

<b>Committee Date</b>	19.03.2022	
<b>Address</b>	Dover House Anerley Road Penge London SE20 8EN	
<b>Application Number</b>	21/05464/FULL1	<b>Officer</b> - Susanna Stevenson
<b>Ward</b>	Penge And Cator	
<b>Proposal</b>	Construction of additional storey (5th floor) comprising 2 no. two bedroom and 1 no. one bedrooms flats, elevational alterations including extension of parapet and external stair, works to roof including relocation of water tanks and formation of lift shaft and relocation of existing telecommunications apparatus onto new roof, associated works including provision of cycle and refuse storage.	
<b>Applicant</b>	<b>Agent</b>	
Callalot Investments Ltd 126 Bridge Lane London NW11 0AX United Kingdom	Mr Brooks Murray Architects The Arts Building, Morris Place Unit 1, Second Floor London N4 3JG United Kingdom	
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 32</p>
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<b>Land use Details</b>		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Class C3 (residential dwellinghouses)	1136.18 sqm
Proposed	Class C3 (residential dwellinghouses)	+ 214 sqm

<b>Residential Use</b>					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total
Market	1	2			3
Total	1	2			3

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces
Standard car spaces	0	0	0
Disabled car spaces	0	0	0
Cycle	0	24	+24

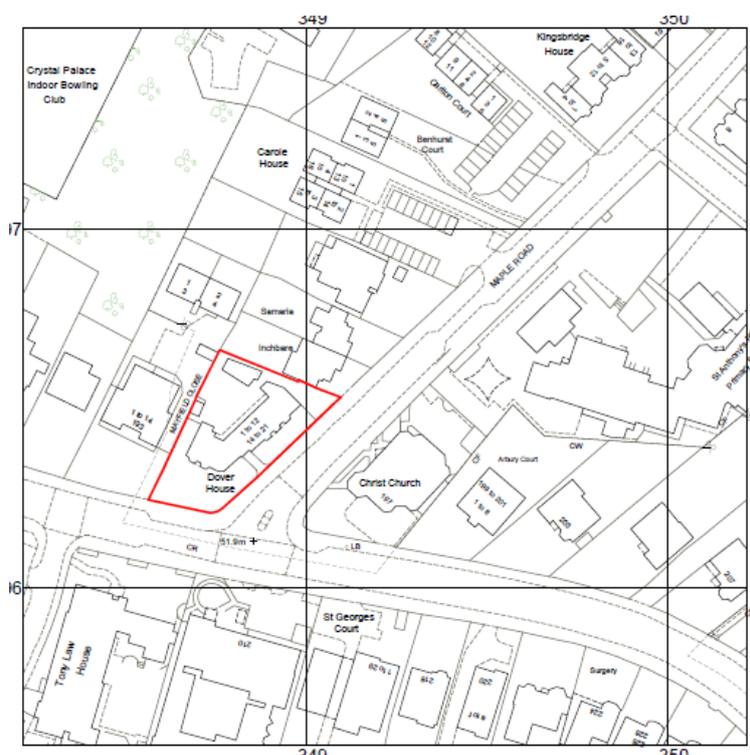
<b>Electric car charging points</b>	N/A
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<b>Representation summary</b>	Neighbours were first notified of the application on 13 <sup>th</sup> December 2021. Following the receipt of amended/updated drawing a further letter was sent to neighbouring residents on 11 <sup>th</sup> April 2022.	
Total number of responses	9	
Number in support	0	
Number of objections	9	

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would provide 3 additional units of residential accommodation and a good standard
- The design and appearance of the development would complement that of the host building
- The impact of the proposal on neighbouring amenity would not be significant and the with regards to the lift operation (noise and disturbance), is capable of being controlled/mitigated by way of suitable planning condition
- While the proposed lift/life shaft would be sited close to existing residential properties, it would not have a significantly adverse impact on amenity and would allow for enhanced accessibility to the proposed/existing residential units
- The site is located in an area with a PTAL rating of 4 and is already car-free. There are no technical highways objections to the proposal.

## 2. LOCATION



- 2.1 The application site lies at the junction of Maple Road with Anerley Road and is occupied by a 4 storey purpose-built block of flats. The front elevation and access to the site is onto Maple Road. The surrounding area is predominantly residential, characterised by a mix of flatted blocks and residential conversions. On the opposite corner of the junction is a church. The building has a flat roof with stairwell upper projection and chimneys positioned to the rear (north west), away from the main front elevation.



*Aerial view*

- 2.2 The application site does not lie within a Conservation Area and the building is not Listed. The site lies within a Renewal Area and has a PTAL rating of 4.



### 3. PROPOSAL

- 3.1 It is proposed to construct a fifth floor roof extension above the existing top floor of the flatted block.



*Proposed front elevation*

- 3.2 The proposed additional floor would provide a total of three flats:

No. 1 – 2 bedroom/4 person (GIA 70sqm)  
No. 2 – 1 bedroom/2 person (GIA 50.4sqm)  
No. 3 – 2 bedroom/3 person (GIA 67sqm)

- 3.3 Each flat would incorporate a shallow balcony to the front/side of the building, with the space ranging from 7sqm (No.2) to 14.8/15sqm (Nos. 3 and 1 respectively).



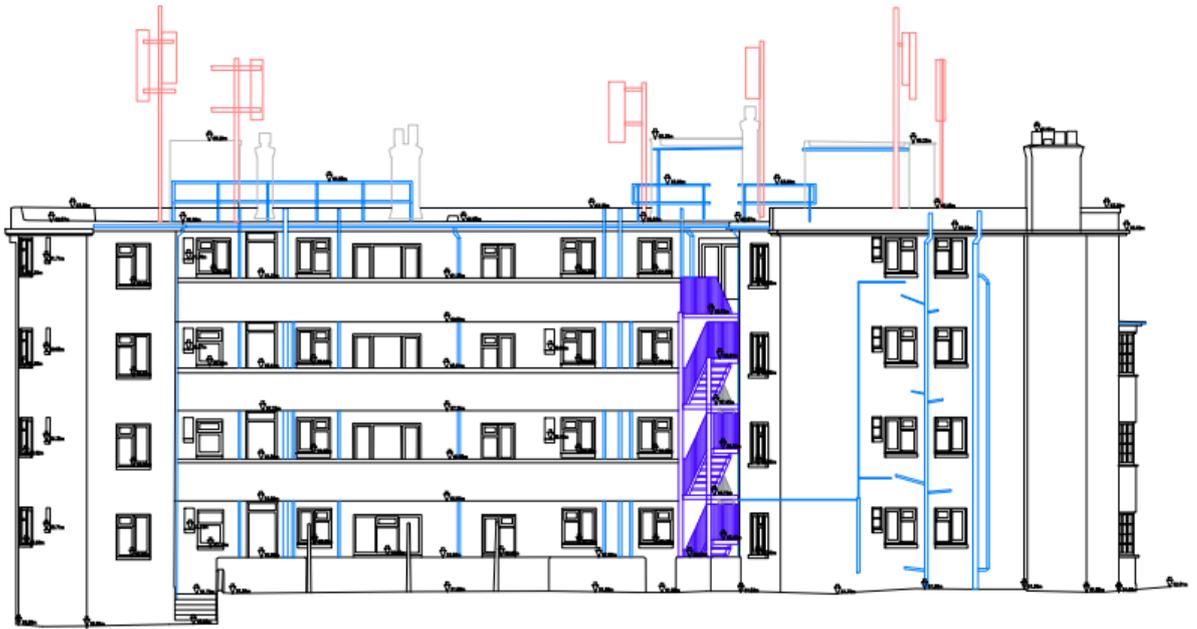
*Site plan showing proposed fifth floor layout*

- 3.4 The proposed flats would be accessed via external and internal upward staircase extensions or by a proposed new lift. The proposal includes the formation of a pathway from Anerley Road which would provide step free access from the road to the residential access.

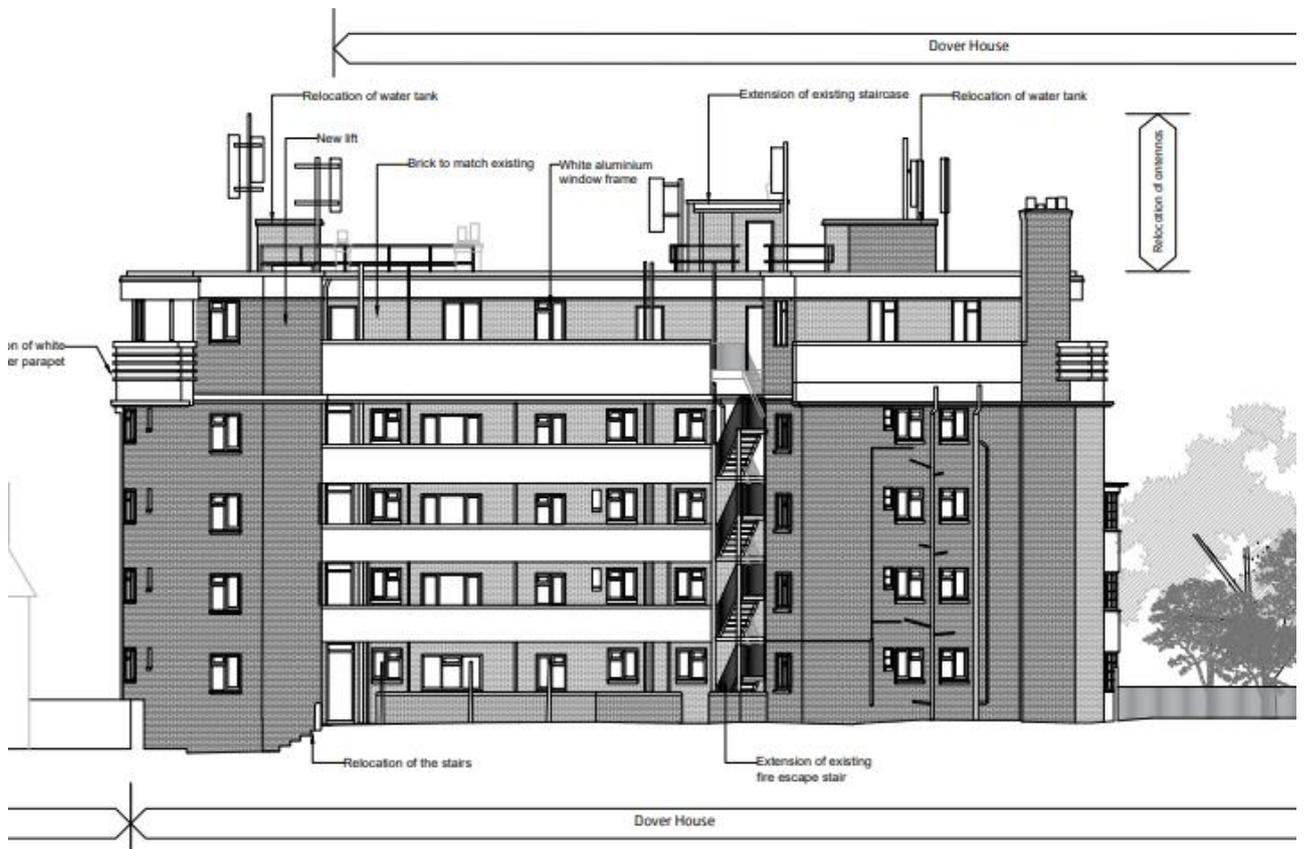


*Section of plan showing location of lift shaft*

- 3.5 The roof above the proposed extension would accommodate relocated water tanks and the existing telecommunications apparatus at roof level would also be replaced on top of the proposed roof. The existing building measured to the top of the parapet is approx. 11.66m high, with the height of the stairwell scaling at approx. 13.6m. Above, there are 5 no. telecommunications antennas which range in height from approx. 17.67m above ground level to approx. 15.4m above ground level.



*Existing rear elevation*



*Proposed rear elevation*

- 3.6 As scaled from the submitted drawings, the height of the stairwell would increase to approx. 17.5m, with the height to the top of the flat roof increasing to approx. 15.3m. The elevations of the proposed residential accommodation would be set back from the parapet, with the intervening space to the front and part side being laid out as a terrace with associated guard rails. A feature oversailing canopy above the terrace would broadly align with the main elevations of the existing building below.
- 3.7 At the rear, a lift shaft would be constructed to partly infill the recess adjacent to the north western main rear elevation and the northern projecting element. Within the proposed upper floor this would lead onto a walkway along the rear elevations, which would be constructed above the existing walkway associated with the existing top floor flats. The lift would serve existing floors as well as the proposed top floor flats.



*Image showing location of lift shaft (adjacent to brickwork)*



- 3.8 Materials indicated in the application submission would comprise brick facing to the rear top floor elevations to match existing, with white aluminium window frames, and the deepening of the existing, white-rendered parapet. At the front, beneath the oversailing canopy, the elevations of the proposed top floor flats would be faced in white tiles. The upward extended front stairwell projection would be faced in brick with banded detailing.
- 3.9 At ground level it is proposed to construct a permanent refuse store as an enlargement of the existing informal refuse storage facility. This new store would include the construction of a green roof above and would accommodate 4 x 1100l Eurobins for waste, 2 x 1100l bins for recycling and 2 x 240l bins for food waste.



*Existing refuse storage*

- 3.10 The existing bomb shelter at the rear of the site would be repaired/reinstated with internal configuration to provide secure cycle storage for 9 Sheffield stands. 3 no. additional Sheffield stands would be provided at the rear of the site.
- 3.11 The proposed development would be car-free.
- 3.12 Revised drawings were received on 6<sup>th</sup> April 2022 amending the application to include step-free access along a path accessed from Anerley Road. Within the revision, additional drawings were submitted showing the existing layout of the flats close to the proposed lift shaft. A cover letter submitted with the plans highlighted that the existing internal layouts demonstrate that the proposed lift would be positioned close to windows serving small kitchens of less than 6sqm in area – which would not normally be considered to be habitable rooms. It is further noted that a gap between the existing roof level and the new floor of the extension would allow for new services as well as ensuring that the existing floors below are protected from noise and disturbance during construction. The applicant states that the benefits of providing a new lift and step free access to allow the creation of accessible dwellings outweighs the possible impact of the development on existing residential amenity.

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 The planning history of the site is limited to telecommunications applications associated with the existing rooftop site, which would be relocated on top of the proposed extension.

## 5. CONSULTATION SUMMARY

### A) Statutory

- Highways – No objections
- Drainage (lead local flood authority) – No objections

### B) Local Groups

Local residents were first notified of the application on 13<sup>th</sup> December and following receipt of revised drawings, further letters were issued to neighbouring residents. The comments received during the course of the application are summarised below:

#### Dover House Residents Association

- Noise and disturbance associated with additional storey
- Length of construction and associated disruption
- Impact of proposed lift – in terms of noise and disturbance and lack of consideration of the impact in regard to overshadowing and loss of privacy
- Proximity of lift to bedrooms
- The inclusion of the lift is to ensure step free access and relate to M4(2) accessible and adaptable dwellings. However, there are steps at the main entrance to Dover House and from the main entrance hallway to the courtyard where the lift would be located, as well as there being no step free access from the side entrance to Dover House
- Lack of information on Secured by Design standards – there are currently issues with fly-tipping/enviro-crime as there is open access to the bin area and no lighting
- No indication of plans to secure the perimeter of the development

If permission is granted, the DHRA request the following:

- Restrictions on construction times and noise levels
- Works to match – sample panels of the white facing tiles should be provided on site
- No occupation until the cycle, recycling and refuse storage facilities have been provided in accordance with the approved plans

There was additional concern regarding the duration of the consultation period in view of the Bank Holidays over the Christmas period, and with regards to the second notification, over the Easter period

Following receipt of revised plans and re-notification, further comments were received:

- All original objections remain
- Additional concern regarding noise and disturbance of additional storey

- Have been informed that the development will take 8-9 months.
- Impact of lift on front entrances to flats 5, 6, 9, 10, 15, 16, 20 and 21 and overshadowing kitchens to flats 5, 9, 15 and 20.
- Loss of privacy associated with new access onto Anerley Road (flats 1 and 2) – no indication that planning along the length of the pathway would be sufficient to ensure privacy to ground floor flats.
- Lack of information on security around bin area

### **C) Adjoining Occupiers**

Impact on residential amenity (addressed within 7.3)

- Concern that noise from the lift and the footfall associated with the lift will result in unacceptable noise and disturbance to existing residents
- Proposal will result in ground floor flat access being enclosed and compromised
- The proposed lift would result in a loss of light and loss of amenity space along with overshadowing.
- Concern regarding impact of the lift on internal room ventilation
- The proposed balcony would also block natural light to lower level walkway
- Additional residents above existing upper floor would have potential noise impact
- Loss of privacy associated with the proposed access path from Anerley Road

Impact on visual amenity (addressed within 7.2)

- Proposal will result in the property appearing enormously high

Security (addressed within 7.7)

- No proposals to improve security and bin area will be vulnerable to fly tipping and other breaches
- Revised plans incorporate an access path from Anerley Road with the secure and lockable door provided towards the rear of the building line to provide access to the communal courtyard. Gates to the side of the dwelling that provide access to rear gardens or yards “must be located on or as near to the front of the building line as possible” (Secured by Design 2019). Would be preferable for the proposed secure door to be located at the entrance of the path on Anerley Road. Also unclear whether the pathway would be lit.

Parking (addressed within 7.5)

- Parking in the area is already under stress and more vehicles will exacerbate the existing problem

Other matters (addressed within 7.6 & 7.7)

- The existing building is in poor condition due to neglect and lack of management. It is unclear whether the existing and urgent repairs will be addressed during the

development – i.e. failing drainage system, damp, balcony cracks, faulty front doors and collapsed boundary walls.

- Lift would be located next to a bedroom and it is unclear whether this will block an existing ventilation grate, leading to damp
- Strain on existing drainage system
- Increase to maintenance charge in view of the operation of the lift, its maintenance and repairs.
- Concern regarding scaffolding for construction – associated impact on security and lighting
- Refuse collection already disorganised – resulting in vermin
- A revised design and access statement should be submitted to include an inclusive design statement and to provide reassurance that inclusive design principles have been incorporated. The Design and Access statement submitted referred to draft London Plan Policies.

## **6. POLICIES AND GUIDANCE**

### **National Policy Framework 2021**

#### **NPPG**

#### **The London Plan**

D3 Optimising site potential through the design-led approach

D4 Delivering Good Design

D5 Inclusive Design

D6 Housing Quality and Standards

D7 Accessible Housing

H1 Increasing Housing Supply

H2 Small sites

SI 2 Minimising greenhouse gas emissions

T6 Car parking

T6.1 Residential car parking

#### **Mayor Supplementary Guidance**

Mayor's housing SPG

#### **Bromley Local Plan 2019**

1 Housing Supply

4 Housing Design

6 Residential Extensions

8 Side Space

15 Crystal Palace, Penge and Anerley Renewal Area

30 Parking

32 Road Safety

33 Access for All

37 General Design of Development  
113 Waste Management in New Development  
115 Reducing Flood Risk  
116 Sustainable Urban Drainage Systems (SUDS)  
117 Water and Wastewater Infrastructure Capacity  
118 Contaminated Land  
119 Noise Pollution  
120 Air Quality  
123 Sustainable Design and Construction

## **Bromley Supplementary Guidance**

SPG 1: General Design Principles  
SPG 2: Residential Design Guidance

## **Other**

Technical Housing Standards  
LBB Notes for Developers and Architects (The storage and collection of refuse from residential and commercial buildings) (November 2014)

## **7. ASSESSMENT**

### **7.1 Principle of development – Acceptable**

#### Housing Supply

- 7.1.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 2nd November 2021.
- 7.1.2 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.
- 7.1.3 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.
- 7.1.4 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.

7.1.5 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.

7.1.6 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.

7.1.7 This application would provide three additional residential units above the existing residential block, representing a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

#### Optimising Sites:

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

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

7.1.10 The London Plan does not include a prescriptive density matrix and promotes a design-led approach in Policy D3 to optimise the capacity of sites. The design-led

approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity. Policies D2 and D4 are also relevant to any assessment of development proposals, including whether the necessary infrastructure is in place to accommodate development at the density proposed.

7.1.11 Local Plan Policies 4 and 37 accord with paragraph 130 of the National Planning Policy Framework, which requires development to be sympathetic to local character whilst optimising the potential of sites.

7.1.12 Therefore, in this location, the Council will consider a higher density residential development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed.

## **7.2 Design – Layout, scale height and massing - Acceptable**

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

7.2.2 London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

7.2.3 Policies 4 and 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling/building and are compatible with surrounding development

7.2.4 The design, scale and massing of the proposed additional floor would complement the appearance and design of the existing art-Deco style of the host property. The materials used, the design detailing in the rendered parapet and brick banding within the central staircase extension would draw on the features and proportions of the existing building. In building up the existing parapet, the extent to which the top storey would be readily visible from outside of the site would be minimised, and the external detailing of the development is considered to be sympathetic to the original design of the flatted building.

7.2.5 With regards to the materials to be used, the design and access statement specifies that windows will be white aluminium framed models, and that the existing white parapet will be extended upwards to create the balustrade for the top floor terraces. White tiles are proposed to be provided on the new extension, which would complement the existing red brick/white parapet/white lintel detailing within

the host building. It would be appropriate to require details of specific materials/finishes should permission be granted.

- 7.2.6 The multiple telecommunications masts are as existing, but at increased height, with their siting above the top of the existing building being repeated in their relocation above the proposed additional storey. The retention of the telecommunications base station would be consistent with the desirability of siting masts on buildings and avoiding a proliferation of new base station sites.
- 7.2.7 Externally, at the rear the walkway would replicate the form and appearance of the existing walkways, and the repurposing of the existing bomb shelter structure would be a sympathetic means of providing cycle storage within the site without the loss of outside space. The proposed refuse storage structure would rationalise and enhance the existing informal arrangements for refuse storage and would not be unattractive to look at.
- 7.2.8 With regards to the rear lift shaft and the increase in the height of stairwell, these would not appear as jarring or alien features in the context of the design, scale and massing of the existing or extended building, and would not have a significant impact on the visual amenities of the wider area. While the proposal would increase the overall height of the building which already significantly exceeds the height of neighbouring property fronting Maple Road, the visual impact of this would be lessened by the design of the development to include the deep balustrade and the set back of the elevations from the existing vertical walls.
- 7.2.9 The revised proposal includes the provision of a level access path from Anerley Road including a gate, indicated on the submitted drawings as being sited adjacent to the building rather than at the access point onto the street. It is noted that concerns have been raised regarding the position of the lockable access point in view of the frontage grounds lying between the back edge of the Anerley Road pavement and the point where the lockable door is indicated to be provided. The formation of a pedestrian opening onto Anerley Road would not have a detrimental impact on the visual amenity of the street scene, but the concerns raised regarding the open access to the front of the site are noted and should planning permission be granted it would be appropriate to seek via condition the submission of details of the design and siting of an access door (lockable) closer to the actual point of entry from the street. The appearance of such a facility would be capable of being assessed at conditions discharge stage and it is not considered unfeasible for a door/gate of suitable design to be provided.

### **7.3 Neighbourhood Amenity - Acceptable**

- 7.3.1 Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider 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 application has been submitted with a Daylight and Sunlight report (November 2021) which has focused on the impact of the proposals on neighbouring sites as well as the daylight and sunlight to the proposed units themselves.

7.3.3 With regards to the impact of the proposal on neighbouring residential properties (outside of the application site itself), the following assessment is relevant:

#### 193 Anerley Road

This neighbouring building is a four storey plus basement building and would not be adversely affected by the additional floor on at the application site. Windows are proposed in the west facing flank elevation and these are indicated as being obscure glazed on the submitted fourth floor plan.

#### Inchbare and Samaria, Maple Road

These are two storey dwelling houses located to the north of the application site, with Inchbare sited adjacent to the site. The separation distance varies between a minimum of 3m and a maximum of 6m. The submitted Daylight and Sunlight report concludes that the impact of the proposal on the amenities of these properties would be acceptable.

It is noted that the main front elevation of Inchbare projects forward of the bulk of Dover House towards Maple Road and that the dwelling lies approximately north east of the application site. Taking into account the limited overall increase in height of the host building, the separation to the boundary, the orientation of the buildings and the content of the Daylight and Sunlight report, it is not considered that the proposal would have a significant impact on the amenities of these properties. It is acknowledged that representations have been received expressing concern at the impact of the management of the site on the neighbouring property along with the height of the development relative to Inchbare. However while the building would be significantly higher than Inchbare, the increase in height associated with the additional floor is limited and would not directly impact on the residential amenities of these neighbouring properties.

#### 7.3.4 Dover House

In view of the siting of the development, including the introduction of a lift and associated machinery, and the increase in the intensity of the residential use of the site the impact of the proposal on the amenities of existing residential dwellings within the application site falls to be carefully considered.

7.3.5 Comments were sought from the Council's Environmental Health Officer regarding the proposal, and the response identified the potential for noise and disturbance associated with the operation of the proposed lift as well as the need for the proposed units to be protected from external noise. It was considered that these impacts were capable of being adequately addressed and mitigated through the

use of suitable planning conditions requiring approval of details of the proposed works of sound insulation against airborne and structure-borne noise arising from the lift, as well as a scheme for the protection of the proposed dwellings from Anerley Road traffic noise.

- 7.3.6 It is noted that representations have expressed concern at potential overshadowing associated with the lift shaft and walkway extension. Comments from a technical Environmental Health perspective have focused on the measurable noise and disturbance associated with the lift rather than assessing from a planning perspective the overall impact of the proposal on residential amenity including the subjective assessment of wider amenity impact.
- 7.3.8 The lift's use would be limited to that of residents or visitors to the application building, on all floors above ground level as the lift would serve the existing first, second and third floors as well as the proposed fourth floor. It is considered that the provision of a lift would not result in all visitors and all residents for all upper floors (so all footfall to any flats within the building) using this as a means of access; it would be in addition to the retained, extended stairs. This may be considered unlikely to focus all egress and exit on this specific part of the building, and subject to the use of appropriate conditions relating to the soundproofing of the machinery and shaft, it is not considered that this would represent a strong ground for refusal.
- 7.3.9 With regards to overshadowing, it is acknowledged that the proposal would introduce a raised walkway which would replicate those on the floors below. It is considered that the raised walkway would introduce some shading to the rear facing windows of the dwellings immediately below. The lift shaft would be positioned approx. 1.26m from (opposite) the north west facing kitchen windows serving flats on the existing floors of the building. The front doors/halls of the four flats positioned within the north eastern part of the building would be enclosed to one side by the depth of the lift shaft (approx.2m). In the case of the ground, first and second floor units as existing, the light and outlook associated with the windows is already somewhat constrained by the physical proportions/design of the building. The proposed lift shaft would not directly impact on outlook from or daylight/sunlight to habitable rooms (i.e. bedrooms or living rooms).
- 7.3.10 The applicant has submitted that the benefits associated with improving accessibility to the existing upper floor flats as well as providing lift-access to the proposed top floor flats outweighs the limited impact of the lift shaft itself on the residential amenities of existing occupiers.
- 7.3.11 The introduction of a level access from Anerley Road would lead to some footfall/movement along the pathway as an alternative to the existing access arrangements. The pathway would pass to one side of an existing ground floor bay window before continuing alongside the main building, past a bathroom and kitchen (flank facing) at Flat 1. It is considered appropriate, should planning permission be granted, to require further details of the treatment of the path, any landscaping or screening measures and (as referred to above) the siting, height and security of the proposed lockable door/gate.

7.3.12 On balance, while it is acknowledged that the position of the lift shaft facing and adjacent to the existing flat entrances would introduce a structure that would be clearly visible and would appear somewhat dominant, taking into account the existing outlook and orientation of the affected doors/windows, the limited footprint of the lift shaft and the use rooms/areas within the existing flats which would be affected, it is not considered that the impact of the proposal would be significantly adverse. There will be some impact on existing amenity associated with the ground floor access arrangements and the built development, and this must be weighed against the material planning considerations and benefits of the proposals in the concluding balancing exercise.

#### **7.4 Standard of outlook and amenity for future occupiers - Acceptable**

7.4.1 In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

7.4.2 Policy 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.

7.4.3 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.

7.4.4 The proposals would provide residential accommodation of an acceptable quality including external amenity space. All the units would meet the minimum GIA within the Nationally Described Space Standards for flats of the size proposed and their layouts and room sizes are not undesirably convoluted or constrained in shape or size.

#### **7.5 Transport - Acceptable**

7.5.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on

transport grounds where the residual cumulative impacts of development are severe.

7.5.2 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.

7.5.3 From a technical highways perspective no objections are raised to the proposal. The application site is already car-free and it is not considered that the proposal would generate unacceptable additional parking demand within the vicinity of the site. It is recommended, should permission be granted, that the developer offer the first residents of the proposed flats car club membership. It is also recommended that details of the proposed cycle storage be secured by way of a condition.

## **7.6 Drainage and flooding - Acceptable**

7.6.1 No objections have been raised by the Council's Drainage Engineer on the basis of the lack of increase in the footprint area of the development (i.e. the development not increasing the footprint of buildings upon the site).

7.6.2 It is noted that representations have been received expressing concern regarding the capacity of existing drains within the building through the introduction of 3 additional residential units. Comments were sought from Thames Water but no comments were provided in response to consultation. Building Regulations approval will be required for the development and matters of private drainage considered under the provisions of the Building Regulations.

## **7.7 Other matters (including security/construction management and private legal matters)**

7.7.1 Comments received in response to neighbour notification have highlighted concerns regarding security associated with the introduction of the level access from Anerley Road

7.7.2 Responses to the initial neighbour notification raised the issue of level access in view of the application incorporating the lift which was intended to provide accessible residential accommodation – with residents highlighting that the lift would not result in accessible accommodation on its own in view of the existing/originally intended passage through the site, including level changes and lack of a step-free access.

7.7.3 As a consequence, the plans were amended to include the Anerley Road pedestrian access and level pathway which itself has led to resident concern regarding the implications of this for security and privacy to ground floor units and the wider site as a whole.

7.7.4 It is considered that if planning permission is granted it would be appropriate to impose a condition requiring that further details of the means of securing this

access be provided, which may include the setting of the secure/lockable gate/doorway in front of the communal grounds in the Anerley Road-facing “wing” so as to safeguard perceived and actual security at this level and to prevent unfettered access into the site.

- 7.7.5 It is not considered, on the basis of the submitted drawings, that this would be difficult to achieve or unduly onerous a requirement, and this would appear to address some of the concerns raised following the submission of revised plans.
- 7.7.6 Concerns have also been raised regarding the length of the construction phase and the potential impact of this on the existing residents of the building. These concerns are acknowledged, but it is rarely the case that the impacts of construction itself will weigh against a proposal which is otherwise acceptable in planning terms. It is generally accepted that all works of construction have the potential to result in noise and disturbance, but this is a finite impact – limited to the construction phase itself. If permission is granted it would be appropriate to impose a pre-commencement planning condition requiring full details of the management of construction and environmental impacts for the duration of the build (such conditions being commonly imposed with the aim of limiting/mitigating the impact of the construction period on neighbouring residents).
- 7.7.7 With regards to matters relating to the on-going costs/management charges associated with the development, and with regards to ventilation within adjacent rooms, the former would be a private legal matter outside of planning control and subject to legal discussions/agreements between existing landowners and the development. It is noted that concern has been raised regarding the impact of the lift shaft on ventilation/air ducts associated with internal accommodation (although the development would not directly block any window openings). This matter would be considered under separate legislation i.e. the Building Regulations/Party Wall Act.
- 7.7.8 Concern has also been expressed regarding the existing disorganised refuse collection and storage arrangement as well as a tree which the landowners have not cut back. These issues would be a private legal matter rather than issues relevant to the assessment of the specific planning application proposal.

## **7.8 Air Quality**

- 7.8.1 The site is located within an Air Quality Management Area and a condition is recommended by the EHO relating to the use of Ultra Low NOx boilers.

## **7.9 CIL**

- 7.9.1 The Mayor of London's CIL and Bromley's Local CIL are both a material consideration. CIL is payable on this application and the applicant has submitted the relevant form.

## **8. CONCLUSION**

- 8.1 The proposal would provide three additional dwellings upon the application site, making efficient use of the land and contributing towards the Borough's supply of housing.
- 8.2 The development would not be detrimental to the character and appearance of the area and locality, being of a high quality design with limited impact on neighbouring amenity. The standard of accommodation that would be provided would be good. Subject to suitable conditions the proposal would not have an adverse impact on the local road network, parking conditions and highways safety.
- 8.3 On balance, the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply. While it is acknowledged that there would be some impact of the proposal on the amenities of existing residents within the building, these impacts have been assessed as being of limited extent – taking into account the existing layout of development, the orientation and siting of the proposed and existing residential flats and the associated proposed development. This limited impact on residential amenity is not considered to outweigh the contribution that the proposal would make to the supply of housing in the borough and the provisions of paragraph 11(d) of the National Planning Policy Framework. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.
- 8.4 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

- 1. Time limit**
- 2. Approved plans**
- 3. Details of Construction and Environmental Management Plan**
- 4. Details of lift sound insulation**
- 5. Details of external noise insulation/mitigation**
- 6. Details of access onto Anerley Road (security measures and screening/planting)**
- 7. Details of cycle storage**
- 8. Details of refuse storage**
- 9. Details of materials for external surfaces of proposed development**
- 10. Details of landscaping (hard and soft)**
- 11. Details of lighting scheme**
- 12. Car club membership to be provided to first occupants**
- 13. Installation of ultra-low NOx boilers**

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

**Informatives:**

1. Reminder regarding submission of pre commencement conditions.
2. Contact street naming and numbering Officer at the Council.
3. Reminder of CIL payments.
4. Any street works are at applicants' costs.
5. Contact Environmental Health re contamination.