure standard.
10. Thames Water – working near our pipes
11. Secure by Design measures.
12. Energy efficiency measures
11. Flood risk activity permitting
12. Attention drawn to guidance on refuse storage