

Committee Date	31/03/2022		Agenda Item:
Address	Woodhayes 76A The Avenue Beckenham BR3 5ES		
Application number	20/05047/FULL1	Officer Jessica Lai	
Ward	Copers Cope		
Proposal	Demolition of the existing dwellings (No.76A and 76B The Avenue), erection of a five storey building to provide 18 flats (comprising 10 - one bed and 8 - two bed), provision of 18 parking spaces with cycle and bin storage and hard and soft landscaping (Revised Description and proposal).		
Applicant		Agent	
Devonshire Developments Woodhayes 76A The Avenue Beckenham BR3 5ES		Alexandra Bamford Boyer Planning 2nd Floor, 24 Southwark Bridge Road London SE1 9HF	
Reason for referral to committee	Major Application	Councillor call in No	

RECOMMENDATION	Full planning permission be granted, subject to planning conditions and completion of a section 106 legal agreement.
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<p>KEY DESIGNATIONS</p> <ul style="list-style-type: none"> • Adjacent to Downs Hill Conservation Area • Biggin Hill Safeguarding Area • London City Airport Safeguard • Open Space Deficiency • Smoke Control
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Residential Use			
Number of Unit	1	2	Total
Market	10	8	18
Total	10	0	18

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	N/A	16	+16
Disabled car spaces	0	2	+2
Cycle	0	32	+32

Electric car charging points	20% active and 80% passive
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Representation summary	<p>A 21 days neighbour consultation letters were sent on the 23rd February 2021. Following the receipt of additional and amended documents, a 14 day neighbouring consultation letter was sent on the 23rd July, 2021, 14th October 2021 and 20th January 2022.</p> <p>A site notice was placed on the 18th February 2021. The application was advertised in the News Shopper on the 24th February 2021.</p>	
Total number of responses	168	
Number in support	27	
Number of objection	139	
Number of comment	2	

Section 106 Heads of Term	Amount	Agreed in Principle
Carbon offset	£ 28, 357 including Be Seen measures	Yes
Affordable Housing Review mechanism	Early and Late Stage Review Mechanisms	Yes
Total	£ 28, 357	

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle to redevelop the site to make more efficient use of the land and deliver more housing is supported. It would positively contribute to the Council's housing supply.
- The design, layout and scale of the revised proposal is considered to be acceptable, taking into account the building typology and the established pattern of development of the surrounding area.
- The proposal would provide a good standard of internal and external living space, including an inclusive living environment for the future occupiers, without causing a significant harmful impact on the residential amenities enjoyed by the neighbouring proprietries.
- An adequate level of parking, bicycle storage, waste storage provision and new planting and landscaping has been provided
- Having considered the benefits and harm arising from the proposal and in the absence of 5-year housing land supply it is considered that planning permission should be granted as the presumption in favour of sustainable development is applied unless there are material considerations to suggest otherwise.
- Subject to the planning conditions and completion of a section 106 legal agreement, it is considered that the benefits of the proposal would outweigh the impact arising from this proposal and it is recommended that planning permission should be granted.

1. LOCATION

- 1.1 The Avenue is an unmade road and is a public unadopted highway. The application site (No. 76a and 76b The Avenue) measures approximately 1,924sq.m (0.19 hectares) in area and is located on the southern side of The Avenue.
- 1.2 The site comprises of two domestic detached houses with two garages, with sizeable front and rear gardens. The site is located on a slope. The ground level drops down from east to west along The Avenue and the ground level drops down from north to south from The Avenue towards the railway line which lies to the rear of the application site.
- 1.3 The site is surrounded by a mixture of residential properties of a varying building scale design and style of appearance. Nightingale Court is a 4 storey residential building located to the west of the site. Number 76C The Avenue is a two-storey detached house located to the east. Opposite to the site are modern residential flats that range between two to four storeys in height.
- 1.4 The application buildings are traditional suburban houses and there are no listed buildings. Downs Hill Conservation Area is located approximately 50 metres east from the application site.
- 1.5 The site lies within Flood Zone 1, meaning the site has a low probability of flooding from river tidal sources (less than 1 in 1,000 annual

probability). The site is subject to low surface water flooding risk. Ground water flooding is possible in the local area when ground water levels are high.

- 1.6 The public transport accessibility of the site is rated at 1b, on a scale between 0 to 6b where 0 is worst and 6b is excellent. Ravensbourne Railway Station is located approximately 630 metres from the site.

2. PROPOSAL

- 2.1 Full planning permission is sought for the demolition of the existing houses, erection of a part four and part five storey building to provide 18 private residential units. The residential flats would comprise of 10 x 1 bed and 8 x 2 bed flats.
- 2.2 The access to the proposed building, car park and outdoor spaces would be step free. An internal lift would be provided and would be accessible to all floors.
- 2.3 The proposed building is designed with a flat roof. The proposed building would measure approximately 18.6 metres maximum in length, 21.5 metres in width and 15.2 metres in height. A green roof would be incorporated and solar panels would be installed at the roof level.
- 2.4 The outdoor areas of the site including a child play area would be landscaped with new planting to promote biodiversity and address climate change.
- 2.5 A total of 18 off-street parking spaces, including 2 disabled parking spaces would be provided. A total of 30 secured cycle storage areas including 2 short-stay cycle storage spaces would be provided. Dedicated communal storage facilities would be provided.
- 2.6 The internal floor spaces of the proposed units including the private balconies are well designed and would meet the required internal and outdoor living space requirements,.
- 2.7 The proposal has been revised in response to the planning consultees' comments. The key differences are as follows:
 - Removal of three terraced houses to the rear of the proposed building;
 - Removal of partial re-surfacing and street works on the unadopted highway, The Avenue.

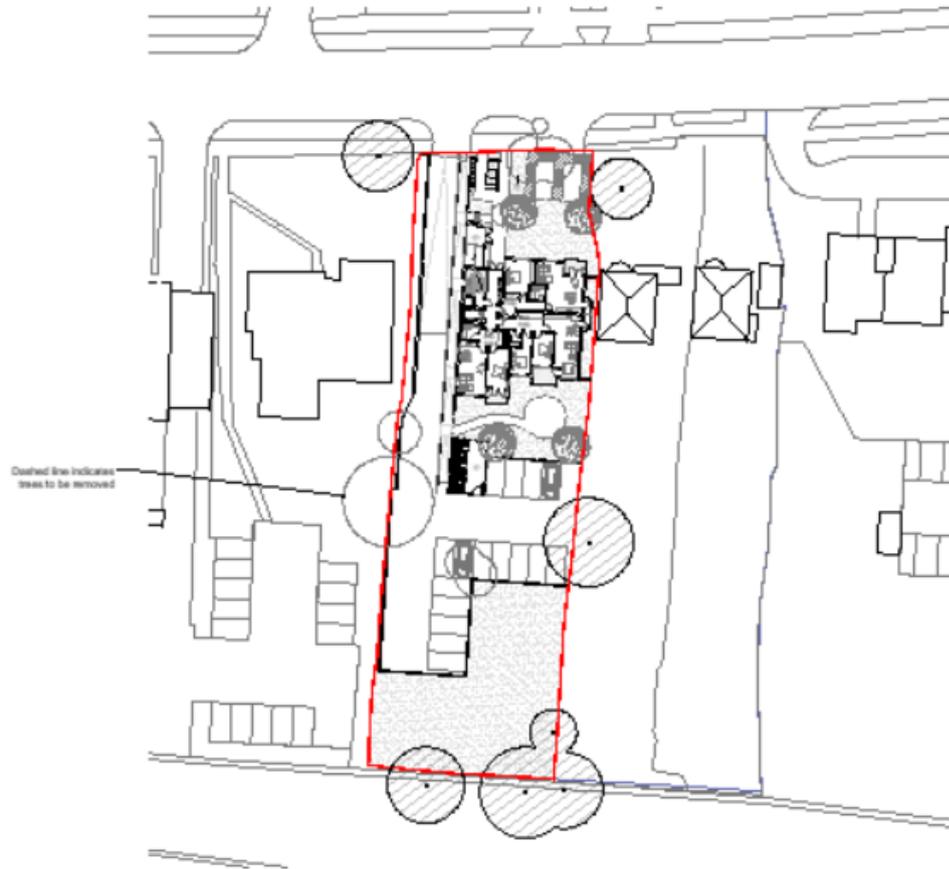


Fig 1. Site Location and proposed site layout plan.

3. RELEVANT PLANNING HISTORY

3.1 A full planning permission was refused on the 2nd November 2018 for the demolition of 2 no. detached houses (76a and 76b) and construction of 3 storey / part 4 storey building containing 11 no. self-contained apartments (8 x 2 bedroom / 3 person and 3 x 2 bedroom / 4 person) Provision of a new access road and 13 no. car parking spaces to rear. Associated secure covered cycle store for 22 cycles and bin store to front (18/02816/FULL1). The application was refused for the following reasons:

1. The proposal, by reason of its roof profile design, excessive number of front and rear dormer windows in different dormer window styles and sizes would appear as a top heavy and discordant feature on the building, representing a poor design quality, out of keeping with its surrounding area, contrary to London Plan Policy 7.4, UDP Policies BE1 and H7, Draft Local Plan Policies 4 and 37.
2. The proposal would fail to provide adequate private outdoor space for each of the proposed units. In the absence of boundary treatment details and cross section drawings confirming the ground level of the

proposed communal and private gardens, the impact on residential amenities and proposed rear access arrangement cannot be fully assessed, contrary to the London Mayor's Housing SPD, London Plan Policy 3.5, UDP Policies BE1 and H7, Draft Local Plan Policies 4 and 37.

3. The proposed building, by reason of its scale, mass and close proximity to the rear windows of 76c The Avenue would have an adverse impact on the residential amenities in terms of loss of outlook and sense of enclosure, contrary to UDP Policies BE1 and H7 and Draft Local Policies 4 and 37.
4. In the absence of an air quality and noise impact assessment together with the inconsistent information contained in the energy statement, the proposal would fail to demonstrate that the site would be suitable to provide new residential accommodation and fails to demonstrate that adequate carbon emissions can be achieved. As such, this part of the proposal cannot be fully assessed and the proposal would be contrary to London Plan Policies 5.2, 7.14 and 7.15, Draft Local Plan Policies 120 and 124.
5. The proposal would result in an over-concentration of 2 bedroom private units and in the absence of adequately justification, the proposal would fail to offer a good range of housing choice in terms of housing mix and achieve a mixed and balanced community, contrary to London Plan Policies 3.8 and 3.9, UDP Policy H7, Draft Local Plan Policies 1 and 4.

76a THE AVENUE

- 3.2 An outline planning permission was refused on the 8th March 1989 and the subsequent appeal was dismissed on the 11th January 1990 for the erection of a 3 storey building comprising 5 x 2 bed with 5 garages and 2 parking spaces (ref: 88/04373/OUT).

76b THE AVENUE

- 3.3 A tree works application was granted on the 5th February 2015 for the felling of one London Plane (TPO 2505A) on the land adjacent (grass verge) to 76B The Avenue 14/00578/TPO (ref: 14/00578/TPO).

4. CONSULATION SUMMARY

a) Statutory

4.1 Highways – No objection

The Avenue is an unadopted highway. The surface of the road is unmade and formed of loose materials.

Access

The vehicular access to the car park would measure approximately 3.8 metres width with a 5 metres passing place at the top and bottom of the ramp. A separate 1.4 metre walkway is provided on the western side of the ramp for pedestrian and cyclist. The head clearance height measures approximately 3.7 metres. The proposed access arrangement is considered to be acceptable.

Parking

A total of 19 car parking spaces including 2 disabled parking spaces would be provided. The level of provision is acceptable.

Waste

Waste storage provision are indicated and is considered acceptable. The Council' Waste Services should be consulted

Should planning permission be granted, the following planning conditions and informative should be attached:

- Car parking
- Refuse storage
- Cycle storage
- Repair of damaged roads
- Construction management plan

Informative

- The cost of any modification/creation of vehicular cross over shall be met by the applicant.

4.2 Drainage - lead local flood authority – No objection

Should planning permission be recommended, a pre-commencement condition requiring the detailed design measures in line with the submitted Flood Risk Assessment Report (Ref No.3760-201102-SS carried out by LUSTRE Consulting dated November 2020) should be submitted and approved by the Council. A landscape plan to show the construction materials for the access drive and car park areas should also be submitted and approved by the council. The area not covered by the building shall be permeable as stated in the Flood Risk Assessment.

4.3 Thames Water – No objection

Waste comment

There are public sewer crossing or close to the site. Developer must minimise the risk of damage should there be any significant works near to Thames water sewers. The site is located within 15 metres of a strategic sewer. A condition requiring piling method statements including the depth and method used shall be submitted and approved by the local planning authority in consultation with Thames Water.

Surface water drainage

If the developer follows the sequential approach to the disposal of surface water we would have no objection. Prior approval from Thames Water Developer Services will be required for any discharge to a public sewer. Developer will be expected to demonstrate what measures will be undertaken to minimise ground water discharges into the public sewer. Any discharge made without a permit is deemed illegal and an informative should be attached. Developer is reminded that Building Regulation part H paragraph 2.36 should be incorporated within the proposal.

There is no objection in relation to waste water network and sewage treatment works infrastructure capacity.

Water comment

The site is located within 5 metres of a strategic water main and no building would be permit to build over or constructed within 5 metres from the strategic waste mains. Should planning be granted, a condition requiring that no construction shall take place within 5m of the water main shall be attached. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

A pre-commencement condition prior to any site clearance requiring an integrated water management strategy detailing, what infrastructure is required, where it is required, when it is required (phasing) and how it will be delivered, shall be submitted to and approved by, the local planning authority in consultation with the water undertaker.

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. Should there be any significant works within 3m of the mains, Thames Water will need to check the development would not 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.

Water network and water treatment infrastructure capacity

No objection and an informative be attached to this planning permission reminding the developer should take account of the development should enable Thames Water to maintain 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.

4.4 Network Rail – No objection

The developer must ensure that their proposal, both during construction and after completion does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Should any vibro-compact/displacement piling plant be used, details of the machinery and a method statement shall be submitted to and approved by the Local Planning authority. Any scaffolding within 10 metres from the boundary must be erected in a manner that ensures no scaffolding poles over-sail the railway and protective netting must be installed. No plant or material shall be capable of failing within 3m of the boundary with Network Rail. A minimum of a 1.8 metres boundary fence shall be installed and the vegetation within the railway land must not be disturbed. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Details of surface water drainage shall be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense. Buildings are required to be at least 2 metres from Network Rail's boundary. The construction and future maintenance of the site shall

be carried out without the need to access the operational railway environment. Any lighting associated to the development must not interfere with the sighting of signalling apparatus and /or train drivers' vision on approaching trains.

b) Local groups

4.5 Ravensbourne Valley Residents – objection

Planning permission is sought for the installation of new street lights and repair and resurfacing of part of The Avenue. The applicant does not own this private road and there is no agreement from the land owner and the frontages for the proposed works as indicated in the application. As such, even if permission were to be granted, the applicant cannot fulfil on its delivery of the proposed works which forms part of this application. The description of the development for the purpose of this application should be amended to remove any reference to the road and should only refer to the demolition and building of the flats and houses. We think this is important but doubly so because already some residents are writing in support of the application under the erroneous belief that the road is going to be upgraded.

Officers comment: The terraced houses and partial resurfacing and streetlighting works of the Avenue are removed from the current proposal.

4.6 Copers Cope Area Residents' Association – objection

The site is presently occupied by two family houses, 76a and 76b The Avenue which, together with neighbouring properties 76c and 76d, are among the last remaining 1930s homes on the road. The proposed development involves the demolition of both houses, replacing them with a five-storey block of 18 flats, and three terraced, mews-style houses, and also the resurfacing of a section of The Avenue, between the site and Westgate Road. The Resident's Association objects to the proposal for the following reasons:

1. The overall size, scale, massing, bulky design and five-storey height results in a dominating building at odds with other blocks on the road, which are only four storeys high.
2. The proposed scheme would have the potential for up to 70 people overall, which we believe is unsustainable for a site of this size and location.
3. Inadequate parking provision with 16 parking spaces for 21 households with no visitor's parking and is likely to cause additional strain on existing parking provision on The Avenue.
4. Most of the proposed units in the residential block are very small, particularly some of the two-bedroom units, which have cramped living

areas for up to four adults to cook, eat and relax in. Of the total 18 units, 13 of them barely meet the DCLG's minimum space standards. Some of the flats are denied a double aspect, adding to the sense of lack of space.

5. It is again very disappointing to see in the Affordable Housing Viability Statement submitted that, despite proposing new 21 units, the application doesn't include any affordable housing provision. The reason given, that the applicant cannot afford to provide affordable housing in the scheme, is unacceptable.

6. If permission is granted, and frontages on the Avenue can't be agreed particularly the proposal to resurface the road, it isn't clear how the scheme in its entirety can be implemented without invalidating the permission.

On a final point, the application includes a Statement of Community Engagement which says that a consultation was conducted with the local community, local groups and others. As the largest residents' group in Beckenham, we were disappointed not to have been invited to participate in the consultation.

Officers comment: The terraced houses and partial resurfacing and streetlighting works of The Avenue are removed from the current proposal.

c) Adjoining Occupiers

4.7 One hundred and fifteen (139) letters of objection have been received and the grounds are including the objections associated to the terrace houses and partial resurfacing and street lighting works of The Avenue are summarised as follows:

1. Overdevelopment
 - a. An earlier application was refused in 2018 and the proposal is now more than the previous scheme.
 - b. Out of scale, and out of keeping with its surroundings.
 - c. Excessive density, poor design.
The proposed 5 storey building would be excessive in height.
 - d. Basement parking should be incorporated.
 - e. Revised plan does not appear make adequate changes when compared with the original proposals.
 - f. Communal bin storage in the front garden is unsightly
 - g. The buildings are supported by large rear gardens, green spaces and trees and the proposal would appear out of keeping

2. Housing

- a. No affordable housing. There is a demand for houses and development similar to Spingbourne Court and West Oak would be more suitable at this location.

3. Highway

- a. Maintenance is currently managed by The (Unmade) Avenue (BR3) Association Ltd. and the cost is borne by those living on the road. More new buildings (with many more people) means more traffic, more maintenance and escalating costs.
- b. The partial improvement of the road would not encourage cycling.
- c. Also, as owner of a share in the freehold of Briary Lodge, I'm aware that consent has NOT been sought from Briary Lodge Management Co. Ltd (as freeholder of the property at 56 The Avenue) to change the surface of the area of The Avenue for which we are responsible.
- d. Inadequate details regarding the road resurfacing.
- e. CEMP may not be enforceable given the road and the nature of the road. The condition of the road would be deteriorated with HGV's. THE CEMP should be secured by a s106 legal agreement.
- f. As The Avenue is not a public highway and there are no plans for it to be adopted. S278 and S38 of the Highway Act are not applicable in this case. Therefore, this again needs to be secured via the S106 TCPA.
- g. The condition of the road is decent with the maintenance efforts provided by the Unmade Avenue (BR3) Association Ltd.
- h. The standard of the road works is not guaranteed and the cost was not explained by the developer
- i. Inadequate parking spaces and impact on parking conditions
- j. Resurfacing of the road with hard surface will substantially change the character of the road and this will substantially increase its traffic and speed. This element would also increase air pollution
- k. There are no specifications of proposed work relating to the paving. Whilst an in-principle agreement has been reached to improve the road and agreed with the free holder, there is no details regarding the long term maintenance costs.
- l. The frontages/owners are still responsible for maintenance of its frontage and this is not mentioned in the submitted documents
- m. It is difficult to quantify the loss and damage to the tree/grass verges. It is unnecessary and an expensive exercise to create a new road with traffic-calming measures.

- n. Increase traffic
- o. partial repairs to sections of the road have proven not to last long and have inadvertently caused the unrepaired sections to deteriorate further. This was due to the increased water run-off from the freshly tarmacked sections, from speeding cars who "forget" to slow down once they have driven off the newly tarmacked areas and from increased traffic caused by improvements to the road
- p. Resurfacing the road would attract a rat run.
- q. The plan to resurface the road appears to be piecemeal
- r. The car ownership calculation is incorrect and should be 89% instead of 88.5% and 19 parking spaces should be provided.

4. Waste

- a. Location of waste far from the road. A swept path analysis should be provided to confirm emergency vehicles can enter the site.

5. Impact on biodiversity

- a. Impact on protected species
- b. Loss of trees

6. Residential amenities

- a. The proposal would be closer to the road resulting in loss of privacy to the neighbouring properties.
- b. Loss of light
- c. Noise and disruption during construction

7. Surface water flooding

- a. The proposal would increase service water flooding

8. Lack of infrastructure

- a. No underground drainage link to Thames Water

9. Lack of consultation with neighbours (the frontages) about the plans to resurface the road

4.6 Twenty-three (27) letters of support have been received and the grounds as summarised as below:

- 1. The unmade road is unsafe, inadequate and unsustainable. Improvement to lighting and pavement is very much welcome
- 2. Improves road conditions for emergency and delivery vehicles.
- 3. The design of the proposal is attractive and would provide housing.

4.7 Two (2) letters of comment have been received and the grounds are summarised as below:

1. A few support letters have been submitted without an address
2. The proposal would add value to the properties
3. A four storey building would be more in keeping with the area.
4. There are no storm drains or pavement repairs detailed. The commitment to resurfacing and lighting is attractive. The funds cannot be found elsewhere to complete works on the road. The council will not adopt the road, the freeholder does not maintain the road as it is not obliged to since the Leasehold reform act and the resident's group has no realistic prospect of obtaining the funds for work like storm drains and lighting any other way. The obligation should be secured, and the Council should commit to traffic calming measures once these works have been completed.
5. The proposal is not supported by any Highway safety or traffic modelling. The Council went through the process to adopt the road in 1990 and there was concern that the junction to Westgate road would become a hazard. The Council did not receive sufficient support from freeholders and the adoption was cancelled. Freeholder position has not changed to adoption.
6. The proposal would increase the cost for other the freeholder on The Avenue to maintain their frontages.

5. POLICIES AND GUIDANCE

5.1 National Planning Policy Framework 2021

5.2 National Planning Practice Guidance

5.3 The London Plan

Policy D3	Optimising site capacity through the design-led approach
Policy D4	Delivery good design
Policy D5	Inclusive design
Policy D6	Housing quality and standards
Policy D7	Accessible housing
Policy D11	Safety, security and resilience to emergency
Policy D12	Fire safety
Policy D14	Noise
Policy H1	Increasing housing supply
Policy H2	Small sites
Policy H4	Delivering affordable housing
Policy H5	Threshold approach to applications
Policy H6	Affordable housing tenure
Policy H7	Monitoring of affordable housing
Policy H8	Loss of existing housing and estate redevelopment
Policy H10	Housing size mix
Policy S4	Plan and informal recreation

Policy G5	Urban Greening
Policy G6	Biodiversity and access to nature
Policy G7	Trees and woodlands
Policy SI-1	Improving air quality
Policy SI-2	Minimising greenhouse gas emissions
Policy SI-5	Water infrastructure
Policy SI-13	Sustainable drainage
Policy T4	Assessing and mitigating transport impacts
Policy T5	Cycling
Policy T6	Car parking
Policy T6.1	Residential parking
Policy T6.5	Non-residential disabled persons parking
Policy T7	Deliveries, servicing and construction
Policy DF1	Delivery of the Plan and Planning Obligations

5.5 Mayor Supplementary Guidance

- London Housing SPG 2016
- Affordable housing and viability SPG 2017
- Accessible London: Achieving an inclusive environment 2011
- Character and context SPG 2014
- Plan and informal recreation SPG
- Energy Assessment Guidance 2020
- The control of dust and emissions in construction SPG

5.6 Bromley Local Plan 2019

Policy 1	Housing Supply
Policy 2	Provision of affordable housing
Policy 3	Backland and garden land development
Policy 4	Housing Design
Policy 8	Side space
Policy 30	Parking
Policy 31	Relieving congestion
Policy 32	Road Safety
Policy 33	Access for all
Policy 37	General design of development
Policy 59	Public open space deficiency area
Policy 72	Protected species
Policy 73	Development and trees
Policy 79	Biodiversity and access to nature
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
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, decentralised energy networks and renewable energy
- Policy 125 Delivery and implementation of the Local Plan

5.7 Bromley Supplementary Guidance

- Bromley Affordable housing SPD and subsequent addendums

6. Assessment

6.1 Principle of development – Acceptable

6.1.1 The application site comprises of two detached houses and is not allocated for any particular use in the Bromley Local Plan. The existing buildings are neither listed nor located within or adjacent to a conservation area. There are no identified heritage assets within the site.

6.1.2. The proposal would positively contribute to the Council's housing supply providing a net increase of 16 residential units and meeting housing need within the Borough. Given that the site is surrounded by a number of modern residential developments of varying design, scale, style and appearance, it is considered that the principle to redevelop the site to make more efficient use of the land would be acceptable in land use terms. The proposal to introduce residential flats would also optimise the land use of the site and would be compatible to its surrounding area.

6.1.3 It is noted that an earlier full planning application for the redevelopment of the site was refused in 2018. The current proposal is designed to address the previous reasons of refusal and to comply with the current development plan.

6.1.4 The planning merits of the current proposal in terms of housing, design, residential amenities, highway safety, sustainability, and other issues including whether the proposal adequately addressed the previous reasons of refusal are outlined in the following sections of this report. It should be noted that the current National Planning Policy Framework was published in 2021, The London Plan was adopted in March 2021 and the Bromley Local Plan was adopted in January 2019.

6.1 Housing - Acceptable

6.2.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 2nd 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 this means that the presumption in favour of sustainable development will apply.

- 6.2.2 The NPPF (2021) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up-to-date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 6.2.3 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.2.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.
- 6.2.5 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.
- 6.2.6 This application includes the provision of 18 residential dwellings (net increase of 16) and would make a positive contribution to the Council's housing targets. This element is considered to be a significant benefit of the scheme.

Affordable housing

- 6.2.7 London Plan Policy H4 sets a strategic target of genuinely affordable homes at 50 percent across London and requires that these should be provided on site. London Plan Policy H5 set the threshold approach to applications with an initial and minimum level of 35 percent by habitable

room. The Mayor of London's Affordable Housing and Viability SPG (2017) states that applications not meeting the 35 percent affordable housing and tenure threshold are considered under the Viability Test Route and will be subject to an early and late-stage review. This requirement will be secured by way of a legal agreement should planning permission be granted.

6.2.8 BLP Policy 2 seeks 35 percent of affordable housing to be provided by habitable room with a split of 60 percent affordable rent and 40 percent for intermediate units. London Plan Policy H6 sets the following affordable housing tenure threshold: 1) A minimum of 30 percent low cost rented homes, at either London affordable rent or social rent, allocated according to the need and for Londoners on low incomes. 2) A minimum of 30 percent intermediate projects which meet the definition of genuinely affordable housing, including London Living rent and London Shared ownership 3) The remaining 40 percent to be determined by the borough as low cost rented homes or intermediate product based on identified need

6.2.9 An updated Financial Viability Assessment is submitted which indicates that the proposal would not be viable to provide on-site affordable housing. The updated viability assessment has been reviewed and assessed by an independent viability consultant appointed by the Council and they have confirmed the development would not be able to provide affordable housing.

6.2.10 A sensitivity analysis was also carried out by the independent viability consultant, which indicates that the scheme can be viable if there is a change in build cost and/or sales values in the future. In line with the London Plan and London Affordable housing viability SPG, the proposal will also be subject to an early and late-stage review mechanism. This is to ensure the maximum level of affordable housing can be provided at the point of implementation.

6.2.11 Should planning permission be granted, the review mechanisms will need to be secured by a legal agreement.

Wheelchair unit and inclusive living environment

6.2.12 Many households in London require accessible or adapted housing to lead dignified and independent lives. London Plan Policy D7 requires at least 10 percent of proposed new dwellings to meet Building Regulation requirement M4(3) Wheelchair users dwelling standard. The remaining dwellings should meet Building Regulation M4(2) accessible and adaptable dwellings.

6.2.13 Paragraph 2.3.10 under Standard 11 of the London Housing SPD states that LPAs should seek to ensure that dwellings accessed above or below the entrance storey in buildings of four storeys or less have step-free access

6.2.14 In line with the policy requirement, a minimum of two wheelchair units would be required. A total of two 2 bed / 4 person units wheelchair units (Building regulation Part M4(3)) would be provided. The remaining will be required to comply with the accessible and adaptable dwellings standard (Building regulation Part M4 (2)). These provisions will be secured by a planning condition.

6.2.15 An internal lift would be provided in the proposed building. Two disabled parking spaces would be provided near the entrance of the site. Overall, it is considered that an inclusive living environment can be provided, subject to the planning condition.

Housing mix

6.2.16 Pursuant to London Plan Policy H10, schemes should generally consist of a range of unit sizes. The proposal would provide a mixture of 1 to 3 bed units. Paragraph 2.1.17 under BLP Policy 1 states the 2014 SHMA which highlights that the highest level of need across tenures within the Borough up to 2031 is for one bedroom units and is then followed by 2 bedroom units.

6.2.17 The proposal would provide a mixture of 1 to 2 bed units. Whilst there are no large family units (3 bedrooms) provided, it should be noted that the proposed housing size and mix would range between 2 to 4 person occupancy. Given that there is a higher housing need for 1 and 2 bed units, it is considered that the proposed housing mix would not be unacceptable at this location.

6.3 Standard of living environment – Acceptable

Standard of accommodation - Internal floor area

6.3.1 In March 2015, the Government published 'Technical housing standards - nationally described space standard.' This document sets out requirements for the gross internal floor area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. This is supported by the Mayor's 'Housing' SPG 2016 to reflect the national guidance and BLP Policies 4 and Policy 37.

6.3.2 The proposed residential units would meet the National Housing Standards and adequate internal living space would be provided. The ranges of the proposed internal floor areas would be as follows:

	Policy requirements	Proposed internal floor area
1 bed/ 2 person	50sq.m	50.5 sq.m to 62.4sq.m
2 bed/ 4 person	70sq.m	70.4 sq.m to 76.2 sq.m

6.3.3 The accommodation of the proposed units have been well laid out and are designed to ensure that outlook, privacy, outdoor private spaces and adequate sunlight and daylight can be provided for the future occupiers. It is considered that a good standard of living environment can be provided for the future occupiers.

Amenity space

6.3.3 Standard 26 and 27 of the London Housing SPD requires a minimum of 5sq.m private outdoor space to be provided for a 1 to 2 person dwelling and an extra 1sq.m to be provided for each additional occupant. The minimum depth and width of all balconies and other private extension spaces should be 1,500mm.

6.3.4 Paragraph 2.3.31 of the Housing SPD states "*Private open space is highly valued and should be provided for all new housing development. Minimum private open space standards have been established in the same way as the internal space standards, by considering the spaces required for furniture, access and activities in relation to the number of occupants*".

6.3.5 Each of the proposed residential flats would be provided with a private balcony and will comply with the required external space standards. The size of the residential balcony on the top/fourth floor would be up to 17.6sq.m for the one bed unit and up to 19.1sq.m for the two bed unit. It should be noted that there are two areas of outdoor spaces which would be provided to the rear of the proposed building. Overall, it is considered that the proposal would provide a good quality of living environment for future occupiers.

Child play

6.3.6 London Plan Policy S4 states that development proposals that are likely to be used by children and young people should: 1) increase opportunities for play and informal recreation and enable children and young people to be independently mobile; 2) for residential development, incorporate good-quality, accessible play provision for all ages. At least 10 square metres of play space should be provided per child.

6.3.7 The child yield associated to this development is 4.3 children and a play area of 43.sqm should be provided. Two outdoor areas would be provided to the rear of the proposed building. It should be noted that the outdoor area of the car park would measure in excess of 420sq.m and is of sufficient size to accommodate a dedicated play space. Subject to the details of play equipment to be secured by a planning condition, it is considered that the proposal would provide a good standard of accommodation.

Summary

- 6.3.8 The proposal would comply with the Nationally Described Space Standard with adequate outdoor communal spaces to accommodate child play areas.

6.4 Design - Acceptable

- 6.4.1 The historic mapping record indicates that The Avenue was once occupied by suburban houses and is spaced out with larger front and rear gardens. The modern residential redevelopment started to emerge around the 1980s and many detached houses have been replaced by modern apartment blocks. It is noted that there is a varying degree in terms of built form, architectural style and density along the road. There is also a general unity in terms of building height, pattern of development and the general suburban setting can be observed in the area and along The Avenue as the residential buildings are well spaced out and surrounded by abundant planting. New development should fully take into account its local context, in line with BLP Policy 37 which requires development to be attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and material of adjacent buildings and area.

Site layout

- 6.4.2 The most successful streets and places are normally defined by a consistent building line that delivers a clear sense of enclosure, a shared coherent identity and local distinctiveness. The proposed building would replace the existing houses facing The Avenue. The proposed front building line would be broadly in line with the adjacent residential buildings to the west and east. The forecourt would be landscaped with two disabled parking spaces and communal waste storage area. The main car park and outdoor spaces associated to the proposal would be located to the rear of the proposed building. The siting and layout of the building is considered to be acceptable and would follow the established pattern of development along the road.
- 6.4.3 Objections have been received concerning the pattern of the development and the proposal would constitute tandem development, overdevelopment and out of keeping with its surroundings. It should be noted that the terraced houses in the original scheme have been removed from this current revised proposal. The layout of the proposal is considered to be acceptable and would be in keeping with the established urban grain and would comply with BLP Policy 37.

Design, scale and massing

- 6.4.3 The proposed building would be up to five storeys in height and measures approximately 15.2 metres to the top of the flat roof. It is noted that the proposed building would be approximately 3.7 metres (73.88m AOD) higher than the Nightingale Court. However, it should be noted

that the proposed building would be located on a slope and the proposed building would be part four and part five storeys in height. The floor plate of the proposed fourth (top) floor would be reduced when compared with its lower floors. The height of the proposed building would drop down to 70.98m AOD, with a reduced height that measures approximately 0.8 metres higher than Nightingale Court. Furthermore, it should also be noted that the proposed building would not be higher than Morley Court which measures approximately 75.11m AOD. As such, it is considered that the scale of the proposed building including its building height would be acceptable at this location.

6.4.4 It is acknowledged that the building would be taller than the adjacent two storey detached dwellings at 76c and 76d The Avenue, however as illustrated in the street scene elevation below the height and massing of the proposed building would generally accord with the general scale of development in the street.

6.4.5 Due to the topography of the site and the relationship between the proposed building and its surrounding area, it is considered that the proposal would not appear out of scale or out of keep along this section of The Avenue. The proposal would be compatible with the buildings in the surrounding area.



Fig.2. Proposed street scene

6.4.6 The proposed building elevation is designed with a stagger of building lines. The proposed windows and balconies have been designed to increase the interest of its front elevation and break down the bulkiness of the building. The fenestration of the proposed building would present a good degree of symmetrical appearance. The windows and balconies are arranged with an emphasis on its verticality. It is considered that the design and appearance of the proposal would be acceptable.

Material palette

6.4.7 The proposed external materials would mainly comprise of red colour brick, light white and grey colour concrete. The materials of the balconies would be made of glass with louvres. Green roofs along with solar panels would be introduced at the roof level. Given that there is a variation of architectural building styles along The Avenue, it is considered that the proposed external materials would be acceptable.

Fire Strategy

- 6.4.8 The matter of fire safety compliance is covered by Part B of the Building Regulations. A fire strategy is submitted. However, to ensure that development proposals achieve highest standards of fire safety, reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape which all building users can have confidence in, applicants should consider issues of fire safety before building control application stage, taking into account the diversity of and likely behaviour of the population as a whole (London Plan Policy D12).
- 6.4.9 A fire strategy report which outlines the means of escape, fire detection and alarm systems, emergency lighting, signage, access and facilities for the fire services and the provision of fire hydrants is identified.
- 6.4.10 Compliance to the fire statement will be conditioned however, compliance with the Building Regulations will still be required at the appropriate stage of the development.

Secured by design

- 6.4.11 London Plan Policy D3 states measures to design out crime should be integral to development proposals and be considered early in the design process. Development should reduce opportunities for anti-social behaviour, criminal activities, and terrorism, and contribute to a sense of safety without being overbearing or intimidating. Developments should ensure good natural surveillance, clear sight lines, appropriate lighting, logical and well-used routes and a lack of potential hiding places. This approach is supported by BLP Policy 37 (General Design).
- 6.4.12 The proposed layout is designed with clear route and uses of spaces are well defined. The designing out crime officer was consulted, and no objection was raised in respect to the proposed layout, subject to a planning condition requiring the proposed development to achieve Secured by Design accreditation. As such, it is considered that the siting and layout of the proposal would be acceptable and would comply with the policy.

6.5 Neighbourhood Amenity - Acceptable

- 6.5.1 BLP Policy 37 requires development be expected to respect the amenity of the occupants of the neighbouring buildings and ensure they are not harmed by noise and disturbance, inadequate daylight, sunlight privacy or by overshadowing. Nightingale Court and number 76c The Avenue are adjoining to the application site and would be impacted by the proposed development.

76c The Avenue

- 6.5.2 Development should not result in an unacceptable material deterioration of the daylight and sunlight conditions of surrounding development. Nor should the development result in an unacceptable level of overshadowing to its surroundings. The BRE Guide states that the amount of daylight (VSC) and its distribution (NSL) are important. The reductions in daylight would be noticeable to occupiers if the VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value.
- 6.5.3 The ground level of the application site is approximately 1 metre lower than the neighbouring property. The flank wall of the proposed building would be positioned approximately 1.5 metres to its side boundary and projecting approximately 5.4 metres further from the rear wall of the neighbouring property. It is noted that a sunlight and daylight report is submitted, which indicates that adequate light would be maintained for the front and rear windows. The sunlight and daylight report indicates that the proposal would be within the BRE guidance.
- 6.5.4 The projection of the building would interfere with the 45 degree line of the neighbouring rear windows at Number 76c The Avenue and the proposal would result in a reduction of availability of daylight and sunlight and overshadowing. Having considered its orientation and local context of The Avenue, it is on balance considered that the proposal would not result in a significant harm to the living conditions of the neighbouring properties.
- 6.5.5 There are no side windows in the proposed building that would potentially allow views into the front and rear windows of the neighbouring properties. It is noted that the proposed building would result in an increased sense of enclosure. However, it should be noted that the proposed building would be positioned approximately 1.5 metres from its side boundary. The front boundary line of the proposed building would be broadly in line with the neighbouring property. It is recommended that privacy screening be secured by condition to prevent undue overlooking from the front-facing balconies adjacent to the boundary with No. 76c.
- 6.5.6 Overall, it is considered that the proposal would result in a limited degree of a level of harm upon the neighbouring properties in terms of sunlight, daylight and enclosure. As the level of harm is considered to be limited it is on balance not considered to be sufficient to warrant a reason for refusal of the application.

Nightingale Court

- 6.5.7 The proposed floor plans indicate that the rear wall of the proposed building would project approximately 1.3 metres further than the rear wall

of the neighbouring property. The flank wall of the proposal would be located approximately 1 metre from its side boundary towards Nightingale Court. Due to its limited projection and relationship with the neighbouring properties, it is considered that the proposals would not have an adverse impact on neighbours' residential amenities in terms of loss of light, enclosure, outlook and privacy.

Kingfisher Court, Morley Court, Magnolia Court, Tern Court, Lorraine Court and 76d The Avenue.

6.5.8 These properties are located further away from the application site. Due to the siting of the proposal and relationship with these properties, it is not considered that the proposal would have an adverse impact on residential amenities.

6.5.9 The proposal would intensify the use of the site to provide more dwellings and introduce a car park to the rear of the proposed building. However, it should be noted that the proposed use and the layout would be compatible to its surroundings and Nightingale Court. Given that the proposed car park would be located approximately 8 metres to the rear of the proposed building and taking into consideration its relationship with the adjoining properties, it is considered that any noise and disturbance associated to the car park would be limited and would not be incompatible to its surroundings.

6.6 Transport - Acceptable

Access

6.5.1 BLP Policy 32 states the Council will consider the potential impact of any development on road safety and will ensure that it is not significantly and adversely affected. The access to the site would measure 3.8 metres wide with a 5 metre passing place at the top and bottom of the access road. A separate 1.4 metre walkway is proposed on the western side of the access for pedestrian and cycles. The Council's highway team was consulted and consider the proposed access arrangement would be acceptable.

Parking provision

6.5.2 London Plan Policy T6.1 states new residential development should not exceed the maximum parking standard set out in Table 10.3. There is no minimum standard set in the London Plan, except disabled parking spaces and requirement for electric charging points. For outer London with a PTAL rating between 0 to 1, a maximum of 1.5 spaces should be provided for each 1 or 2 bed. A maximum of 27 parking spaces is suggested in the London Plan. However, consideration should also be given to the minimum requirements of Local Plan, the proposed housing size and distance to the nearest railway station.

- 6.5.3 Table 1 in the BLP Policy 30 (Parking) sets the off-street parking standard for new residential development, subject to the particular characteristics of the development and the public transport accessibility. For sites with a PTAL rating between 0 to 2, a minimum of 1 space should be provided for each 1 or 2 bed unit.
- 6.5.4 London Plan Policy T6.1 states disabled persons parking should be provided for new residential developments. Residential development over 10 units must as ensure 3 percent of the dwelling, at least one designated disabled persons parking bay per dwelling is available from the outset. Proposals must demonstrate as part of the parking design and management plan, how an additional 7 percent of dwellings could be provided within one designed disabled persons parking space per dwelling in future.
- 6.5.5 A residential car park with 18 spaces would be located to the rear of the proposed residential building and to the front of the mews houses, in a relatively close proximity. Two disabled parking spaces would be located to the front of the proposed building.
- 6.5.6 The proposed parking provision would comply with the London Plan and Local Plan. It should be noted that Ravensbourne Railway station is located approximately 650 metres from the site. The London Plan sets a maximum threshold and development should not exceed the suggested threshold. The Council's highway division have advised that the level of proposed parking spaces is satisfactory and acceptable.

Electric charging point

- 6.5.7 London Plan Policy T6.1 requires at least 20 percent of spaces should have active charging facilities with passive provision for all remaining spaces. This approach is consistent with BLP Policy which requires 1 in 5 spaces be provided with electric charging points. A transport statement is submitted which indicates that 20 percent active and 80 percent of the parking spaces would be provided with passive charging facilities. Whilst these provisions are not indicated the proposed plan, in view of the proposed site layout, it is considered that these details can be secured by planning condition should planning permission is forthcoming.

Cycle parking

- 6.5.8 London Plan Policy T5 set the standard for cycle parking. A minimum of 36 long stay spaces (1.5 spaces per 2 person unit and 2 spaces per all other dwellings) and a minimum of 2 short stay spaces should be provided (2 spaces per 5 to 40 dwellings). Transport statement indicates that a total of 32 spaces would be provided, and 4 further spaces would be required to meet the minimum requirements. Having considered the layout of the proposal, it considered that additional cycle storage area

can be provided within the site. Among the proposed cycle storage areas, 2 spaces would be provided to the front of the residential block. Subject to the additional cycle storage details, it is considered that proposal would comply with the London Plan.

Construction phase

- 6.5.9 The Avenue is an unmade road. Should planning permission be recommended, the demolition and construction works would have the potential to cause deterioration of the unmade road. A planning condition requiring maintenance and repair of the road, during the construction phase and contained within a detailed management plan should be secured by a planning condition.

Waste services

- 6.5.10 BLP Policy 113 states major development proposals will be required to implement site waste management plans to reduce waste on site and manage remaining waste sustainability. New development will be required to include adequate space to support recycling and efficient waste collection. Standard 22 of the London Housing SPD states the location of communal waste storage should satisfy local requires for waste collecton.
- 6.5.11 Under section 45 of the Enivornmental Protection Act 1990, as amended (EPA 1990), the local authority in England has a legal duty to collect domestic household waste without a charge and set requirements for waste storage size, location and set ups for its collecton or opeartional requirements.
- 6.5.12 The Council published a guidance note for waste storage and collection in October 2011. On developments comprising 6 or more dwellings in one block it stipulates that the following be provided: 1 x 1100 litre bin for non-recyclable, 1 x 240 litre bin for bottle/plastic, 1 x 240 litre for paper including provision for food waste.
- 6.5.13 Objections have been received regarding the siting and semi-open nature of the proposed communal storage area. The proposed site layout plan indicates that a communal waste storage area would measure approximatley 3.7 metres wide and 4.9 metres deep with a storage capacity of 4 x 1100 litre bins and 8 x 240 litre bins. It is considred that the siting of the communal storage area would be acceptable for waste collection. A planning condition requiring the bin storage to be secured for the residents use is recommended.
- 6.5.14The Council's waste services have reviewed the revised proposal and considered that the location and size of the proposal would be acceptable for the Council to maintain its duty for domestic properites. Given that the terrace houses including arrangments for private

domestic waste collectors to collect the waste have been removed from this proposal, it is considered that the current proposal is acceptable.

6.7 Environmental Health - Acceptable

Air Quality

6.7.1 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality. Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality.

6.7.2 BLP Policy 120 states developments which are likely to have an impact on air quality or which are located in an area which will expose future occupiers to pollutant concentrations above air quality objective levels will be required to submit an Air Quality Assessment. Developments should aim to meet “air quality neutral” benchmarks in the GLA’s Air Quality Neutral report. London Plan Policy SI-1 also echo this requirement.

6.7.3 The site is within Bromley Air Quality Management Area which means the site is located within an area that has been declared for exceedance of the annual mean Air Quality Objectives for nitrogen dioxide (NO₂). An air quality assessment is submitted which assess the likely effects of the proposals for the proposed end-users, and to assess potential impacts as a result of the development. The assessment indicates that proposal would not exceed the legal limits at operational phase. There is no gas/energy plant for use on site and no neutral assessment is therefore undertaken. The Council’s Environment Health officers have considered the details and considered that the transport emission is not considered air quality neutral. The mitigation measures to include electric charging points along with a construction management plan will need to be secured by planning conditions, should planning permission be recommended.

Noise and vibration

6.7.4 It is noted that the site is adjacent to a railway line. A noise impact assessment is submitted which indicates that the proposal would not be unsuitable for residential use and would achieve the requirements with glazing. The internal noise levels were calculated and compared to the internal noise recommendation contained in British Standard 8233: 2014 Sound insulation and noise reduction for buildings – Code of practice and the WHO guidelines. Vibration was analysed using ‘BS6472: Guide to evaluation of human exposure to vibration in buildings’. The Council’s Environment Health was consulted and raised no objection,

6.8 Trees - Acceptable

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

6.8.2 An Arboricultural Impact Assessment is submitted which indicates eight individual trees and a hedge would be removed. The condition of the trees/shrubs to be removed are as follows:

- T15 – Horse Chestnut (category U)
- T17 – Apple (category C),
- T18 – Pear (category C),
- T20(Strawberry tree (Category C),
- T1 unrecognised species (category C),
- T4 – Magnolia (category C),
- T5 Magnolia (category C),
- T7- Pine(category C),
- H8 – Beech (category C)

6.8.3 The proposal would result in the loss of a moderate amount of low quality trees which cannot be directly migrated for in the short-term. A landscaping plan is provided which indicated replacement planting would be provided. The Council's tree officers have considered the proposal and raised no objection. The proposals have indicated that replacement planting will be provided and these details should be secured by a planning condition. The details should include an updated tree protection plan and Arboriculture Method Statement. Subject to the planning conditions, it is considered that replacement planting of sufficient quality and quantities can be secured.

6.9 Ecology - Acceptable

6.9.1 BLP Policy 72 states planning permission will not be granted for development that will have an adverse effect on protected species, unless mitigation measures can be secured to facilitate survival, reduce disturbance, or provide alternative habitats. London Plan Policy G6 states that development proposals should manage impacts on biodiversity and aim to secured net biodiversity gain.

6.9.2 Beckenham Place Park is the nearest Local Nature Reserve located approximately 375 metres north of the application site. Shortlands Golf Course and River Ravensbourne are located approximately 640 metres to the east of the site. A preliminary ecological appraisal and a bat survey haven been submitted which considers the likely impact of the scheme upon protective species. The report indicates the impact on the following protected species as follow:

- Amphibians – Negligible

No evidence of amphibians was found. Therefore, no impacts will occur on local amphibian populations.

- Badgers – Negligible

No badger setts are present on site. Therefore, no impacts will occur on badgers.

- Birds – High

Birds could nest within the trees and scrub. Therefore, the proposed scheme of works may be of a high negative impact without any compensation and mitigation.

- Flora – Negligible

No protected or rare floral species were identified on the survey site.

- Hedgehogs – High

The habitats on site have the potential to support the local hedgehog populations.

- Reptiles – Negligible

No suitable reptile habitats are connected to the site. Therefore, the proposed works will not affect reptile populations.

- Bats – High

There is a moderate likelihood of bat roosts on site. Therefore, the proposed scheme of work may negatively affect bats without any mitigation or compensation.

6.9.3 Bat surveys and an emergence survey was carried out on the 23rd September 2021. The emergences survey indicates that there was foraging activity by common pipistrelle along the treelines and between the onsite buildings. However, there was no emergences observed from buildings 76a or 76b and therefore, no mitigation is considered necessary in respects of the demolition of the buildings. As part of the mitigation works, the report recommends tree removal should be undertaken outside of the bird breeding season (the bird breeding season runs from March to August) or further inspection by a suitably qualified ecologist will be required no more than 24 hours before this vegetation is removed. The report recommends repeat surveys will potentially be required prior to any works commenced should works be commenced over 12 months. The site should be under supervision of a

qualified ecologist adequate measures can be provided should any nesting or evidence of protected species exists. Should planning permission be recommended, these details including installation of bat and bird boxes should be secured by planning conditions.

Urban greening

- 6.9.4 London Plan Policy G5 states major development should contribute to the greening of London including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping, green roofs, green wall and naturel- based sustainable drainage. The London plan recommends a target score of 0.4 for developments that are predominantly residential. London Plan Policy G6 states development should manage impacts on biodiversity and aim to secure net biodiversity gain.
- 6.9.5 Green roofs with replacement planting would be incorporated as part of this proposal. It is indicated that permeable hard surfacing would be incorporated, and the proposal would achieve an Urban Greening Factor of 0.4 and would meet the minimum requirements.

6.10 Drainage and flooding - Acceptable

- 6.10.1 The NPPF states that major development should incorporate sustainable drainage systems which should take account of advice from the lead flood authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits. London Plan Policy SI-13 and BLP Policy 116 states development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 6.10.2 The application site is located within Flood Zone 1 where the probability of river or sea flooding is less than 0.1% (1 in 1000) chance in any given year as defined by the Environment Agency. A Flood Risk Assessment is submitted which indicates that the site is located within an area subject to the low risk of surface flooding. A surface water drainage strategy has been designed in line with the most recent EA Climate Change Guidance to consider and manage the impact of a 1 in 100 year plus 40% climate change rainfall. The surface water will be accommodated within the site and therefore prevent potential exceedance flows off-site
- 6.10.3 The proposed development has the potential to increase the flood risk on and off site if not mitigated. A flood risk assessment is submitted which indicates the proposal would follow the drainage hierarchy as outlined in the London Plan. The proposed drainage hierarchy would include the reuse of rainwater and grey water recycling. Green roofs would be incorporated to reduce surface water run-off rates. Attenuation of surface water on site will be required and this will be limited to

greenfield runoff rate. The submitted report also recommended permeable paving should be used. A 1 metre deep proposed sub-base with a porosity of 30% would provide approximately 60 cubic metres of attenuation underneath the paving and cycle paving area.

6.10.4 The Council's drainage officers have reviewed the flood risk assessment and considered that the proposed drainage strategy would be acceptable, subject to the design details. With regard to surface water drainage along The Avenue, the drainage details will need to be agreed by the Council. Should planning conditions be recommended the design details covering surrounding the proposed buildings and along the Avenue will need to be secured by planning conditions.

6.11 Energy - Acceptable

6.11.1 Paragraph 153 of the NPPF states that in determining planning applications, LPAs should expect new developments to comply with policies and requirements for decentralised energy supply unless this is demonstrated to not be feasible or viable.

6.11.2 BLP Policy 124 and London Plan Policy SI 2 requires major development should be net zero- carbon, reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the energy hierarchy:

- 1) Be Lean: use less energy and manage demand during operation;
- 2) Be Clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly;
- 3) Be Green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site;
- 4) Be Seen: monitor, verify and report on energy performance.

6.11.3 London Plan requires a net zero-carbon target for all new major developments with at least a 35% on-site reduction beyond Part L 2013 of the Building Regulations. Under the Be Lean measures, residential development should achieve 10 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on site, any shortfall should be provided in agreement with the borough, either: 1) Through a cash in lieu contribution to the borough's carbon offset fund or 2) Off-site provided that an alternative proposal is identified and delivery is certain. Development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole LifeCycle Carbon Assessment and demonstrate actions taken to reduce lifecycle carbon emissions.

6.11.4 An Energy Assessment following the GLA's energy hierarchy has been received and this has been reviewed by the Council's Energy officer. Under the "Be Lean" category, a range of passive design features would be employed to reduce the heat loss and demand for energy.

- 6.11.5 The measures include enhanced building fabric, minimising heat loss through air infiltration, reducing reliance on artificial lighting, utilising low energy lighting and efficient space heating and hot water systems, coupled with advanced controls.
- 6.11.6 These measures would meet the minimum 10 percent requirement for domestic development outlined in the GLA energy guidance and this is considered acceptable.
- 6.11.7 As there is no district network in the area, it is not possible to achieve any carbon reduction under the “Be Clean” category at the present time and no carbon reduction can be awarded under this category.
- 6.11.8 Under “Be Green” category, a range of on-site renewable energy technologies. It is considered that the use of air source heat pumps and solar photovoltaic (PV) would be the most feasible option for this site. The air source heat pumps would operate by extracting heat energy from the surrounding air and transferring that energy in the form of higher graded heat into the building using under floor heating or radiator systems or through an all-air system. A total of 33 solar panels (15.2kW) would be installed on the roof level.
- 6.11.9 The total regulated onsite carbon saving as a result of the above measures would achieve 35.5 percent (8 tonnes) carbon saving against Part L 2013 of the Building Regulations Compliant Development. There is a shortfall of 64.9 percent (14.8 tonnes) and a planning contribution of £ 42,180 would be secured by a legal agreement. The breakdown is as follows:
- On site regulated carbon dioxide emissions (Building Regs 2013 Compliant Development) = 15.5 tCO₂ per annum
 - Proposed on site reduction of carbon emissions from energy demand/renewables =5.5 tCO₂ per annum
 - On site shortfall = 9.95 tCO₂ per annum
 - Payment-in-lieu amount calculated as 9.95 (tCO₂) x £95 (per tCO₂) x 30 (years) = £28, 500.
- 6.11.10 The original and revised energy assessment are prepared in line with the London Energy Assessment. The revised energy assessment and the required carbon offsetting assessment to be secured by a s106 legal agreement is being verified at the time of writing. Any update will be report at the committee, if required.

7.0 **Other Issues**

CIL

- 7.1 The development is liable to London and Bromley Community Infrastructure Levy (CIL).

Head of Terms

- 7.2 The following planning obligations will need to be secured as part of an S106 legal agreement, which the applicant has agreed to in principle, should permission be granted:
- Carbon off-setting and Be Seen measures
 - Monitoring fee

8.0 Planning balance and conclusion

- 8.1 The principle to redevelop the site to provide more housing is supported at this location. The proposal is designed to fit in the established pattern of development of the area with a building footprint compatible to the surrounding properties along The Avenue.
- 8.2 The proposal is designed to optimise the development potential of the site providing adequate internal and external living spaces for the future occupiers without causing significant harm on the residential amenities enjoyed by the neighbouring properties.
- 8.3 As the Council cannot at present demonstrate a 5 year land supply of deliverable housing sites, the housing policies of the development plan are out-of-date and the presumption of sustainable development set out in Para. 11 of the NPPF applies to the application. This means a presumption in favour of granting planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole.
- 8.4 There are no other adverse impacts of the scheme that are considered to significantly and demonstrably outweigh the economic, social and environmental benefits of the scheme when considering the NPPF as a whole. It is therefore recommended planning permission is granted
- 8.5 Subject to compliance with the recommendations in the technical reports and implementation of the recommended works undertaken where necessary, it is considered that the application is recommended for permission, subject to the planning conditions, completion of a S106 legal agreement

RECOMMENDATION

PERMISSION SUBJECT TO S106 LEGAL AGREEMENT, PLANNING CONDITIONS.

SUMMARY OF CONDITIONS AND INFORMATIVES

Standard Conditions

1. Time limit of 3 years
2. Drawing numbers

Pre-Commencement Conditions

3. Construction and Environmental Management Plan including maintenance and repair works of The Avenue during construction period
4. Surface Water Drainage
5. Slab level
6. Arboriculture method statement
7. Pilling method statement

Above Ground Construction Conditions

8. External materials
9. Green roof
10. Hard and soft landscaping
11. Child Play and strategy and management plan
12. Electric charging points
13. Water infrastructure
14. Energy Statement
15. Noise assessment including specification of glazing, balcony screen and all internal and external plant.
16. Privacy screen to balconies

Prior to occupation conditions:

17. Car park management plan
18. Servicing and delivery plan
19. Secure by Design
20. Swift nest bricks, bird and bat boxes
21. Cycle storage
22. Refuse storage

Compliance

23. Air quality assessment
24. Fire Safety
25. Non-road Mobile Machinery
26. Parking spaces
27. Wheelchair units
28. Obscured glazing to flank windows

Informative

- Mayoral CIL
- Secured by Design
- Dust Monitoring

- Vehicle crossover
- Thames Water (various)