

<b>Committee Date</b>	29.09.2022	
<b>Address</b>	Land And Garages Between 17 And 18 Gardiner Close Orpington	
<b>Application Number</b>	22/00336/FULL1	<b>Officer</b> - Gill Lambert
<b>Ward</b>	Cray Valley East	
<b>Proposal</b>	Demolition of existing garages and erection of 2 semi-detached dwellings (1 four bedroom and 1 two bedroom) with associated parking, cycle and refuse stores, and undercroft access to existing garage at No.18 Gardiner Close	
<b>Applicant</b>	<b>Agent</b>	
Mr Shazad Mahmood	Donna Walker	
57 Bow Road London London E3 2AD	60 Mildmay Grove South London N1 4PJ	
<b>Reason for referral to committee</b>	<b>Councillor call in</b>	
Call-In	Yes	

<b>RECOMMENDATION</b>	Application Permitted
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<p><b>KEY DESIGNATIONS</b></p> <p>Conservation Area: St Pauls Cray  Areas of Archeological Significance  Biggin Hill Safeguarding Area  Green Belt  London City Airport Safeguarding  Smoke Control SCA 20</p>
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<b>Land use Details</b>
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	Use Class or Use description	Floor space (GIA SQM)
Existing	Garages	110
Proposed	Residential	180

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	0	2	+2
Disabled car spaces	0	1	+1
Cycle	0	4	+4

<b>Electric car charging points</b>	N/A
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<b>Representation summary</b>	Adjoining owner letters were sent on 31 <sup>st</sup> January 2022	
Total number of responses	5	
Number in support	0	
Number of objections	5	

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character and appearance of the area including the adjacent Conservation Area
- The development would not adversely affect the amenities of neighbouring residential properties
- The proposals would not constitute an overdevelopment of the site
- The development would provide a satisfactory standard of residential accommodation
- The proposals would not have adverse impacts on parking or highway safety
- The development would not adversely affect important trees on adjacent land subject to tree protection conditions

## 2 LOCATION

- 2.1 This site is located at the end of a small cul-de-sac of 1970s terraced houses, and contains a row of 10 garages situated along the northern boundary which appear to have been built as part of the development but have been vacant for the last 2 years.
- 2.2 The northern boundary of the site lies adjacent to St. Pauls Cray Conservation Area, and backs onto Garland Hill Farmhouse, which is locally listed, and Inglewood which is a detached dwelling.
- 2.3 The site borders No.18 Gardiner Close to the south whose garden extends around the site in an L-shape such that it also borders the eastern boundary of the site. A detached garage serving No.18 lies within this part of their garden and is accessed via the garage compound.
- 2.4 The western boundary of the site lies adjacent to No.17 Gardiner Close, and the existing garage block borders part of their rear garden.
- 2.5 The eastern boundary of the application site borders the Green Belt.



Figure 1: Site Plan

### 3 PROPOSAL

- 3.1 It is proposed to demolish the existing block of garages on this site and construct a building which would have the appearance of a pair of two storey semi-detached dwellings but which would actually be a semi-detached 4 bedroom dwelling with a 2 bedroom first floor flat attached, below which would be the private access to the first floor flat and a garage door which would lead via an undercroft access to the garage serving No.18 to the rear (this garage is the subject of a current dispute regarding whether or not there is a right of way across the site for the neighbour at No.18). The building would align with the adjacent row of houses at Nos.18-21 Gardiner Close and would face westwards towards the rear gardens of Nos.9-17 Gardiner Close.
- 3.2 The building would be set back 1m from the flank boundary with No.18 to the south and between 1.7-2.8m from the flank boundary with Garland Hill Farmhouse and Inglewood to the north. There is an area of disputed land between the site and Inglewood, and the proposed dwellings would be set back 1m from this disputed strip of land. The dwellings would each have a dual-pitched roof with a front gable, and the roof apex would be lower than the apex of the adjacent terraced properties.
- 3.3 The proposed 4 bedroom dwelling would have an 8m deep rear garden which would measure 51sq.m. in area (not including the disputed land adjacent to Inglewood), whilst the 2 bedroom first floor flat would have a small 5.7m deep and 2.4m wide rear garden which would measure 14sq.m. in area. The cycle stores would be provided at the rear of these gardens.
- 3.4 Three car parking spaces (including one disabled space) would be provided to the front of the dwellings along the northern boundary with Garland Hill Farmhouse (2 spaces for the dwelling and one for the flat), and bin stores are proposed at the main entrance to the site. The development would provide access to an existing garage used by No.18 Gardiner Close, although this right of access over the application site is currently in dispute.
- 3.5 The application was supported by the following documents:
- Design and Access Statement
  - SUDS/Drainage Assessment

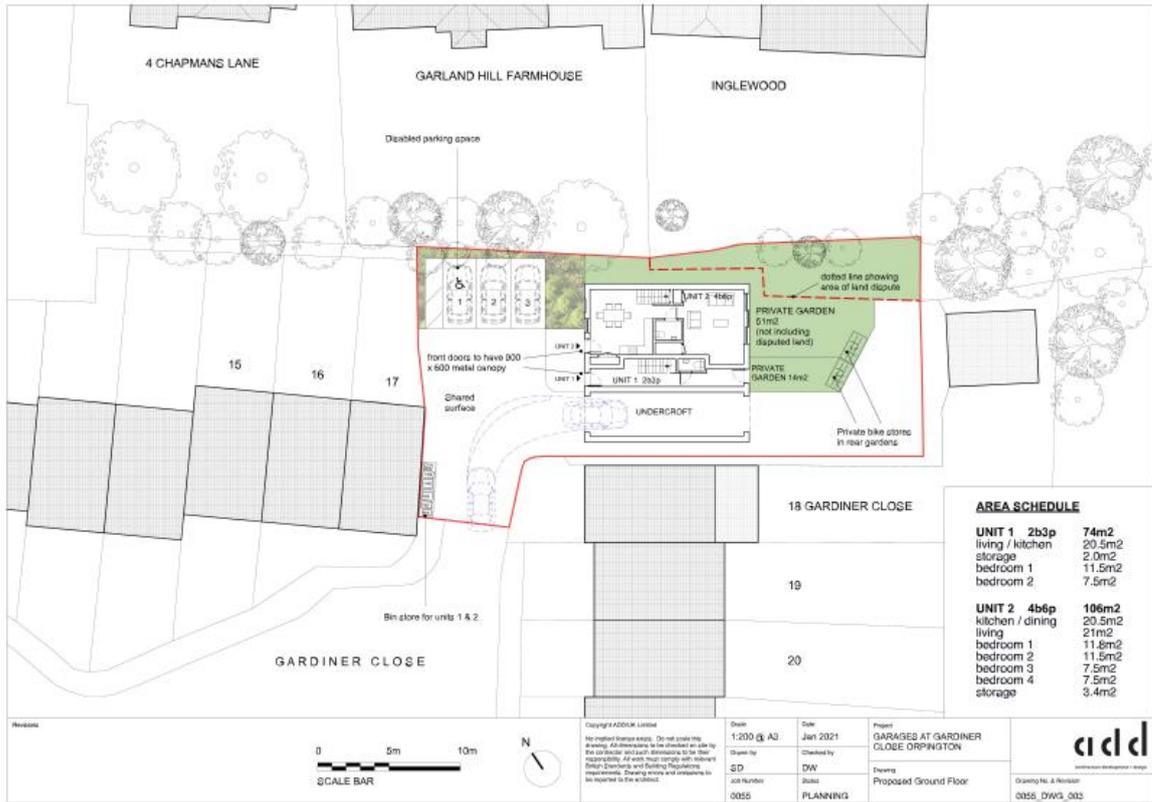


Figure 2: Block Plan

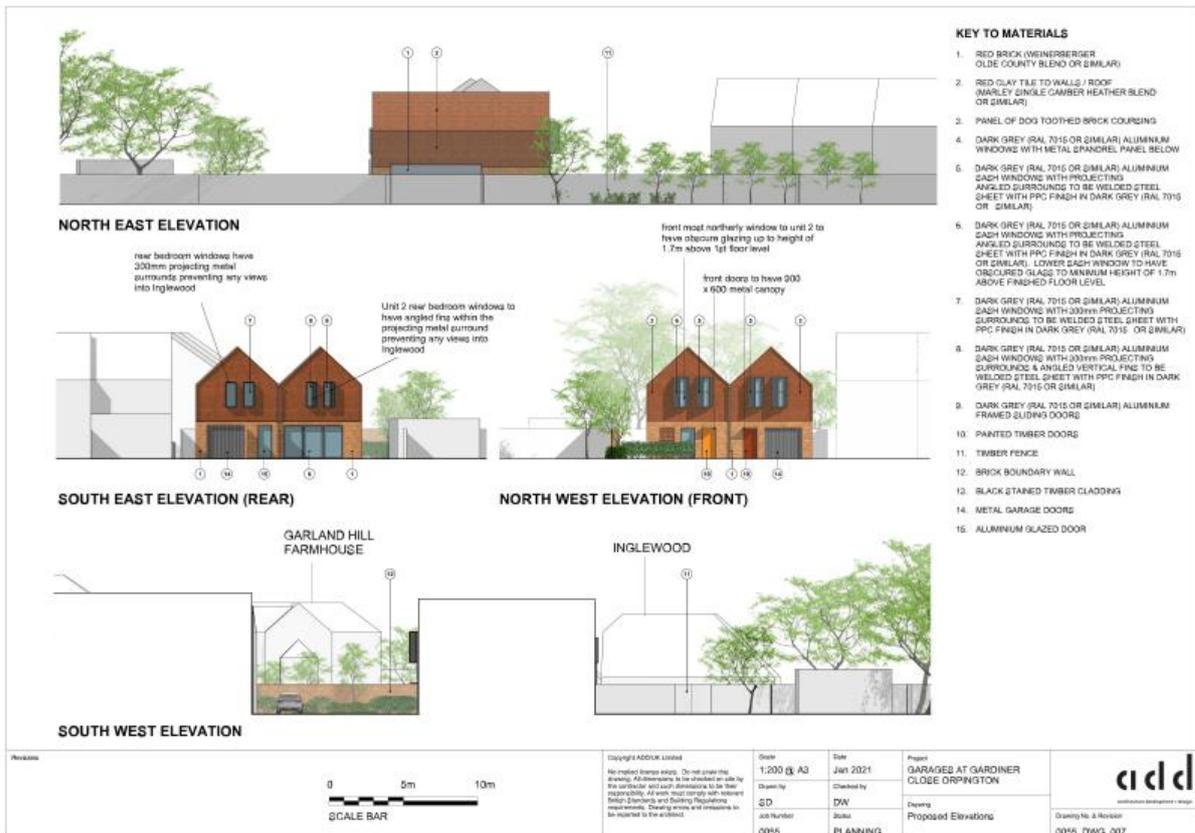


Figure 3: Elevations

## 4 RELEVANT PLANNING HISTORY

4.1 The relevant planning history relating to the application site is summarised as follows:

4.2 Permission was refused in December 2020 (ref.20/01682/FULL1) for the demolition of the existing garages and the erection of 2 two storey semi-detached 4 bedroom dwellings with associated parking and cycle and refuse stores on the following grounds:

1 The proposed development, by reason of its siting, scale, layout, spatial distances and relationship with its neighbouring properties would represent a cramped development within this compact and highly constrained site. The proposal would also have an adverse impact on neighbouring residential amenities in terms of privacy, overlooking, outlook and unneighbourly sense of enclosure, contrary to Policies 4, 8 and 37 of the Bromley Local Plan.

2 Insufficient information has been provided in respect to drainage and landownership to demonstrate that a sustainable development can be delivered at this site contrary to Policy 5.13 of the London Plan and Policies 4, 8 and 37 of the Bromley Local Plan.

4.3 Revised drawings showing a marginal reduction in the width of the dwellings were later submitted during the subsequent appeal due to the land dispute matter (and were accepted by the Appeal Inspector), but the appeal was later dismissed in December 2021 on grounds relating to loss of privacy to the adjacent residential properties at No.17 Gardiner Close and Inglewood, Chapmans Lane.

## 5 CONSULTATION SUMMARY

### A) Statutory/Non-Statutory

#### Highways – No objection

- The previous application was refused and dismissed on appeal for non-highways reasons. The previous application was for 2 four bedroom units with 5 parking spaces, whilst the current proposal is for 1 four bedroom dwelling and 1 two bedroom flat. There is an area of disputed land ownership but it does not affect the access or parking arrangements.
- With the previous application there was a discussion over the rights of access over the land and it was established that there were no public rights of way, however, this layout provides an access to the garage which serves 18 Gardiner Close. There appear to be garage doors on the under-croft access about 2.5m wide which would be wide enough for a standard car. A car using the garage would need to turn to exit in forward gear as reversing back through the under-croft would not be appropriate, and swept paths have been submitted to demonstrate that this is achievable.

- Previous objections have referred to the parking situation in the Close. The existing garage area is private and if parking takes place there at the moment it is with the permission of the landowner and the area could be closed off at any time
- There are 3 parking spaces proposed. The site has a low (1a) PTAL. Parking standards in the London Plan would be up to 1.5 spaces per dwelling, the Local Plan gives a minimum of 3 spaces for the 2 dwellings. Although it meets the minimum, it would be preferable if an additional visitors space were provided. One could be provided in front of space 1.
- The shared access in front of the properties needs to be surfaced with a bound material, not loose materials such as gravel.

#### Historic England – No objection

- The site lies within an area of archaeological interest, and the development could cause harm to archaeological remains. However, the significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition.

#### Conservation – No objections

- No objections are raised from the heritage point of view as it is considered to be a well-designed scheme with good use of high-quality materials.

#### Trees – No objections

- No objections are raised to the scheme in terms of impact on trees.

#### Drainage – No objection

- No drainage objections are raised to the proposals subject to standard conditions.

### **B) Adjoining Occupiers**

#### Character and appearance (addressed in paras 7.3.7, 7.3.8, 7.3.9 & 7.4.4)

- Design of the houses would look unsightly and would not be in keeping with the area

#### Parking and traffic (addressed in paras 7.7.4 & 7.7.5)

- The provision of 3 parking spaces is inadequate for the size of the development
- Loss of garages and parking area would put pressure on parking in surrounding area
- Proposed measures to give access to No.18's garage are unsuitable
- Is not clear how a vehicle would safely exit the garage

Light, privacy and outlook (addressed in paras 7.6.2, 7.6.3, 7.6.4, 7.6.5, 7.6.6 & 7.9.1)

- The revised scheme does not overcome the problem of overlooking of neighbouring properties and gardens from front and rear windows of the new dwellings – the measures now proposed could be easily undone in the future
- Loss of trees could cause loss of privacy to neighbouring properties
- Loss of outlook from adjacent properties
- Overshadowing of neighbours' gardens

General (addressed in paras 7.5.6 & 7.6.5)

- Location of bins adjacent to No.17 is unacceptable
- Security issues caused by demolition of garage block
- Inadequate standard of accommodation for future occupiers – lack of daylight and outlook from first floor windows.

## **6 POLICIES AND GUIDANCE**

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

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

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

6.3 The National Planning Policy Framework was published on 20th July 2021, and is a material consideration.

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

### **6.5 London Plan Policies**

- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- HC1 Heritage conservation and growth
- T6 Car parking

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

- 4 Housing Design
- 8 Side Space
- 30 Parking

32	Road Safety
37	General Design of Development
42	Development Adjacent to a Conservation Area

## 6.7 Bromley Supplementary Guidance

Supplementary Planning Guidance 1 - General Design Principles  
Supplementary Planning Guidance 2 - Residential Design Guidance

## 7 ASSESSMENT

### 7.1 Resubmission

7.1.1 The current proposal differs from the previous refused scheme in the following main ways:

- The proposals would now be for a semi-detached 4 bedroom dwelling with a 2 bedroom first floor flat attached rather than a pair of semi-detached 4 bedroom dwellings
- Below the flat there would now be a garage door which would lead via an undercroft access to the garage at the rear which currently serves No.18 Gardiner Close
- Each dwelling has been reduced in width by 0.4m in order to set the building 0.8m further away from the northern flank boundary with Inglewood and Garland Hill Farmhouse (as per the revised plans accepted under the appeal)
- The front and rear windows have been re-positioned and re-designed to reduce overlooking of neighbouring properties
- The rear gardens would be smaller
- 3 car parking spaces as opposed to 5 would now be provided.

### 7.2 Principle - Acceptable

7.2.1 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 means that the presumption in favour of sustainable development will apply.

7.2.2 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.

7.2.3 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.

7.2.4 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.

7.2.5 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.

7.2.6 This application includes the provision of 2 residential dwellings and would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

7.2.7 This site is located in a residential area where the Council may consider redevelopments provided that they are designed to complement the character and spatial standards of the surrounding area, and the design and layout of the dwelling provide suitable residential accommodation whilst providing adequate parking and amenity space for the occupants.

### 7.3 Design, layout, scale – Acceptable

7.3.1 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.

7.3.2 Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.3.3 Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a

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

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

7.3.5 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 and mixed developments are of a high quality design that are compatible with surrounding development.

7.3.6 Policy 8 of the BLP requires a minimum separation of 1m to be retained to the flank boundaries of the site in respect of two storey development.

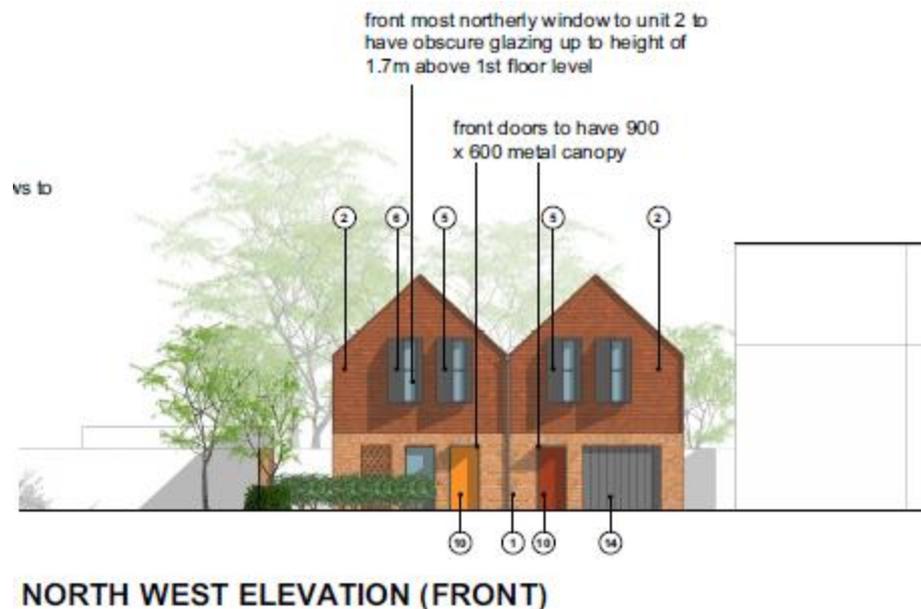
7.3.7 The Inspector in the previous appeal considered that the reduced-width dwellings (submitted under the appeal) would meet the Council's side space policy, and would not appear cramped or incongruous within the street scene. It was concluded that the proposals would have an acceptable effect on the character and appearance of the area.

7.3.8 The current proposals are for the same reduced-width dwellings, the only differences being that changes have been made to the positions and design of the first floor front and rear windows, and the southern dwelling would now have a garage door on the ground floor. The two first floor front windows to each dwelling have been raised higher, and a horizontal break introduced in order to create sash windows. The angled reveals of the original scheme have also been retained which direct views away from neighbouring gardens opposite.

Figure 4: Front elevation of scheme dismissed on appeal (ref.20/01682/FULL1):



Figure 5: Front elevation of current scheme (ref.22/00336/FULL1):



7.3.9 The revisions to the windows and the addition of a garage door are not considered to detract from the appearance of the proposed dwellings, nor have a detrimental impact on the visual amenities of the area. The revised proposals are therefore still considered to have an acceptable impact on the character and appearance of the area.

#### 7.4 Heritage impact – Acceptable

7.4.1 The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

7.4.2 Paragraph 202 and 203 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

7.4.3 Within or adjacent to a Conservation Area:

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

7.4.4 The site lies adjacent to St Paul's Cray Conservation Area, and borders Garland Hill Farmhouse, which is locally listed. The minor revisions proposed to the appearance of the dwellings are not considered to detract from the character and appearance of the adjacent Conservation Area nor have a detrimental visual impact on the adjacent locally listed building.

7.5 Standard of residential accommodation – Acceptable

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

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

7.5.3 Policy 4 of the BLP sets out the requirements for new residential development to ensure a good standard of amenity.

7.5.4 The proposals comprise a four bedroom 6 person dwelling for which The London Plan suggests that the minimum size should be 106sq.m. in floor area, and a two bedroom 3 person flat for which The London Plan suggests that the minimum size should be 61sq.m. in floor area. The four bedroom dwelling would provide 106sq.m. floorspace, and the two bedroom flat would provide 74sq.m., and they would therefore achieve the standards.

7.5.5 Private amenity space would be provided in the form of an 8m deep rear garden for the proposed 4 bedroom dwelling which would measure 51sq.m. in area (not including the disputed land adjacent to Inglewood), whilst the 2 bedroom first floor flat would have a small 5.7m deep and 2.4m wide rear garden which would measure 14sq.m. in area. The amenity areas are considered acceptable to serve a four bedroom dwelling and a two bedroom flat.

7.5.6 Residents have raised concerns about the inadequate daylight and outlook from the first floor windows of Unit 2 due to the addition of obscure glazing to part of a front bedroom window and the addition of vertical fins to the rear bedroom windows. However, the upper half of the front bedroom window would be clear glazed and would allow adequate daylight and a degree of outlook from this window, whilst suitably limiting the impact on residential amenity. The fins to the rear bedroom windows would still allow light to enter whilst directing the outlook from them away from the garden area serving Inglewood.

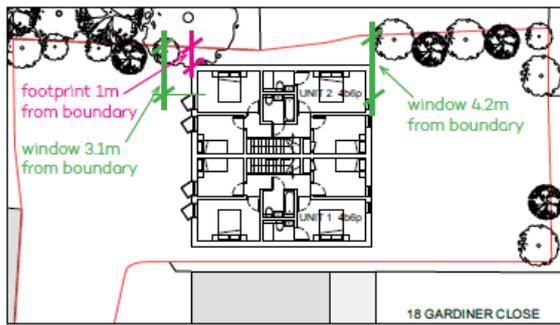
## 7.6 Residential Amenity – Acceptable

7.6.1 Policy 37 of the BLP 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.

7.6.2 In the previous appeal, the Inspector considered that the proposals would result in a loss of privacy for neighbouring occupiers at No.17 Gardiner Close and Inglewood which taken together, were considered to amount to significant harm to neighbouring living conditions. No other harm to the amenities of neighbouring residential properties was identified. Specifically, the concerns of the Inspector were as follows:

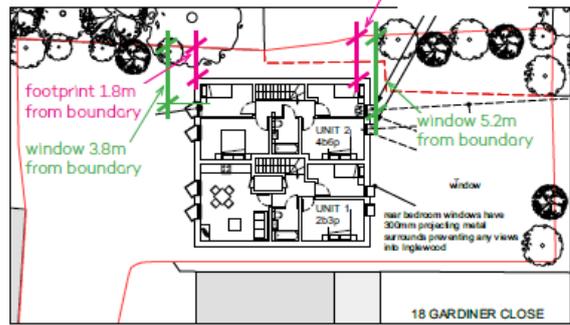
- The northernmost bedroom window to the rear of Unit 2 would sit close to the boundary of the disputed land, and would afford views of a substantial portion of the eastern side of Inglewood's garden which would be detrimental to the privacy of the occupiers of Inglewood when using their rear garden.
- The northernmost bedroom window to the front of Unit 2 has the potential to provide a view of the part of the private amenity space which sits closest to the rear elevation of No 17. (It was acknowledged by the Inspector that this neighbouring terraced row has first floor rear elevation windows and therefore some overlooking of gardens already occurred. However, the Inspector considered that such views were likely to be more focussed towards the mid and rear parts of neighbouring gardens.)

SCHEME SUBMITTED FOR PLANNING IN 2020:



First floor plan of refused scheme with distances from boundary marked on

REVISED SCHEME SUBMITTED NOW:



Revised first floor plan showing narrower building footprint and resulting changes in distances from boundary

Figure 6: Block plan for ref: 20/01682/FULL1 and current scheme

7.6.3 With regard to the first concern, the northernmost bedroom window to the rear elevation of Unit 2 has now been set 1m further back from the northern flank boundary with Inglewood, and additional vertical fins have been added to the projecting surround of the window to prevent any undue overlooking of Inglewood's rear garden.

Figure 7: Rear elevation of scheme dismissed on appeal (ref.20/01682/FULL1):

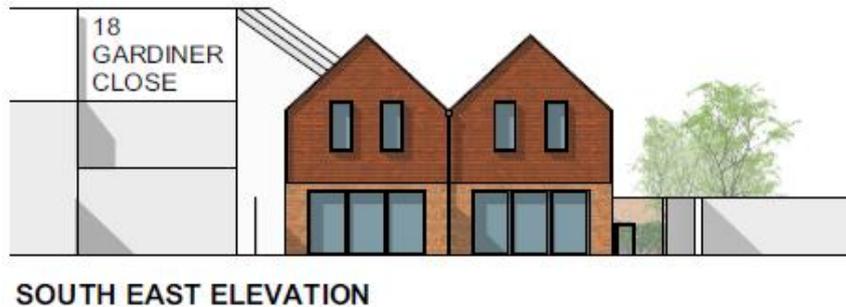
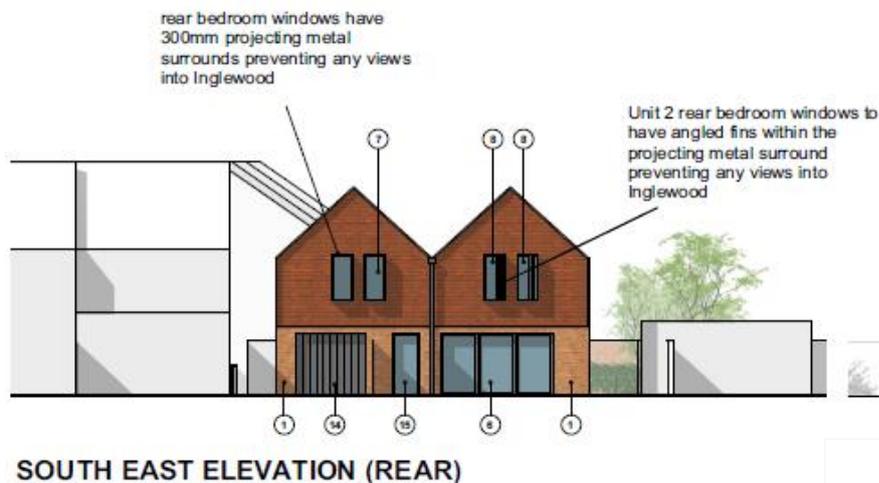


Figure 8: Rear elevation of current scheme (ref.22/00336/FULL1):



7.6.4 With regard to the second concern, the northernmost bedroom window to the front elevation of Unit 2 has now been set 0.6m higher up and 0.7m further to the south, and the bottom half of the window (up to 1.7m above internal floor level) will be obscure glazed to further reduce any overlooking of No.17's rear garden. The projecting angled reveals are retained from the original scheme which would direct views away from the rear garden of No.17, and the revised proposals are not now considered to result in significant overlooking of the rear garden of No.17.

7.6.5 Residents have raised a number of issues which were addressed and subsequently dismissed by the Appeal Inspector on the previous appeal. Other issues raised can be dealt with by imposing planning conditions.

7.6.6 The revised proposals are therefore considered to have overcome the previous Inspector's concerns, and would not now have a significant detrimental impact on the amenities of nearby residential properties in terms of loss of light, outlook, privacy and security. It is recommended that a condition is imposed to ensure that the privacy screening measures are installed in accordance with the approved details prior to first occupation and thereafter retained in perpetuity.

## 7.7 Highways – Acceptable

7.7.1 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.

7.7.2 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

7.7.3 London Plan and BLP 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.

7.7.4 The provision of 3 car parking spaces for the development would not exceed the standards set out in the London Plan which requires a maximum of 3 spaces to be provided, and would comply with the Bromley Local Plan which requires a minimum of 3 spaces to be provided. Although an on-site visitor space would be preferable, this would then exceed the standards in the London Plan and would therefore be non-compliant.

7.7.5 It has been demonstrated that adequate manoeuvring space would be provided in order for a vehicle to safely access and exit from the rear garage serving No.18.

## 7.8 Sustainability

7.8.1 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

7.8.2 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

7.8.3 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

## 7.9 Trees

7.9.1 The proposals are not considered to have a detrimental impact on trees adjacent to the site, subject to a tree protection condition.

## 7.10 CIL

7.10.1 The Mayor of London's and Bromley's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

## **8 CONCLUSION**

8.1 Having regard to the above, the revised proposals are not considered to result in an overdevelopment of the site, nor have a detrimental impact on the character and appearance of the surrounding area, including the adjacent conservation area. The development would not now have a significant detrimental impact on light, outlook or privacy to neighbouring residential properties, and sufficient parking and manoeuvring space would be provided. The development would not adversely affect important trees on adjacent land, subject to a tree protection condition.

8.2 Additionally, the provision of 2 new dwelling units would make a minor contribution towards meeting the Council's housing targets, which also weighs in its favour.

8.3 Conditions are recommended to secure an acceptable form of development which protects the amenities of neighbouring properties and the area generally.

**RECOMMENDATION:** Application Permitted

**Subject to the following conditions:**

**Standard Conditions:**

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

**Pre-Commencement Conditions:**

- 3. Construction and Environmental Management Plan**
- 4. Slab level required**
- 5. Surface water drainage**
- 6. Programme of Archaeological Works**
- 7. Tree Protection**

**Above Ground Works conditions:**

- 8. Soft and hard landscaping and boundary enclosures**
- 9. Details of highway drainage**

**Prior to First Occupation conditions:**

- 10. Car parking details to be implemented**

**Compliance conditions:**

- 11. Materials in accordance with plans**
- 12. Wash down facilities**
- 13. Remove PD rights (Classes A/B/C/E)**
- 14. Demolish existing building**
- 15. Removal of PD rights for windows**
- 16. Implementation and retention of privacy screening measures**

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

**Informatives:**

- 1. CIL**
- 2. The written scheme of investigation (WSI) will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.**