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| Committee Date | 19/5/22 | |
| Address | Oaklands Court 6 Oaklands Road Bromley BR1 3SW | |
| Application Number | 21/04517/FULL1 | Officer - Susanna Stevenson |
| Ward | Bromley Town | |
| Proposal | Construction of two storey building with accommodation within roofspace at rear of Oaklands Court to provide 4 no. residential flats with associated car parking, hard landscaping, cycle and refuse storage and including re-configuration of car parking layout associated with Oaklands Court. REVISED DRAWINGS RECEIVED 9/3/22 | |
| Applicant | - | Agent Mr Daniel Melling |
| C/o Agent 7 Soho Square London W1D 3QB | | 7 Soho Square London W1D 3QB |
| Reason for referral to committee | Call-In | Councillor call in Yes |

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| RECOMMENDATION | Application Permitted |
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| <p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 3</p> |
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| Land use Details | | |
|-------------------------|---|---------------------------|
| | Use Class or Use description | Site area (SQM) |
| Existing | Residential car park (vacant) and amenity space | 2661 sqm |
| Proposed | Residential (C3) | 340 sqm (4 no. dwellings) |

| Residential Use | | | | | |
|------------------------|-----------------------------|---|---|--------|-------|
| | Number of bedrooms per unit | | | | |
| | 1 | 2 | 3 | 4 Plus | Total |
| Market | | 4 | | | 4 |
| Total | | 4 | | | 4 |

| Vehicle parking | Existing number of spaces | Total proposed including spaces retained | Difference in spaces (+ or -) |
|------------------------|---|--|-------------------------------|
| Standard car spaces | 14 | 20 | +6 |
| Disabled car spaces | N/A | 3 | +3 |
| Cycle | Unspecified (currently provided within a secure cage) | 8 | +8 |

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| Electric car charging points | 5 no. active |
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| Representation summary | <p>The application was advertised by way of a site notice that expired on 29th November 2021.</p> <p>Letters were sent to neighbouring owners/occupiers on 26th October 2021 and following the receipt of revised drawings, on 10th March 2022.</p> |
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|---------------------------|---|
| Total number of responses | 7 |
| Number in support | 0 |
| Number of objections | 7 |

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would not have an unacceptable impact on residential or visual amenity
- The proposal would provide satisfactory car parking, cycle and refuse storage provision and would not have a significant impact on the local road network
- The proposal would not have a significant impact on trees to be retained in the site and conditions are capable of securing their health and long term retention along with providing a high quality landscaping setting for the development
- The proposal would provide 4 units of residential accommodation of a satisfactory standard of amenity and layout

2. LOCATION



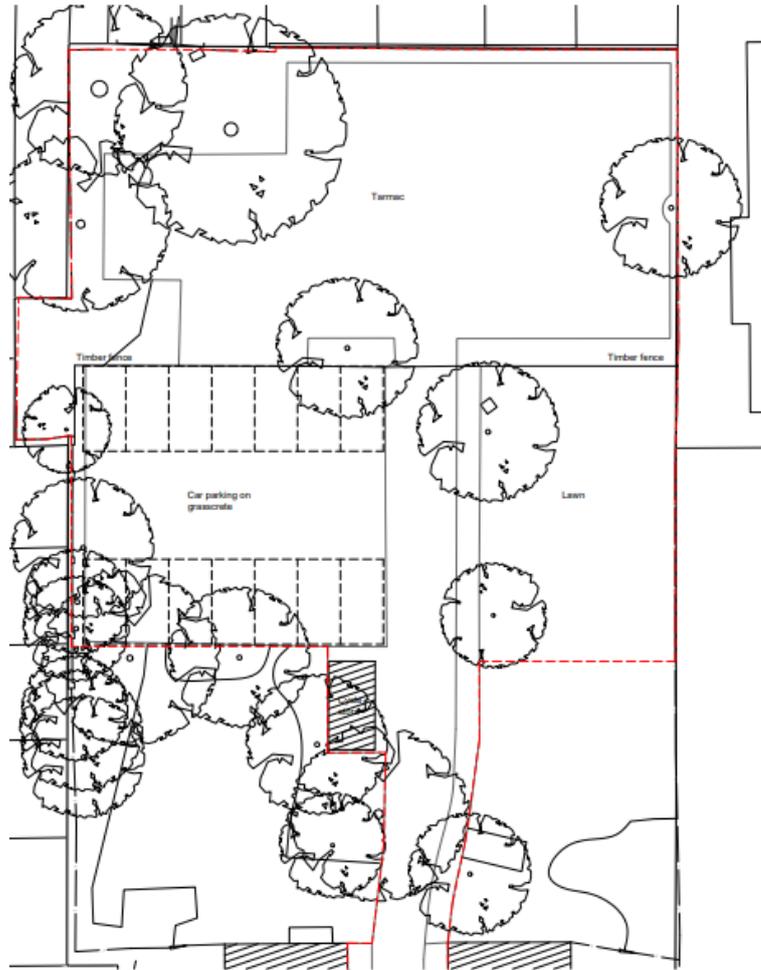
2.1 The site comprises a section of the existing rear parking and amenity space associated with the flats at Oaklands Court. The site is accessed via the existing undercroft

beneath the two wings of the main flatted block. The undercroft is of restricted height above the central access road at a height of approx. 2.4m.

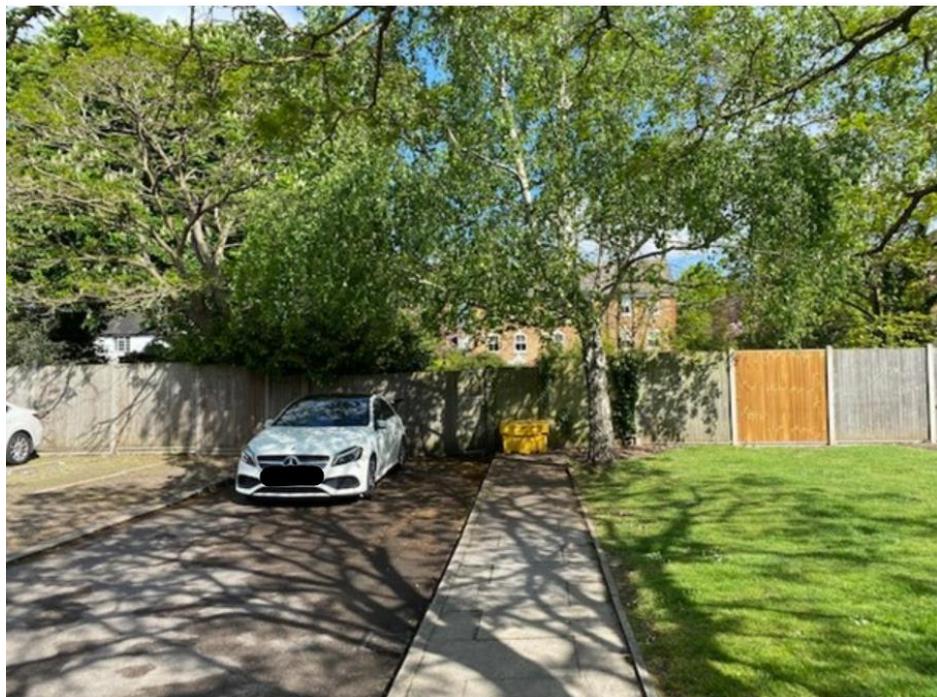


Front of site – existing block of flats (Oaklands Court)

- 2.2 When planning permission was granted for the erection of the flatted block at Oaklands Court it was subject to a condition requiring the submission and approval of details relating to the parking layout and access arrangements.
- 2.3 The details included spaces 1 -23 which are positioned on the rear area of tarmac. This rear area of hardstanding has at some point been enclosed by the erection of a close boarded fence with padlocked gates which restrict access to the parking area. Aerial photographs dating from 2013 show the parking area the subject of this application in use as such but later images (from 2015 onwards) indicate that the area is no longer used for car parking. The hardstanding is overgrown and self-seeded shrubs and trees occupy the site along with the more substantial mature trees predominantly towards the left hand side of the site.



Existing site plan



Site lies beyond the fencing



- 2.4 Currently residents of the main flatted block park on the hardstanding/car park at the immediate rear of the host block. A detached cycle store (a secure cage facility) is also located within the parking/amenity area between the host block of flats and the fenced off rear part of the site.
- 2.5 The site is bounded to the rear (north) by two terraces of 3 dwellings at 7 - 7e Spencer Road along with an electricity sub-station which is accessed from Spencer Road by a servicing track which cuts into the rectangular site along the south western boundary.



From existing boundary fence towards rear of former parking area, with Spencer Road terrace beyond.

- 2.6 To the north east (side) of the application site is the boundary with the rear parking

area at Charmine Court. The area is predominantly residential, characterised by a range of residential dwellings provided in flatted blocks and houses of a variety of sizes.

- 2.7 There are many trees located at the site some of which are protected by an area Tree Preservation Order. The TPO dates back to 1960 protecting trees that existed at the time the order was made.
- 2.8 The site does not lie within a Conservation Area and is not within a designated Flood Zone.

3. PROPOSAL

- 3.1 Planning permission is sought for the erection of a two storey building with accommodation at roof level, to provide 4 no. 2 bedroom flats. The application was amended by revised drawings received on 9th March 2022 which reduced the scale and massing of the proposed building, removing a link section at roof level and reducing the massing/bulk at roof level.



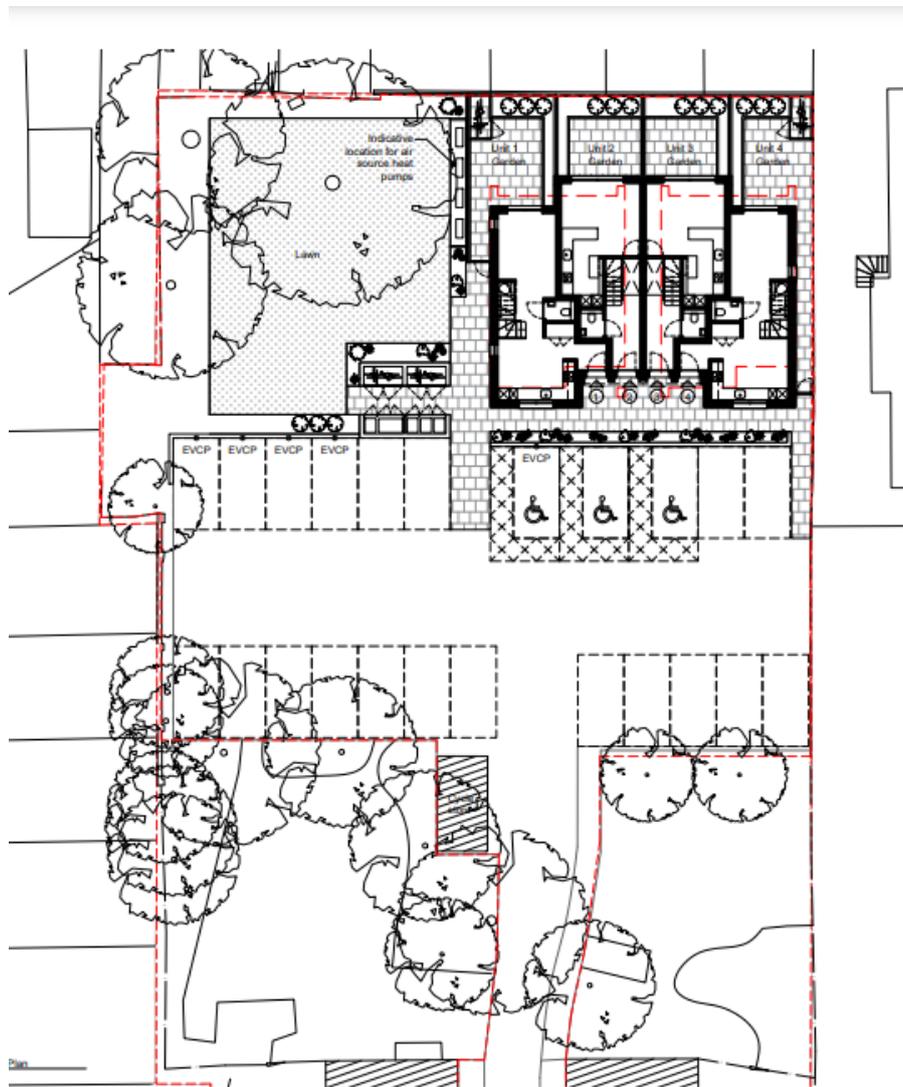
Proposed front (south) elevation facing Oaklands Court car park (red dashed line indicates scheme granted planning permission under ref. 20/01307/FULL1)



Proposed rear (north) elevation facing boundary with residential gardens (red dashed line indicates scheme granted planning permission under ref. 20/01307/FULL1)

- 3.2 The proposed building would be sited towards the north eastern boundary of the site, occupying approximately one half of the severed former car park at the rear of the Oaklands Court site. The remainder of the site would be retained as an open area.
- 3.3 The building would be approx. 5.28m high to eaves level with a height to the ridgeline of approx. 9m. The main elevations of the building would be two storey, with the roof design incorporating two steeply pitched gable roofs, with projecting bays of subservient height to the front and rear elevations. The main gables would incorporate circular windows to the front and at the rear circular windows would be provided within the subservient gabled bay projections.
- 3.4 Access to the flats would be provided from the front, with the four separate doors provided in a row between the outer gable projections.
- 3.5 The building would be sited to maintain a 1m separation to the north eastern boundary with the car park/communal grounds associated with Charmine Court. The rear elevation of the building would be staggered with a separation to the rear boundary with the gardens of dwellings fronting Spencer Road ranging from 4.19m to 5.27m.
- 3.6 The retained space to the west/south west of the proposed building would be largely soft-landscaped, with the large trees retained. To the south of the trees it is proposed to construct a detached cycle store and refuse store. Within the deeper garden areas serving units 1 and 4 it is proposed to provide 2 separate cycle stores.
- 3.7 The proposal includes the re-surfacing of part of the existing communal grounds (97sqm) to re-configure the parking area for the proposed/existing residential units. The submitted drawing indicates the provision of a mix of disabled/wider spaces

close to the front of the severed area, along with regular-sized parking spaces, and that 5 of the spaces within the rearmost part of the re-configured car park would provide electric vehicle charging points.



Proposed site plan

3.8 The proposed accommodation would comprise:

Flat 1

Split level (ground and first floor). 2 bedroom/3 person. GIA 71 sqm. Rear garden 28 sqm.

Flat 2

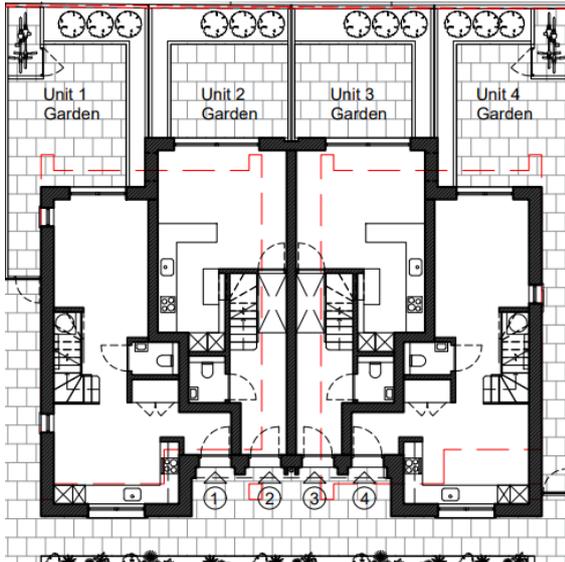
Split level (ground, first and roof floor). 2 bedroom/4 person. GIA 93 sqm. Rear garden 18 sqm.

Flat 3

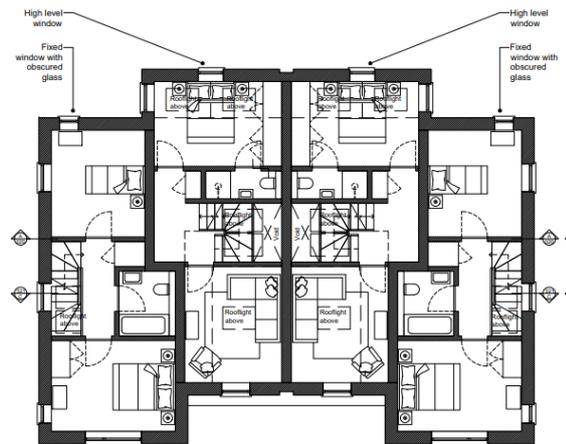
Split level (ground, first and roof floor). 2 bedroom/4 person. GIA 93 sqm. Rear garden 18 sqm.

Flat 4

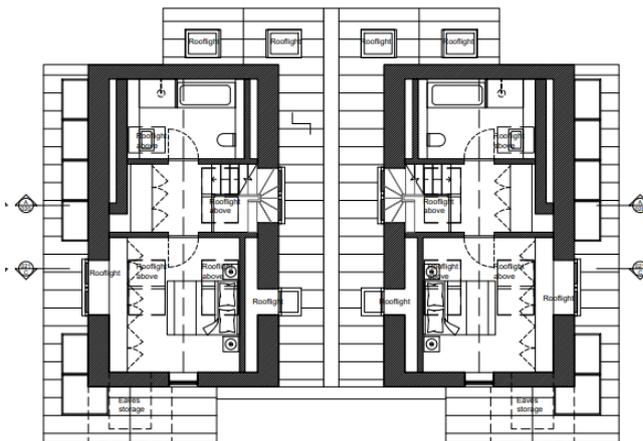
Split level (ground and first floor). 2 bedroom/3 person. GIA 71 sqm. Rear garden 33 sqm.



Proposed ground floor



Proposed first floor

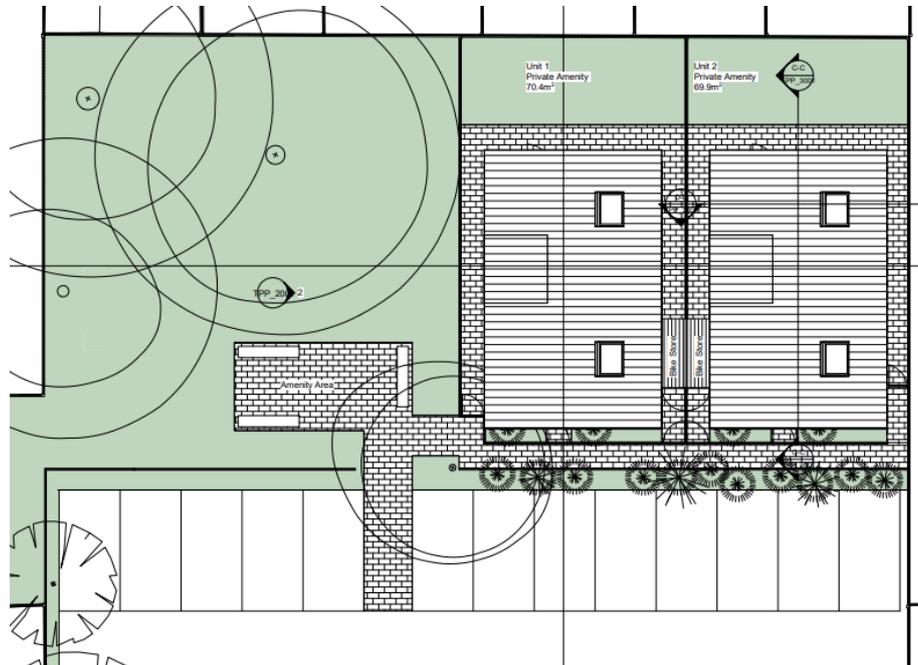


Proposed roof level accommodation

4. RELEVANT PLANNING HISTORY

4.1 The site has a lengthy recent planning history which is summarised below:

4.2 Most recently, planning permission was granted under reference **20/01307/FULL1** for development comprising the erection of 2 no. detached dwellings on a footprint/location corresponding within the current proposal, utilising the severed rear part of the car park and with a similar relationship to the site boundaries.



Approved site plan (20/01307/FULL1)



Approved rear elevation 20/01307/FULL1

4.3 The remaining planning history can be summarised:

88/04308 - Permission granted for a 4 storey block comprising 4 x one bedroom, 8 x two bedroom and 2 x 4 bedroom flats, access road and 24 garages.

92/00824 - Planning permission refused for 4 storey block comprising 16 x two bedroom flats and 4 x one bedroom flats with access road and 38 car parking spaces. An appeal against the refusal of planning permission was allowed.

92/01793 - Planning permission refused for detached 4 storey block comprising 4 x three bedroom and 14 x two bedroom flats with access road and 36 car parking spaces. An appeal against the refusal of planning permission was allowed.

94/00608 - Details submitted pursuant to conditions 02, 03 and 05 of 92/00824 allowed on appeal.

94/00687 - Planning permission for the erection of 4 storey block comprising 4 x one bedroom, 8 x two bedroom and 4 x three bedroom flats under ref. 88/04308 was renewed, subject to conditions.

94/00688 - Certificate of Lawfulness relating to the discrepancy between the approved plans under reference 92/0824 and what had been erected was granted, with the discrepancy deemed to be de minimis.

17/05229/FULL1 Planning permission refused for construction of 3 two bedroom dwellings (1 pair of semi-detached houses and 1 detached dwelling) with associated car parking spaces (5 no.), cycle parking, refuse storage and landscaping, including rearrangement of car parking layout associated with Oaklands Court.

Reasons for refusal:

1. The proposal would result in the loss of a number of trees which are protected by a Tree Preservation Order and which contribute to the visual amenities of the area and the proposed layout and extent of the dwellings in relation to the proportions of the site, in conjunction with the loss of existing amenity space, would provide inadequate space to secure a satisfactory setting of for the development, thereby contrary to Policies BE1, H7 and NE7 of the Unitary Development Plan, Policies 37, 73, 3 and 4 of the draft Local Plan and Policies 7.21 and 7.6 of the London Plan.

2. The proposals would reduce the existing capacity for on-site car parking while increasing the parking needs of the site as a whole and in the absence of information to regarding the loss of parking spaces, the adequacy of manoeuvring space and access by larger vehicles through the undercroft, the proposal would be inadequate to meet the needs of the existing and proposed development and give rise to an undesirable increase in on-street parking in nearby roads as well as a development which would be poorly serviced, thereby contrary to Policies T3 of the Unitary Development Plan, Policy 30 of the draft Local Plan and Policy 6.13 of the London Plan.

3. The proposal by reason of the size of the dwellings in relation to the individual plots and the existing/proposed boundaries of the site and the proportion of the site covered by

buildings and hard surfaces would be out of character with and would fail to complement the pattern of development in the locality, thereby detrimental to the visual amenities of the area and contrary to Policies H7 and BE1 of the Unitary Development Plan, Policies 4, 3 and 37 of the draft Local Plan and Policies 7.4 and 7.6 of the London Plan.

5. CONSULTATION SUMMARY

A) Statutory

Highways: No objection (condition recommended)

Drainage: No objection (condition recommended)

B) Local Groups

None.

C) Adjoining Occupiers

Impact on residential amenity (addressed at 7.3)

- Proposal will impact on adjacent gardens, including outlook and view
- Loss of privacy associated with the siting, height and proximity of windows to neighbouring sites
- Proposal will result in shading to neighbouring garden/loss of expensive plants
- Loss of daylight/sunlight
- Lack of drawing showing shading
- Proposal is closer to the rear boundary with Spencer Road properties
- Increased residential intensity/number of occupants – increased impact on neighbouring properties
- Increase in noise and disturbance to neighbours associated with the air source heat pumps
- Loss of wooded outlook

Impact on visual amenity (addressed at 7.2)

- Proposal would be backland development and would not be “small-scale and sensitive to the surrounding residential area.”
- Loss of wooded outlook
- Loss of green and open space – area is saturated and highly developed with high-intensity housing

Lack of car parking/highways impacts (addressed at 7.4)

- On-street parking in Oaklands and Spencer Roads saturated by car-owning residents.
- Unimpressed with the argument that the existing car parking area is not fully utilised

Loss of trees/habitat (addressed at 7.5)

- Loss of trees will impact on air pollution and remove natural bird habitat
- Foundations will impact on roots of existing established trees
- While large trees will remain, the construction works will cause stress and trauma to wildlife – which has noticeably increased over recent years

Other matters (addressed at 7.7)

- Increased pressure on local utilities – reference to issues with existing sewer pipes
- Massing study incorrectly identifies neighbouring property

6. POLICIES AND GUIDANCE

National Policy Framework 2021

NPPG

The London Plan

H1 Increasing Housing Supply

H2 Small sites

H5 Threshold Approach to application

H8 Loss of existing housing and estate redevelopment

H9 Ensuring the best use of stock

H10 Housing Size Mix

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

D13 Agent of change

D14 Noise

S4 Play and informal recreation

G5 Urban greening

G6 Biodiversity and access to nature

G7 Trees and woodlands

SI1 Improving air quality

SI4 Managing heat risk

SI5 Water infrastructure

SI7 Reducing waste and supporting the circular economy

SI12 Flood risk management

SI13 Sustainable drainage

T2 Healthy Streets

T3 Transport capacity, connectivity and safeguarding

T4 Assessing and mitigating transport impacts

T5 Cycling

T6 Car parking
T6.1 Residential Parking
T7 Deliveries, servicing and construction

Mayor Supplementary Guidance

Housing SPG

Bromley Local Plan 2019

| | |
|-----|---------------------------------|
| 1 | Housing Supply |
| 3 | Backland and Garden Development |
| 4 | Housing Design |
| 8 | Side Space |
| 30 | Parking |
| 32 | Road Safety |
| 37 | General Design of Development |
| 73 | Development and Trees |
| 119 | Noise |

Bromley Supplementary Guidance

SPG1 General Design Principles
SPG2 Residential Design Guidance.

Other

Nationally Described Space Standard

7. ASSESSMENT

7.1 Principle of development – Acceptable

- 7.1.1 This application has been submitted following the recent grant of planning permission under reference 20/01307/FULL1 for the erection of 2 no. detached single dwellinghouses. That permission remains implementable. The comparison between the approved scheme and the current proposal is discussed in greater detail below, with regards to the design and impact on neighbouring amenity of the proposal.
- 7.1.2 In granting planning permission under reference 20/01307/FULL1 the principle of the residential development on the severed hardstanding area to the rear of the main block of flats and communal gardens/parking has been established. The specific site of the proposed block of flats has never comprised garden land, being laid to hardstanding associated with the 1990s development of the host site
- 7.1.3 When planning permission was granted for the 2 detached dwellings previously proposed, it was considered that the provision of a residential development on the land in the form of small scale residential development was acceptable in principle subject to an assessment of the impact of the proposal including on the

appearance/character of the surrounding area, the residential amenities of adjoining and future occupiers, car parking and traffic implications, sustainable design and energy, safety, trees and refuse arrangements.

- 7.1.4 In assessing the merits of this proposal the established fall-back position of the development for which planning permission has been granted represents a strong material planning consideration.

Housing supply

- 7.1.5 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 means that the presumption in favour of sustainable development will apply.
- 7.1.6 The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.1.7 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 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.

7.1.9 This application includes the provision of two additional dwellings above that provided within the approved scheme, and a total of 4 additional dwellings compared with the existing housing development at the site. This would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

7.2 Design – Layout, scale height and massing - Acceptable

7.2.1 The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

7.2.2 The main difference between the approved scheme and the current proposal in terms of the design of development relates to the provision of built development as one building rather than two detached dwellings and associated alterations to the bulk and massing at roof level of the development.

7.2.3 It falls to consider whether the development would be of a scale and appearance sympathetic to the surrounding area, taking into account the provisions of Policy 3 of the Bromley Local Plan. It was assessed in the previous application(s) that the access to the site and principle of the development was acceptable. In terms of the siting of development, access via the undercroft, the current proposal broadly replicates the previous scheme. While the proposal would provide flats rather than separate residential dwellings, which would intensify the residential use of this part of the site, the extent to which this intensification would be readily appreciable from outside of the site in design terms would be limited.

7.2.4 The design of flats and houses within the locality varies and there is no consistent built form or design which is immediately characteristic of the area. While the introduction of projecting (but subservient in height) gables results in the development having a somewhat bulkier appearance than the approved scheme, and the proposal would infill the previous space between the approved dwellings at ground/first floor level, it is not considered that this would be detrimental to the wider visual amenities of the area.

7.2.5 The rear elevation facing the back of Spencer Road and the front elevation facing the rear communal area serving Oaklands Court would be heavily articulated

providing design detailing and visual interest which would break down the overall visual bulk of the development.

7.2.6 The applicant has undertaken massing studies in an attempt to demonstrate that the current proposal, in visual terms, would not deviate significantly in design ethos, bulk and massing from the scheme for which planning permission was granted. The proposed elevations include an indication (dotted line) of the approved scheme.



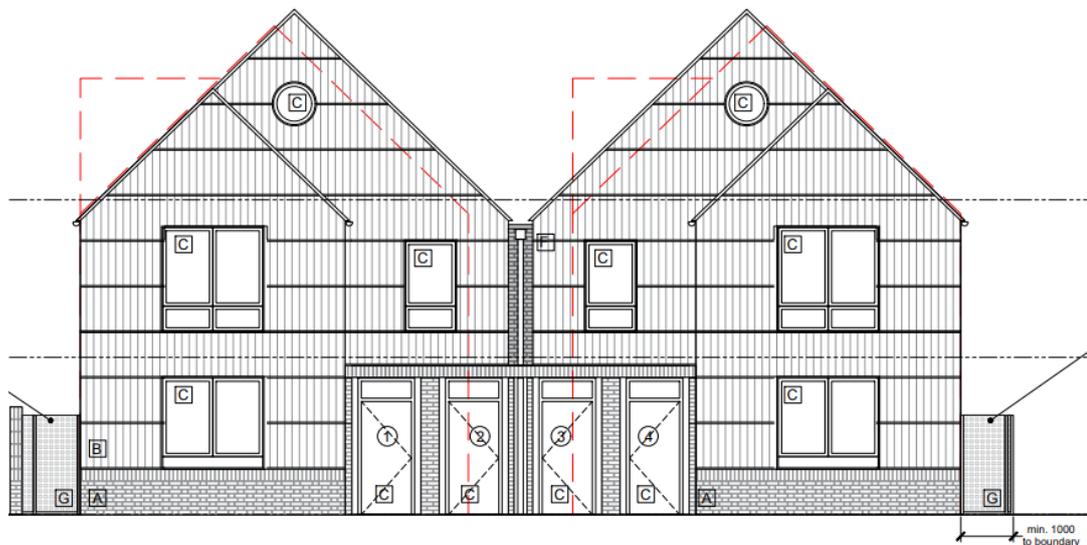
SCHEME WITH EXTANT CONSENT

Visual of front elevation approved under 20/01307/FULL1



REVISED SCHEME

Visual of currently proposed front elevation



Proposed front elevation (facing rear of Oaklands Court)

- 7.2.7 Taking into account the planning history of the site and the varied character and appearance of development within the locality it is not considered that the proposal would have a significantly detrimental impact on visual amenity or the character and appearance of the locality.
- 7.2.8 It is noted that concern has been raised that the proposal would result in the loss of green space. However, the actual flatted building would be constructed upon the site of a hardstanding which formerly provided some of the parking spaces associated with the host flats. Furthermore, the planning permission granted in 2020 remains implementable, and it is not considered that the impact of the proposal with regards to loss/retention of green space would be significant. While the proposal includes the provision of re-configured parking on 97sqm of the existing communal grounds, the scheme would include the removal of the north western area of hardstanding close to the retained trees, adjacent to the proposed building. This new lawned area has an area of approx. 174sqm.

7.3 Impact on neighbouring amenity - Acceptable

- 7.3.1 Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 7.3.2 The main impact of the proposal would as a consequence of the siting of the dwellings be upon the amenities of the properties backing onto the houses, fronting Spencer Road. The rear elevations of these dwellings are sited approx. 20m from the north western (rear) boundary of the site.



Aerial view of site, 7 – 7e Spencer Road at top

7.3.3 It is noted that in granting the previous application for planning permission for two dwellings on the site it was not on balance considered that the proposal would have resulting in significant impacts on the amenities of neighbouring properties. However the design, bulk and intensity of development has changed and it is therefore appropriate to reconsider the potential impact of the current scheme on neighbouring amenity.

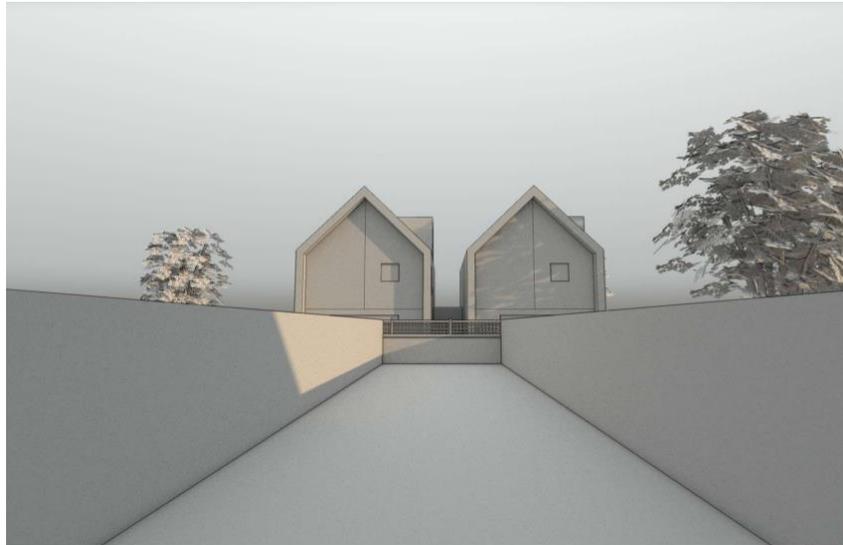
7.3.4 The separation between the approved rear elevations of the dwellings and the boundary was approx. 4.52m. The separation between the rear elevations of Units 1 and 4 (the outer units) and the same boundary measures at approx. 5.7m while the rear elevation of Units 2 and 2 (associated with the rear bay projection) would be approx. 4.19m. This relationship, between the scope of the approved scheme, and the current proposal is illustrated on the submitted ground floor/site plan (with the approved footprint indicated by a red dotted line):



Figure showing approved/proposed siting relative to boundary

7.3.2 While part of the building would be positioned closer to the rear boundary than the

previous scheme, the outer sections would be sited somewhat further from the rear boundary. The approved height of the detached dwellings was 5.5m to eaves and approx. 8.82m to ridge while the proposed building would be lower at eaves level (5.28m) and 0.2m higher at the ridgeline of the main roof(s) (9m).



Approved scheme (indicative rear view)



Proposed scheme (indicative rear view)

- 7.3.3 The walls associated with the projecting bay would incorporate high level feature windows which would serve a secondary function in terms of outlook and lighting – with the bedrooms in question having separate flank facing windows. The remaining windows serving the first floor accommodation are positioned either in the flank elevations (facing the carpark/grounds of Charmine Court and the retained open space adjacent to the building) or comprise fixed obscure glazed windows (to the set back sections of the rear elevation). It is not considered that the proposal

would result in a loss of privacy or unacceptable overlooking of neighbouring dwellings/gardens.

- 7.3.4 In granting planning permission for the 2 dwelling scheme, it was considered that the separation of the dwellings to the boundary and the back-to-back distance between dwellings (proposed, and those fronting Spencer Road) would be sufficient to limit the impact of the proposal on light and outlook, despite the proposed dwellings lying broadly to the south/south west of the boundary with the rear gardens of dwellings fronting Spencer Road.
- 7.3.5 Taking into account the scope of the approved scheme and comparison with the existing scheme it is not considered that the proposals would result in a significant increased loss of light or outlook. The proposal would, as was the case in the approved scheme, introduce built development visible from the neighbouring site. However, visibility does not always equate with harm, and the protection of views is not a material planning consideration.
- 7.3.6 It is noted that concern has been expressed regarding the intensity of the use of the site, in terms of the occupation of 4 flats rather than the 2 detached dwellings for which planning permission was granted. As previously stated, in terms of the external appearance and bulk of the building as viewed from outside of the site, it is not considered that the flatted nature of the development would be readily appreciable.
- 7.3.7 It is not considered that noise and disturbance associated with the intended occupancy of the flats would be significantly greater than that associated with the 2 no. three bedroom dwellings for which planning permission is extant. A review of the submitted floorplans indicated that the approved dwellings each contained three double bedrooms, with a separate study space at ground floor level, showing potential occupancy of 12 persons within the development. The current proposal would provide 2 no. 3 person and 2 no. 4 person flats, resulting in an assumed occupancy of 14 persons within the development. While the activities of 4 separate households would be focused within the rear gardens adjacent to Spencer Road, rather than the 2 for which permission was granted, it is not considered that the impact of this would be so significant as to warrant the refusal of planning permission.
- 7.3.8 With regards to parking, comings-and-goings to the entrance of the units and refuse storage, these activities would be focussed around the front of the building, adjacent to the car park.
- 7.3.9 Concern has also been expressed regarding the impact of the proposal associated with the proposed heat pumps. It is considered that the amenities of neighbouring residents in this regard are capable of being safeguarded by planning condition.

7.4 Highways - Acceptable

- 7.4.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be

considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

- 7.4.2 London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.
- 7.4.3 Policy T6 Car Parking in the London Plan advocates 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, with developments elsewhere designed to provide the minimum necessary parking.
- 7.4.4 The application proposal relates to the construction of 4 dwellings along with some reconfiguration/alteration to the existing parking arrangements serving the main building at Oaklands Court. The Council's Highways Officers are satisfied that the level of parking proposed would be satisfactory.
- 7.4.5 It is acknowledged that representations have been received which express concern at the impact of the proposal on on-street parking demand. The resultant development, taking into account the proposed dwellings and the existing flats within the main block, would provide 23 car parking spaces including 3 disabled spaces and 5 electric vehicle charging points (the Design and Access Statement states that passive provision will be put in place for the remaining spaces). The main building comprises a total of 20 flats (16 one bedroom and 4 two bedroom) and the proposal would add 4 units to the residential accommodation on site. The existing number of parking spaces is 14.
- 7.4.6 It is considered that the proposal would provide parking at a level appropriate to the intended residential intensity of the use of the site, and there are no technical concerns raised by the Highways Officer regarding the impact of the proposal on pedestrian and vehicular safety.

7.5 Trees and landscaping - Acceptable

- 7.5.1 Comments were sought regarding the impact of the proposal on trees within the site. It was commented that the arboricultural impact of the proposal would be the same as the previously granted scheme.
- 7.5.2 There are no objections to the proposal from the Council's Tree Officer. The proposed development would consume no greater proportion of the site than the scheme for which planning permission has already been granted and the relationship between the development and retained trees remains as previously approved.

7.5.3 Two category B trees are proposed to be removed to facilitate the scheme. The category C trees to be removed are not considered significant and the arboricultural mitigation will include replacement tree planting to the front of the proposed parking area. A landscape plan condition would require details of the species of replacement trees. In commenting on the previous scheme the Trees Officer noted that the arboricultural submissions had covered all areas of concern in the refused scheme, supporting the proposed development well. Conditions are recommended should permission be granted.

7.5.4 It is acknowledged that representations have expressed concern at the impact of the proposal with regards to loss of trees and bird habitats. However taking into account the recent planning history of the site, it being laid to hardstanding to a large extent, and the details submitted relating to tree constraints and arboricultural impacts it is not considered that the proposal would have an unacceptable impact in this respect. The extant permission remains capable of implementation and while there has been a short passage of time since the permission was granted, no additional information or constraints to development in this respect have arisen in the meantime.

7.6 Quality of residential accommodation - Acceptable

7.6.1 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.

7.6.2 Policy 4 of the Bromley Local Plan sets out the requirements for new residential development to ensure a good standard of amenity and refers to the London Plan Housing Supplementary Planning Guidance. The 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.

7.6.3 Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.

7.6.4 The minimum internal floorspace for a 2 bedroom/3 person flat set over 2 storeys would be 70sqm. The minimum requirement for a 2 bedroom/4 person flat set over 2 storeys would be 79sqm – there is no entry for a 2 bedroom residential flat set over 3 storeys as this type of layout/configuration is uncommon.

- 7.6.5 Units 1 and 4 would each provide floorspace of 71sqm, meeting the minimum standards.
- 7.6.6 Units 2 and 3 would provide 93 sqm – which would reflect the accommodation being set over three storeys.
- 7.6.7 All units would meet Part M(2) requirements (adaptable dwellings).
- 7.6.8 The proposed dwellings would have reasonable outlook to the front (facing and approx. 35m from the rear elevation of Oaklands Court). Amenity space would be provided to the rear of the individual units and the proposal would also allow for communal amenity space in the north-western part of the site, where mature trees will be retained and the current hardstanding removed and replaced by a lawn and planting.

7.7 Other matters (Air Quality, Noise, Drainage, Fire Safety)

- 7.7.1 The site lies within an Air Quality Management Area declared for NO_x. It is recommended that should permission be granted a condition be imposed relating to the use of boiler emissions.
- 7.7.2 The proposal includes the provision of air source heat pumps. Information relating to the intended model has been supplied which includes specifications and noise outputs, and the applicant has confirmed that the proposed location of the heat pumps would be on the western elevation of the building, away from the boundary with the Spencer Road properties. It is suggested that a pre-use condition requiring full details of the heat pumps to be submitted/approved be imposed to safeguard residential amenity of the proposed and neighbouring residents.
- 7.7.3 The drainage officer has expressed no objection to the proposal, subject to a pre-commencement surface water drainage condition. Thames Water have raised no objections to the proposal, recommending informatives should permission be granted, relating to surface water, waste water and sewage treatment.
- 7.7.4 It is noted that in the assessment of the previous scheme the low level of the undercroft access and the implications of this for fire safety and emergency access to the application site was considered. The views of Building Control over the extent to which measures could be integrated at Buildings Regulations stage so as to provide residential accommodation which would be safe and resilient to fire were sought. It was confirmed that internal sprinkler systems would be required. With regards to access by emergency vehicles, it is noted that within the Transport Statement the applicant refers to willingness to provide a fire hydrant close to the residential dwellings to address the restricted height of the undercroft and the lack of fire engine access to the rear of the site. The detailed technical design of such systems would be a matter to be considered under the Building Regulations rather than being a matter for planning control.

7.8 CIL

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

8. CONCLUSION

- 8.1 It is considered that the proposal would not have a significant impact on the visual and residential amenities of the area.
- 8.2 The unit types and siting of the dwellings and the footprint of the development would be acceptable and would not be uncharacteristic of residential development in the locality in terms of scale.
- 8.3 The proposal would not have a significant impact on the local road network or local parking conditions.
- 8.4 The proposal takes into account the siting of trees which it is desirable to retain and to protect, and subject to conditions including relating to landscaping details, the health and long term retention of those trees is capable of being secured and a suitably landscaped setting provided.
- 8.5 It is not considered that any significant adverse impacts would arise from the development that would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the NPPF as a whole.

RECOMMENDATION: Application Permitted

Subject to the following conditions:

- 1. Time limit**
- 2. Approved plans**
- 3. Details of Construction and Environmental Management Plan**
- 4. Slab levels**
- 5. Surface Water Drainage details**
- 6. Tree protection measures**
- 7. Details of air source heat pumps**
- 8. Landscaping (hard and soft)**
- 8. Details of materials for external surfaces of proposed development**
- 9. Refuse storage details**
- 10. Cycle storage details**
- 11. Installation of ultra-low NOx boilers**
- 12. Car parking implementation**
- 13. Electric vehicle charging points**
- 14. Hardstanding for wash down facilities**
- 15. Removal of permitted development rights (A/B/C/E)**

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

Informatives:

1. Contact street naming and numbering
3. Reminder of CIL payments.
3. Contact Environmental Health re contamination and advice on code of practice
4. Thames Water
5. Fire hydrant and sprinklers at Building Regulations stage