

Committee Date	18 th April 2023	
Address	306 - 310 Court Road Orpington BR6 9DA	
Application number	22/04417/FULL1	Officer: Jessica Lai
Ward	Orpington	
Proposal (Summary)	Demolition of existing buildings and structures at No. 306 to 312 Court Road, erection of a 72-bed care home (Use Class Order Class C2) with associated car parking, landscaping and access (Revised description).	
Applicant		Agent
NL Care Ltd		Mr Douglas Bond Woolf Bond Planning
Reason for referral to committee	Major Development	Councillor call in No

RECOMMENDATION	PERMISSION SUBJECT TO LEGAL AGREEMENT
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Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control
Area of Open Space Deficiency

Existing and proposed use and floor area			
Use	Existing	Proposed	Difference (+ or -)
Car showroom, garage, and car hire	1, 384sq.m	N/A	-1, 384sq.m
Care Home	N/A	3,813sq.m	+ 3,813sq.m
TOTAL			+ 2, 429sq.m

Electric Vehicle charging point	14 active and 20 passive (41% active and 59% passive)
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Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	38	32	-4 including disabled parking spaces
Disabled car spaces	None	2	+2
Ambulance	None	1	+ 1
Cycle	None	10	+ 10

Representation summary	Neighbour letters were sent on 1 st March 2022. Site notice was placed by the applicant on 7 th February 2023. The application was also advertised in the press in the News Shopper. A further 21 days consultation and site notices were placed on the 13 th of March 2023.	
Total number of responses	3	
Number in comment	1	
Number of objections	2	

Section 106 Heads of Term	Amount	Agreed in Principle
Carbon offset	£ 222,317	YES
Health	£ 87,482	YES
Be Seen Measures	TBC	TBC
Obligation monitoring fee	£1, 000 (£500 per Head of Term)	TBC
Cost of Legal undertaking	TBC	TBC
Total	£310, 799	

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle to redevelop the site to provide a 72-bed residential, nursing and dementia care home (Class C2) to meet the growing need in the Borough is supported. The proposal would also contribute to the Council's 5-year housing supply and substantial weight should be afforded in considering the merits of this proposal.
- The proposed use, siting, scale and massing of the proposed building would be compatible to its surrounding without causing adverse impact on the neighbouring properties. The proposal is supported by a detail and fully landscaped plan. This proposal would positively improve the built and natural environments when compared with the existing conditions of this site.
- Whilst the proposal would result in the loss of a car showroom, car hire and garage at this location, the proposal would introduce an alternative type of employment at this site providing 63 jobs and would not be in conflict with the employment policies of the Development Plan.
- The applicant is in the process of relocating the business in a more suitable premises within the same catchment area and it is intended to transfer all current jobs to the new site.
- A total of 34 parking spaces would be provided for staff and visitors. A car park management plan to manage the parking demand would be secured by a planning condition. The development is considered acceptable from a sustainability, air quality and environmental perspective.
- Having considered the benefits and harm arising from the proposal and in the absence of a 5-year housing land supply, it is considered that planning permission should be granted as the presumption in favour of sustainable development is applied..

1. LOCATION

- 1.1 The application site (No. 306 to No. 312 Court Road) is located on the western side of Court Road (Orpington By Pass A224) and measures approximately 0.36 hectares. The site comprises of a car show room (Volvo Parkside) building with the ancillary car park to the front, a garage building to the rear providing car repair and MOT services and a car rental unit at No.312 Court Road.
- 1.2 The site is surrounded by domestic residential properties to the north on Court Road and Goddington Lane. To the rear of the site are mainly houses on Charterhouse Road and Abbey Close. No. 314 to No.316

Court Road are two retail units on the ground floor with residential flats on the upper floors.

- 1.3 The buildings between No 312 and 330(e) Court Road are designated as neighbourhood parades in the Bromley Local Plan. The site is located within the Cray Valley, St Paul's Cray and St Mary Cray Renewal Area. Goddington Park is designated as a site of nature conservation importance in the Bromley Local Plan.
- 1.4 The site is located in Flood Zone 1 and is subjected to a low risk of surface water flooding, as defined by the Environment Agency. There are no river or water bodies identified in the area. There are no trees subject to any tree preservation orders at this site.
- 1.5 The public transport accessibility of the site (PTAL) is rated at 1b, on a scale between 0 to 6b where 0 is worst and 6b is best. There are bus stops located on Charterhouse Road and Court Road, approximately 90 metres and 95 metres respectively from the application site (Route Number 654 and R7).
- 1.6 The site is not located in a conservation area and there are no listed buildings in the vicinity. There are no trees located within the site.



Figure 1: Site Location Plan (Left)

Figure 2: Aerial photo (right)

2. PROPOSAL

- 2.1 Full planning permission is sought for the demolition of the existing buildings at No, 306 to No. 312 Court Road, erection of a part two and part three storey building to provide a 72 bed private residential, dementia and nursing care home (Use Class Order Class C2).
- 2.2 The Planning Statement indicates the occupants would be generally 65 years or over whom require a level of care. A total of 63 jobs would be created on this site, these range from managers, admin staff, receptionists, maintenance staff and activities staff, kitchen staff, cleaning staff and laundry jobs. Two registered nurses, one senior care assistant and other care assistants would also be employed. The care

home will be registered to the Care Quality Commission. All employees will be attending the site on a shift basis.

- 2.3 A total of 34 off-street parking spaces including 2 disabled parking spaces will be provided for staff and visitors. A further ambulance space will be provided. The residents would not be driving or own a car. A total of 14 active electric vehicle charging points, 20 passive electric charging points and 10 cycle parking spaces would also be provided.
- 2.4 The courtyard to the front of the building and outdoor communal gardens would be fully landscaped with new trees. The proposal would also provide a range of on-site services to the future care home users such as hair dressing and chiropody services. An ancillary cinema, café and bar area, reception and office rooms would also be provided.
- 2.5 The internal layout indicates that the bedrooms would be located on ground, first and second floor. Each of the bedrooms would be provided with ensuite facilities / wet room. Each residential floor would be provided with a communal living room, communal dining room, nurse station, assisted bathrooms and wheelchair toilets. Internal lifts will be installed and accessible to each floor. The plant rooms, staff changing, storage and kitchen would be located in the basement.
- 2.6 The proposed sustainability measures would comprise of an air source heat pump, solar panels and a green roof measuring approximately 185sq.m. There are no trees located within the application site and no trees would be required to be removed as a result of this proposal.
- 2.7 The proposed garden would be landscaped with substantive planting to the front and rear of the proposed buildings.



Fig. 3. Computer generated image - Front elevation of proposed building

3. RELEVANT PLANNING HISTORY

- No. 306 to 310 Court Road

- 3.1 Full planning permission was granted for a canopy for covered valeting area on the 6th of May 2004 (ref: 04/01037/FULL1).
- 3.2 Certificate of lawful development (proposed) was granted for the provision of MOT Testing within existing garage on the 9th of October 2013 (ref: 13/02260/PLUD).
- 3.3 Full planning permission was granted for hard surfacing to provide car parking with landscaping at front of existing garage on the 8th of February 1988 (ref: 87/3743)
- 3.4 Full planning permission was granted for the use of land for a portable building – retrospective application on the 12th of September 1996 (ref: 96/1702)
- 3.5 Full planning permission was granted for the retention of 5 lighting columns and fixture – renewal of application ref: 96/0011 on the 12th of January 1998 (ref: 97/1689)
- 3.6 Full planning permission was granted for the erection of 6 infra-red security poles on the 16th of November 2000 (ref: 00/02655/FULL1).
- 3.7 Certificate of lawful development (proposed) was granted for the provision of MOT testing within the existing garage.

N.B There are a number of advertisement consent records determined at this site.

- No. 312 Court Road

- 3.8 Advertisement consent was granted for an internally illuminated fascia sign on the 26th of September 1996 (ref: 96/01746/ADVILL)
- 3.9 Advertisement consent was ground for the change of use of ground floor from retail to vehicle hire officers and use of hardstanding for parking and valeting of cars in connection to the proposed use on the 26th of September 1996 (ref: 96/1274).
- 3.10 Full planning permission was granted for the removal of condition 3 and condition 4 of associated to planning application ref 96/1274 related to the number of cars to be used in connection with the car hire business and the use of hardstanding at the front for customer parking on the 17th of January 1997 (ref: 96/2427).

- Adjacent properties at No. 314 to No. 316 Court Road

- 3.11 Full planning permission was granted for a two storey and first floor rear extension, second floor mansard roof extension, conversion and internal alterations of existing two first floor flats to create 5 self-contained flats at first and second floor level (3 additional units created) with alterations to shopfront to provide two new entrances to the upper floor flats, internal alterations to ground floor units and use of 7 parking to the front of the unit for the proposed flats on the 25th of May 2022 (ref: 22/01226/FULL1)



Fig. 4. Approved plant at No. 314 to No, 316 Court Road - Front, side and rear elevation.

- 3.12 Full planning permission was granted (No. 316 Court Road) for the internal alterations including combining two existing Class A1 units to form one ground floor enlarged retail shop (Class A1 use), new shop front to No. 314 Court Road with entrance and a new entrance door to provide access to the upper floors on the 27th of June 2019.
- 3.13 Full planning permission was granted (No. 314 Court Road) for the conversion of existing dwelling into 2 self-contained flats incorporating rear single storey extension and facade alteration to provide access at 314 Court Road Orpington on the 6th of September 2017 (ref: 17/02833/FULL6).
- 3.14 An advertisement consent was refused for an internally illuminated double side free standing display unit and the subsequent appeal was allowed on the 27th of May 2008 (ref: 07/03927/ADV).

4. CONSULATION SUMMARY

a) Statutory

4.1 Highway – No objection

The public transport accessibility of the site is low (rated at 1b). The submitted information indicates that the future residents of the proposed care home will not own or drive car. The proposal would provide an ambulance space, thirty-four (34) parking spaces including 2 disabled spaces and ten (10) cycle storage spaces.

- Parking standard

The transport statement indicates that there will be a slight reduction in vehicle trips with the proposed use. There are no specific parking standards for care homes in the London Plan. The car parking accumulation is estimated using TRICS data, giving a maximum of 28 spaces. The proposed 34 parking spaces would give a buffer. The proposed parking ratio is 0.47 spaces per bed. The parking area will be reconfigured, and various dropped kerbs will be required, and any redundant drop kerbs should be reinstated. The proposal will require drainage measures to ensure the surface water does not drain onto the highway. A car park management plan is submitted and is considered to be acceptable.

- Travel plan

An updated travel plan should be provided prior to occupation and the plan should be monitored in year 3 and year 5 after its first occupation.

- Cycle parking standard

Cycle parking is proposed in line with the London Plan

- Vehicular access and trip generations

A Stage 1 Road Safety Audit sets out a number of issues including Designers responses and is acceptable at application stage. Should planning permission be recommended, a Stage 2 and Stage 3 Road Safety report should be secured by planning conditions and provided at the appropriate time.

- Waste collection, servicing, and delivery

Paragraph 3.31 of the transport assessment indicates that the waste may be collected by the Council or a private collector. The bin storage area is more than 18m from the highway and will need to be agreed by the Council's waste services. A dropped kerb would be required.

- Construction management plan

A draft construction management plan (CMP) is submitted. Whilst there is no objection to the submitted document, a planning condition to secure a final CMP including the contact details of contractor should be provided.

4.2 Drainage (Lead Local Flood Authority) – No objection

b) Non-statutory

4.3 Secured by design – No objection

Should planning permission be forthcoming, a Secured by Design planning condition should be attached. The principles and details of the physical security requirements should be submitted and agreed prior to work commencing on site, the development shall achieve secured by design accreditation prior to occupation.

4.4 Environmental health – No objection

- Construction Management Plan and Air quality assessment

The submitted details are considered to be acceptable at planning application stage. The recommended mitigation measures should be secured by way of a planning condition. Should planning permission be recommended, conditions should be attached to manage the size and noise from the construction related vehicles. Should there be any gas boiler, an updated air quality assessment would be required.

- Land contamination – No objection

The submitted phase 1 and phase 2 site investigations report, including the proposed remediation strategy are considered to be acceptable. Should planning permission be forthcoming, the radiation works as outline in the submitted report shall be carried in full. Any unexpected discovery of contamination, an appropriate remediation scheme should be assessed and agreed by the Council. A completion closure report should also be secured by planning conditions.

- Noise – No objection

The internal noise level of the bedrooms facing Court Road are likely to exceed the noise limit. An alternative ventilation strategy that considers overheating is therefore required and this can be secured by a planning condition and is preferred. Should planning permission be forthcoming, the details of external plant and an updated noise assessment should be secured by planning condition.

4.5 Adult care and social care – No objection

The proposal would meet the growing need for a care home. The impact of this development on health should be mitigated by the applicant.

4.6 **Thames Water – No objection**

- **Waste Comments**

The application indicates that surface water will NOT be discharged to the public network and as such Thames Water has no objection. However, approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point Thames water will need to review their position.

There may be public sewers crossing or close to the development. It is the applicant's responsibility to minimise any risk and damage to Thames Water assets. The proposal should not limit Thames Water's ability to carry out any repair, maintenance activities, or inhibit their ability to provide services in any other way. The applicant is advised to read our guide working near or diverting our pipes.

- **Foul Water**

Thames Water would advise that no objection is raised to foul water sewerage network infrastructure capacity. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

- **Water Comments**

Thames Water would advise that no objection is raised to water network infrastructure capacity. Thames Water aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development. Thames Water recommend the following informative be attached to this planning permission:

"There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes".

- Ground water source protection zone

The proposed development is located within Source Protection Zone of a groundwater abstraction source. These zones are used for potable water sources for public water supply for which Thames Water has a statutory duty to protect. Should planning permission a condition should be attached.

- Surface Water network infrastructure

Following initial investigations, Thames Water has identified an inability of the existing SURFACE WATER network infrastructure to accommodate the needs of this development proposal. Should planning permission is recommended the following conditions should be attached:

1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.”

4.7 NHS Care Commissioning Group (CCG)

The CCG have advised that a health planning obligation of £87,482 towards the Primary and Community Healthcare provision.

c) Adjoining Occupiers

- 4.8 Two (2) letters of objection have been received and the grounds are summarised as follow:

1. Loss of privacy (addressed in Section 6.44 of this report)
 - The end window on the first and second floor would be facing the neighbouring properties causing invasion of privacy.
2. Impact on traffic and highway safety (addressed in Section 5 of this report)
3. Inadequate consultation (address in consultation section of this report)

- 4.9 One letter (1) of comment has been received and they have commented as follows (this is addressed in Section 6.3 and 6.4 of this report):

“The design of the proposed has clearly been carefully considered and is considered to be a reasonable use for this site. I have no objection to this. However, I wish to point out that the adjacent dwellings and shops, including those directly behind the site will be considerably affected. The provision of garden is welcomed and is small for a 72 bed Care Home. The number of proposed bedrooms could be reduced to 60 and set away from the neighbouring houses on Abbey Close and Charterhouse Road”

5. POLICIES AND GUIDANCE

- 5.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).
- 5.2 National Planning Policy Guidance 2014 onwards (NPPG)
- 5.3 National Design Guidance 2019
- 5.4 National Planning Policy Framework (NPPF - adopted 2019)
- 5.5 The London Plan (March 2021)

The relevant policies are:

Policy SD8	Town centre network
Policy D1	London's form, character, and capacity for growth
Policy D3	Optimising site capacity through the design-led approach
Policy D4	Delivery good design
Policy D5	Inclusive design
Policy D11	Safety, security and resilience to emergency
Policy D12	Fire safety
Policy D13	Agent of change
Policy D14	Noise
Policy H1	Increasing Housing Supply
Policy H13	Specialist older persons housing
Policy G5	Urban greening
Policy G7	Trees and woodlands
Policy G9	Geodiversity
Policy SI-1	Improving air quality
Policy SI-2	Minimising greenhouse gas emission
Policy SI-3	Energy infrastructure
Policy SI-4	Managing heat risk
Policy SI-5	Water infrastructure
Policy SI-8	Waste capacity and net waste self- sufficiency
Policy SI-12	Flood risk management
Policy SI-13	Sustainable drainage
Policy T4	Assessing and mitigating transport impacts
Policy T5	Cycling

Policy T6	Car parking
Policy T6.5	Non-residential disabled persons parking
Policy T7	Deliveries, servicing and construction
PolicyDF1	Delivery of the Plan and Planning Obligations

5.6 **London Plan Guidance and Supplementary Planning Guidance**

- Accessible London: Achieving an Inclusive Environment (2014)
- Planning for Equality and Diversity in London SPG (2007)
- Character and Context SPG (2014)
- Fire Safety LPG (draft 2022)
- Urban greening factor LPG (2023)
- Air quality positive guidance (2023)
- Air quality neutral guidance (2023)
- Be Seen energy monitoring guidance (2021)
- Energy planning guidance (2022)
- The Control of Dust and Emissions During Construction and Demolition (2014)
- Sustainable Transport, Walking and Cycling LPG (2022)
- Shaping Neighbourhoods: Character and Context (2014)
- Practice Note on contaminated land

5.7 **Bromley Local Plan 2019**

The relevant policies are:

- Policy 1 Housing supply
- Policy 4 Housing Design
- Policy 11 Specialist and older people accommodation
- Policy 30 Parking
- Policy 31 Relieving congestion
- Policy 32 Road safety
- Policy 33 Access for all
- Policy 37 General design of development
- Policy 72 Protected species
- Policy 73 Development and trees
- Policy 79 Biodiversity and Access to Nature
- Policy 83 Non-designated employment land
- Policy 96 Neighbourhood local parades
- Policy 113 Waste Management in New Development
- Policy 115 Reducing Flood Risk
- Policy 116 Sustainable Urban Drainage Systems
- Policy 117 Water and Wastewater Infrastructure Capacity
- Policy 118 Contaminated Land
- Policy 119 Noise Pollution
- Policy 120 Air Quality
- Policy 122 Light Pollution
- Policy 123 Sustainable Design and Construction
- Policy 124 Carbon reduction, decentralised energy networks and renewable energy

- Policy 125 Delivery and Implementation of the Local Plan

Bromley Supplementary Guidance

5.8 The relevant SPGs are:

- Planning Obligations (2022)
- SPG1 General Design Principles

6. ASSESSMENT

6.1 Land Use – Acceptable

- Loss of car showroom (Use Class Sui-Generis) and car hire business (Use Class Sui-Generis)

6.1.1 BLP Policy 83 (Non-Designated Employment Land) seeks to improve the quality and quantity of employment floor space outside of designated employment sites. Proposals containing Class B uses for alternative employment generation uses will normally be allowed provided that the amenity of any nearby residential areas is not detrimentally affected. Proposals for change of use of non-designated sites accommodating Class B uses to a non-employment generation use will be considered against the criteria (a to c).

6.1.2 The planning applications record indicates that the site (No.306 to No.310 Court Road) has been in use as a car showroom as a form of employment generating use in the past three decades. The existing car showroom use falls under the Use Class Order Class Sui Generis with an existing certificate of lawful development to introduce an ancillary MOT station, which was approved in the 1990s. Given that the MOT station is ancillary to the car showroom, it is considered that the established lawful use of this car show room site would fall under the same use class order (Class Sui Generis) and the requirement of BLP Policy 83 cannot be applied in this instance.

6.1.3 The proposed care home would generate 63 jobs, ranging from care home managers, registered nurses to maintenance, kitchen and cleaning staff. Given that the use of the site does not fall under Class B and the proposal would continue to provide job and employment, it is considered that the proposal would be acceptable and compatible to its surrounding uses and not be in conflict with BLP Policy 83.

6.1.4 The applicant has advised that there are anticipated changes in business environments, movement to the production of electric vehicles, changes to business operation and site requirements. This means the condition of this car showroom site is no longer commercially astute. The applicant is in the process of relocating the business in a more suitable premises within the same catchment area and it is intended to transfer all current jobs to the new site. Whilst the proposal would result in the loss of a car showroom,

the proposal would introduce an alternative type of employment at this site with an increased floor space from 1,384sq.m to 3,813sq.m floor space. As such, it is considered that the proposal would not have an adverse impact on jobs and employment at this particular location.

6.1.5 BLP Policy 96 (Neighbourhood Centres, Local Parades and individual Shops) states the council will require the retention of Class A1 shops. A change of use to non-A1 uses will only be considered if the use proposed contributes to the range of local services or the provision of local community facilities.

6.1.6 Planning application records indicate that the site at No.312 Court Road was occupied as a car hire business (Class Sui-Generis) since 1996 and there is no residential floor space on the first floor. The proposal would introduce a new care home in this local area. The proposal would neither result in the loss of a retail unit nor a loss of existing residential floor space. The Orpington Court Road local parade offers a good range of facilities ranging from retail, café, hot food takeaway, off-licence, barbers and petrol station. Given that there would be no loss of A1 retail uses as a result of the proposal and taking into account the current range of shops available along the same section of the road, it is considered that the proposal would not have an adverse impact on the shopping function of this local parade.

- Care home use (Class C2)

6.1.7 BLP Policy 11 (Specialist and Older Peoples Accommodation) states that the Council supports the provision of specialist housing across all tenures, where they are conveniently located for a range of local shops, services and public transport, appropriate to the mobility of the residents, and they provide appropriate parking and suitability landscaped amenity spaces.

6.1.8 The application site is surrounded by a mixture of residential and commercial uses. The site is located approximately 1,600 metres from Orpington Town Centre with a good level of local amenities located on Court Road and public transport connection to the Orpington Town Centre and Orpington Railway Station. The proposal would provide 34 off-street parking spaces for staff and visitors. The impact on parking is outlined in the highway section of this report.

6.1.9 Due to its location and its proposed use, it is considered that the proposal would not be incompatible with its surrounding uses. A good level of access to local amenities can be provided and would not be contrary to BLP Policy 11.

6.2 Housing – Acceptable

- Current five-year housing supply position

- 6.2.1 There is a presumption in favour of sustainable development and in line with paragraph 11(d) of the NPPF, the absence of a 5-year Housing Land Supply means 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'. For decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.2.2 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 position was agreed at Development Control Committee on the 2nd of November 2021 and acknowledged as a significant undersupply. For the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply. It is noted that the trajectory assumes the new London Plan target of 774 units per annum applies from FY 2020/21.
- 6.2.3 The Government has also published a Housing Delivery Test Measurement Rule Book in calculating the number of net additional dwellings, with adjustments for net student and net other communal accommodation which includes care homes. This is consistent with the London Plan (Policy H1 Paragraph 4.1.9) which states that all other net non-self-contained communal accommodation should be counted towards meeting housing targets on the basis of a 1.8:1 ratio, with one point eight bedrooms/units being counted as a single home.
- 6.2.4 Based on this established housing delivery test measurement rule, this proposal would contribute equivalent to 40 net additional housing units (72 bed/1.8) and substantial weight should be afforded in the planning balance.
- 6.2.5 Furthermore, the Council's Care Homes Market Position Statement published in 2020 states "*There were 4,370 (POPPI, 2019) people living in Bromley with dementia in 2017 and with the ageing population the incidence of dementia is set to rise by 752 people by 2025 and will increase by an additional 1,644 people by 2035*".
- 6.2.6 London Plan paragraph 4.13.13 states "*Dementia does not just affect older people; however, the total number of older people with dementia in London is forecast to rise from 73,825 in 2017 to 96,939 in 2029, an increase of 31 per cent. Methods of offering support for people with*

dementia have improved in recent years, as have accommodation options. There is currently no clear evidence identifying the best method of provision of dementia care or accommodation, and it is likely that a range of solutions will continue to develop. Boroughs should consider the need for accommodation for people with dementia within specialist older persons housing developments". Table 4.3 of the London Plan indicates an annual benchmark of 210 units for specialist older persons housing in Bromley between 2017- 2029.

- 6.2.7 The proposal would provide nursing, residential care and dementia care (Class C2) at an accessible location. It is considered that the proposal would assist to meet the growing demand in the borough and is acceptable at this location.

6.3 Design and Density

- Form and layout

- 6.3.1 London Plan Policy D3 states all development must make the best use of land by following a design-led approach that optimise the capacity of the site and due consideration should be given to the form and layout, experience, quality, and character. This is in line with Bromley Local Plan Policy 37 which states new development will be expected to be of a high standard of design and layout and comply with the criteria a to criteria j.
- 6.3.2 The existing buildings would be demolished and replaced by a single building. The footprint of the building is designed with a "T" shape. The siting of the proposed layout is informed by the established pattern of development in the area and it has adequately taken into account the relationship between the application site and the adjoining properties. The front building line would be positioned approximately 4.5 metres from the pavement and would not be sited further to the road when compared with the adjoining properties. The siting and layout of the proposed building is designed to provide an active frontage, providing a good continuation of street scene along Court Road. It defines the private against the public spaces whilst providing private gardens and communal landscaped gardens.
- 6.3.3 The main entrance to the care home building would be facing Court Road and is located near to the disabled parking spaces and ambulance space. The internal layout of the building is designed to ensure each of the bedrooms would be provided with adequate outlook, and access to natural light creating an inclusive living environment and operational environment for the prospective occupiers, visitors and employees.
- 6.3.4 The introduction of new planting along the front boundary and arrangement of outdoor spaces would positively improve the appearance of the site when viewed from the road. Overall, it is considered that the proposed layout arrangement is considered to

respond appropriately to the site context and relationship with the surrounding properties.



Fig 5. Proposed site layout

- Height, scale and massing

6.3.5 The site is surrounded by a mixture of two and three storey residential and commercial properties. The proposed building would be part 2 / part 3 storey and is designed with a pitched roof with a maximum height that measures approximately 11.8 metres. The proposed building height including its roof profile design are considered to be compatible with surrounding buildings. The proposed front elevation would appear to be a two storey building with accommodation at roof level. The height of the proposed building would be reduced adjacent to the adjoining buildings to the north and south. As such, it is considered that the proposed building height and roof profile design would be acceptable at this location.

6.3.6 The proposed front building line would be staggered with part of the front walls stepping in from the road and a variation of ridge line when viewed from the road. These design elements would positively break down the bulk of the building and provide a greater vertical emphasis bringing a human scale to the frontage. The architectural language and style of the proposal is inspired by surrounding buildings. The proposed front elevation would present a good degree of symmetry. It is considered that the design of the proposal has taken into account its local context and relationship with the surrounding buildings.

6.3.7 Overall, it is considered that the design and appearance of the proposal would fit in well at this location. The scale and massing of the building is designed to maintain a comparable building height and style consistent with its surrounding area.



Fig 6. Proposed front elevation

- Material palette

6.3.8 The external materials of the proposed building would comprise of brown colour brick and dark brown clay hanging tiles (Brown /Buff Multi Bricks Stretches Bound and Flemish Bond). The proposed roof tile would be made of clay (Brown and dark brown in colour). The windows and doors would be made of white colour aluminium or timber. The proposed building would be decorated with reconstituted stone detailing. The architectural treatment and window arrangement of the buildings provides a good degree of coherent architectural identity, local distinctiveness and positively adds to the interest of the proposed building.

6.3.9 Overall, the proposed architectural approach is considered to be acceptable and would positively integrate with the surrounding area. Subject to the full specification and performance details of the proposed external materials including the windows and doors, which should be secured via condition, it is considered that the proposed material palette would be acceptable.

- Design out crime and lighting strategy

6.3.10 London Plan Policy D3 states that measures to design out crime should be integral to development proposals and be considered early in the design process. Development should reduce opportunities for anti-social behaviour, criminal activities, and terrorism, and contribute to a sense of safety without being overbearing or intimidating. Developments should ensure good natural surveillance, clear sight lines, appropriate lighting, logical and well-used routes and a lack of potential hiding places. This approach is supported by Local Plan Policy 37(h) (General Design).

6.3.11 The Designing out Crime Officer has raised no objection to the proposal and recommends a planning condition be attached requiring the development to achieve the Secure by Design accreditation, should the permission be granted. In addition, details of external lighting should be submitted and secured by a planning condition.

- Fire Safety

6.3.12 London Plan Policy D12 states that in the interest of fire safety and to ensure the safety of all building users, all development proposals must

achieve the highest standard of fire safety and a fire statement detailing how the development proposal will function is required.

- 6.3.13 A fire statement is submitted which demonstrates the proposed development has been designed to comply with the fire safety standard, including means of escape for the building users the residents and staff, alarm system and fire suppression system. It is considered that the submitted details are acceptable at planning application. New development is required to comply with Building Regulation.

6.4 Impact on neighbouring amenities – Acceptable

- 6.4.1 BLP Policy 37 (General Design and Development) criteria (e) states that the Council will expect all development to respect the amenity of occupiers of neighbouring buildings and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight privacy or by overshadowing.

- Adjoining properties - No. 304 and No.304A Court Road

- 6.4.2 The proposed bedroom windows on the north-west elevation would be located approximately 22.5 metres away from the neighbouring properties. No. 304 and 304A Court Road are maisonette flats with no main habitable room windows on the flank wall. Due to the siting of the proposed building, the distance between the proposed window to its boundary and relationship with the neighbouring properties, it is considered that the proposal would not have an adverse impact on the neighbouring residential amenities in terms of loss of sunlight, daylight, outlook or increased sense of enclosure.

- Adjoining properties – No. 314 and No. 316 Court Road

- 6.4.3 No.314 and No. 316 Court Road is a two storey building with residential accommodation on the first floor. Planning permission was granted for an additional floor to create additional residential units on the second floor (ref: 22/01226/FULL1; Dated 22nd May 2022). At the time of writing this report, the construction work was on-going. The approved plan indicates that there are no side windows that would be facing the application site. The proposed bedroom windows on the south elevation would also be located approximately 22.5 metres from its boundary. Due to the siting of the proposed building, the distance between the proposed window to its boundary and relationship with the neighbouring properties, it is considered that the proposal would not have an adverse impact on the neighbouring residential amenities in terms of loss of sunlight, daylight, outlook or increased sense of enclosure.

- Houses on Charterhouse Road

- 6.4.4 An objection is raised from 199 Charterhouse Road due to loss of privacy. The proposed bedroom windows on the rear and side elevations

facing the houses on Charterhouse Road would be located approximately 24 metres away. The proposed landing windows on the rear elevation would be facing the neighbouring houses and close to its rear boundary. The applicant has confirmed that the landing window would be obscured glazed, and this would be secured by a planning condition.

6.4.5 It is noted that the proposal would introduce new windows and a new building that did not previously exist. Due to the siting of the proposed building, the distance between the proposed window to its boundary and relationship with the neighbouring properties, it is considered that the proposal would not have an adverse impact on the neighbouring residential amenities in terms of loss of sunlight, daylight, outlook and neighbouring increase sense of enclosure.

6.4.6 Furthermore, there are existing trees in the residential gardens which provide a degree of screening. It is considered that the impact on residential amenities would not be harmful.

6.5 Transport and Highways – Acceptable

- Access

6.5.1 BLP Policy 32 states the Council will consider the potential impact of any development on road safety and will ensure that it is not significantly adversely affected.

6.5.2 The proposed car park would be located opposite to the proposed building. The access to these parking spaces would be via Court Road. Two staff and visitor's off-street parking spaces would be located adjacent to the side/north of the building. The proposal is supported by a Stage 1 Road Safety Audit. The Council highways division have reviewed the proposal and raised no objection to the proposed access to the parking spaces and the car park layout. As such, it is considered that the proposed access arrangement would be acceptable.

- Parking standard

6.5.3 The London Plan states car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. London Plan Policy T1 states that 80 percent of all trips in London should be made by foot, cycle or public transport by 2041. The London Plan seeks to encourage more sustainable travel, enabling car free lifestyles that allow an efficient use of land and improve well-being by encouraging cycling and walking.

6.5.4 London Plan Policy T6.5 states disabled persons parking should be provided in accordance with the levels set out in Table 10.6, ensuring

that all non-residential elements should as the proximity and connectivity to public transport.

6.5.5 The proposal would provide a 72 bed care home of residential, dementia and nursing care and the proposed use would fall under use class order class C2. The proposal would create 22 full time equivalent jobs and staff would be expected to be attending the site on a shift pattern. The parking spaces would be provided for staff and visitors only as the residents of the care home are not expected to be able to drive or own a car.

6.5.6 The site has a PTAL rating of 1b. there are no specific parking standards for care home development in London Plan. A total of 34 parking spaces including 2 disabled parking spaces would be provided for the proposed 72 bed care home at a ratio of 0.47 per bed space. The applicant has advised that the spaces would be provided for staff and visitors only, including dedicated ambulance, delivery and disabled spaces. The residents of the care home will not drive or own cars due to the nature of their care needs.

6.5.7 A transport statement including the estimated car parking accumulation using the TRICS data have been submitted which indicates that the level of parking provision would be adequate. The Council's highways division have reviewed the submitted details and no objection is raised to the proposal. However, the surfacing material for the car park, waste collection details, car park management plan, travel plan and Stage 2 and Stage 3 Road Safety Audit should be secured by planning conditions.

- Disabled parking space and Electric Vehicle charging point

6.5.8 London Plan Policy T6.5 requires disabled persons parking bays be located on firm and level ground, as close as possible to the building entrance or facility they are associated with. Designated bays should be marked up as disabled persons parking bays from the outset. Designated disabled persons parking bays and enlarged bays should be designed in accordance with the design guidance provided in BS8300: Vol 1.

6.5.9 There are no requirements for the provision of disabled space or electric vehicle charge points for care home development. Among the 34 parking spaces, 2 disabled parking spaces would be provided. An additional ambulance space would also be provided.

6.5.10 A total of 14 active electric charging points would be provided, and these details will be secured by planning conditions.

- Cycle parking

6.5.11 London plan Policy T5 states proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Appropriate levels of cycle parking should be secured and designed in line with the London Cycling design standards. Table 10.2 of the London Plan sets the minimum long stay and short stay cycle storage requirement for new development.

6.5.12 A total of 63 jobs would be provided. The proposal is required to provide a minimum of 16 cycle storage spaces. A total of 10 cycle storage spaces is proposed and the shortfall could be provided within the site by way of a suitable planning condition on any approval.

- Deliveries and Servicing

6.5.13 A servicing and delivery plan including a tracking plan for large vehicles has been submitted in support of the application. The plan indicates the following: -

- deliveries and services by HGVs and smaller vans can be accommodated satisfactorily at the site in the Court Road service road next to the path to the building services entrance;
- service vehicles can enter and leave the site in a forward gear as confirmed by swept path analysis;
- there are satisfactory routes through the local area to accommodate service vehicles arriving from all directions;
- deliveries to the care home will be coordinated as far as possible to minimise the number of service vehicles on site at any one time and target a maximum of one vehicle;
- deliveries will be consolidated where feasible and practicable to minimise the number of deliveries required by the kitchen supplier as well as those by other local specialist suppliers;
- refuse and recycling bins are provided on site and vehicles can enter and leave the site in a forward gear as confirmed by swept path analysis;
- there are satisfactory routes available through the local area to accommodate refuse vehicles arriving to the site from the north or south direction;
- The care home operator will continue to seek improvements to ordering and scheduling procedures to maximise efficiency and minimise the number of deliveries required and number of service vehicles on the local road network.

6.5.14 The applicant has confirmed the waste and any clinical waste generated from the site would be privately collected. The Council highway officers have reviewed the servicing and delivery plan and construction management plan, it is considered that the full details of any private waste and clinical waste collection arrangement should be provided and confirmed at the appropriate stage of the development. Should planning permission be forthcoming, the following conditions would be attached:

- a) Construction management plan
- b) Travel plan
- c) Car park management plan
- d) Cycle storage
- e) Servicing and delivery
- f) Cross over (new and reinstate the redundant)
- g) Stage 2 and Stage 3 Road Safety Audit
- h) Waste storage and management plan

- Construction impacts - Acceptable

6.5.15 The application was accompanied by a construction management plan and is considered acceptable at planning application stage. An updated plan should be submitted upon the appointment of a construction company and contact details be included. This would be secured by a planning condition.

6.6 Energy and Sustainability – Acceptable

6.6.1 Paragraph 153 of the NPPF states that in determining planning applications, LPAs should expect new developments to comply with policies and requirements for decentralised energy supply unless this is demonstrated to be unfeasible or unviable.

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

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

6.6.3 London Plan requires a net zero-carbon target for all new major developments with at least a 35% on-site reduction beyond Part L 2013 of the Building Regulations. Under the Be Lean measures, residential development should achieve 10 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero carbon target cannot be fully achieved on site, any short fall should be provided in agreement with the borough, either:

- 1) Through a cash in lieu contribution to the borough's carbon offset fund or
- 2) Off-site provided that an alternative proposal is identified, and delivery is certain.

- 6.6.4 An updated Energy Statement following the GLA's energy hierarchy has been received. Under the "Be Lean" category, a range of passive design features would be employed to reduce the heat loss and demand for energy. The measures include building fabric performance and insulation, mechanical and natural ventilation through openable windows are proposed to reduce the carbon emission of the proposed development. These measures would meet the minimum 10 percent for the non-domestic requirement as outlined in the GLA energy guidance and this is considered acceptable.
- 6.6.5 As there is no district network in the area, it is not possible to achieve any carbon reduction under the "Be Clean" category at the present time and no carbon reduction can be awarded under this category.
- 6.6.6 Under "Be Green" category, a range of on-site renewable energy technologies have been considered. Ground source heat pump (GSHP) and solar panel (108 x 400w) were initially proposed and discussed. However, details of the soil conditions would be required to confirm this proposed measure would be feasible at planning application stage.
- 6.6.7 Following discussions with the applicant, a revised energy assessment proposing air source heat pump (ASHP) and solar panel (108 x 400 w) is proposed. This proposal measures would achieve a 64.14 percent (139,521 tonnes) onsite carbon saving against Part L 2013 of the Building Regulations Compliant Development. These proposed measures would result in a shortfall of 37.86 percent (78 tonnes) carbon reduction and a planning contribution of £222, 317 should be secured by a legal agreement. The breakdown under option 1 is:
- On site regulated carbon dioxide emissions (Building Regs 2013 Compliant Development) = 179, 816 tCO₂ per annum
 - Proposed on site reduction of carbon emissions from renewables = 139, 521 tCO₂ per annum
 - On site shortfall = 78 tCO₂ per annum
 - Payment-in-lieu amount calculated as 78 (tCO₂) x £95 (per tCO₂) x 30 (years) = £222,317.
- 6.6.8 Overall, it is considered that the proposal would comply with the policy requirement, subject to the completion of s106 legal agreement and condition.

6.7 Biodiversity and Green Infrastructure (Protected species, biodiversity net gain, urban greening factor and trees)

a) Protected species

- 6.7.1 BLP Policy 72 states planning permission will not be granted for development that will have an adverse effect on protected species, unless mitigation measures can be secured to facilitate survival, reduce disturbance, or provide alternative habitats. London Plan Policy G6 states

that development proposals should manage impacts on biodiversity and aim to secured net biodiversity gain.

- 6.7.2 An updated preliminary ecological assessment was received, and this assessment considers the likely impact upon protective species including bats. The site has no specific GiGL records of protected species or habitat. As such, the application site is not considered to be of high ecological or biodiversity value. There is no protected species were granted a European licence within 1,000m from the site. There is no SSSI, ancient semi-natural woodland, or priority habitat near to the site. There are also no river or water features within or near to the application site.

- Bats

- 6.7.3 The site including the internal and external condition of the existing buildings have been surveyed on the 1st of April 2022 by a qualified ecologist. The condition of the site and buildings indicate that there were no signs of bats within the site. No droppings were found. There were no features within the site considered to be suitable to support roosting bats. The site is covered by hardstanding and the conditions of the existing buildings have no signs to support bat roosting. As such, no further survey works would be required.

- Other protected species

- 6.7.4 There are no identified water bodies within or near to the site. The report also indicates that there are no other protected species recorded within the site and there was no sign of protected species on site during the site survey.

b) Biodiversity Net gain

- 6.7.5 Paragraph 8.6.6 of the London Plan (Policy G6) states that biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. This means that where biodiversity is lost as a result of a development, the compensation provided should be of an overall greater biodiversity value than that which is lost. Defra have published a biodiversity matrix 3.1. This metric is a habitat-based approach used to assess an area's value to wildlife. The metric uses habitat features to calculate a biodiversity value.

- 6.7.6 An updated biodiversity impact assessment including the DEFRA biodiversity matrix has been received which indicates that new habitat under modified grassland, urban trees and a green roof would be created as a result of this development. The post development would be 3 habitat units achieving a net gain and this would not be contrary to the policy's objective.

c) Urban Greening factor

- 6.7.7 London Plan Policy G5 states major development should contribute to the greening of London including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping, green roofs, green walls and sustainable drainage. The London Plan recommends a target score of 0.4 for developments that are predominantly residential and a score of 0.3 for predominately commercial development (excluding B2 and B8 Uses).
- 6.7.8 The proposal would achieve an urban greening factor of 0.4 which would accord with the recommended score as specified in the London Plan. The proposed would incorporate substantive planting with new communal landscaped gardens. The proposal would also incorporate a green roof measuring approximately 185sq.m. New trees including species with a large canopy would be planted in the communal gardens. Overall, it is considered that the design, layout and allocation of gardens spaces are well designed. The proposal would contribute to the green infrastructure of the site and would not be contrary to the objective of the London Plan Policy G6. A condition requiring the submission and approval of the detailed landscaping design is recommended.

d) Trees

- 6.7.9 Trees play an important role within the urban environment. London Plan Policy G7 states development proposals should ensure that wherever possible, existing trees of value are retained. BLP Policy 73 states that new development will be required to take particular account of existing trees on the site and on adjoining land, which are in the interest of visual amenity and/or wildlife habitat.
- 6.7.10 An arboricultural report is submitted which confirmed there are five category B (medium value) and Category C (low value) trees located adjacent to the application site and there are no trees located within the application site. The arboricultural report indicates that there are no trees required to be removed as a result of the proposed development. The Council Tree Officer has considered the report and has raised no objection to the proposed development. A planning condition requiring details of a tree protection plan is recommended.

6.8 Drainage and Flood Risk - Acceptable

- 6.8.1 The NPPF states that major development should incorporate sustainable drainage systems which should take account of advice from the lead flood authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits. London Plan Policy SI-13 and BLP Policy 116 states development

proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible where should also be a preference for green over grey features, in line with the drainage hierarchy in policy SI 13 of the London Plan.

6.8.2 The application is accompanied by a surface and foul water drainage strategy (prepared by SLR Ltd Dated September 2022). A flood risk and drainage strategy report is submitted which indicates that the site is located within Flood Zone 1 where the probability of river or sea flooding is less than 0.1% (1 in 1000) chance in any given year as defined by the Environment Agency.

6.8.3 The proposed surface water drainage strategy has been designed in line with the Environment Agency Climate Change Guidance to consider and manage the impact of a 1 in 100 year plus 40% climate change rainfall.

6.8.4 The proposed drainage strategy would also incorporate the following measures which demonstrates that the discharge rates of the site will be reduced to mimic the existing green field run-off rate for all storm events. The proposed measures include:

- Attenuation cellular storage tank measures 116.5 cubic metres;
- Green roof 670sq.m; and,
- Permeable paving.

6.8.5 Foul water network generated from the site would be discharged via the existing foul water network. The Council's drainage officer and Thames Water have raised no objection to the proposal and have recommended conditions for the details of the drainage strategy to be submitted and in line with the Surface & Foul Water Drainage Strategy. The applicant is reminded that any disposal of surface water into a Thames Water drain would not be acceptable without written approval from Thames Water. Subject to the conditions and informatives, it is considered that the proposal would be acceptable with regards to the surface water run-off and drainage.

6.9 Environmental Health (Air quality, Contamination and Noise) - Acceptable

a) Air Quality

6.9.1 Policy 120 of the Local Plan states that developments which are likely to have an impact on air quality or which are located in an area which will expose future occupiers to pollutant concentrations above air quality objective levels will be required to submit an Air Quality Assessment. Developments should aim to meet "air quality neutral" benchmarks in the GLA's Air Quality Neutral report.

- Operational Phase

6.9.2 The site lies within the extended Air Quality Management Area (AQMA) and an air quality assessment including an updated air quality neutral assessment and updated construction management plan has been submitted. The Air quality neutral assessment has included the modelling details of transport related emissions. This is based on the existing and proposed use. The assessment indicates the annual number of trips of this proposed development is less than the existing uses. As such no further mitigation measures will be required as a result of this development.

- Construction Phase

6.9.3 The Council's Environmental Health officer has requested the dust mitigation strategy should be included in the Construction Management Plan (CEMP) and in line with the provided air quality assessment. A revised construction management plan has been provided and no objection is raised by the Council's Environmental Health officer at planning application stage. Should planning permission be recommended, a planning condition requiring an updated construction management plan incorporating the Council's Control of Pollution and Noise from Demolition and Construction Site Code of Practice 2017 should be imposed. An informative advising the works to comply with the Local Good Practice Guide: Noise and Vibration Control for Demolition and Construction CIEH guidance would also be attached

b) Land contamination

6.9.4 In accordance with policy 118 of the BLP when new development of contaminated land, or land suspected of being contaminated is proposed, details of site investigation and remedial action should be submitted. A phase 1 and 2 site investigations report, including the proposed remediation strategy have been reviewed and no objection is raised by the Council's Environmental Health. The proposed remediation works as outlined in the submitted report (Report No. CCL03505.CQ67) shall be secured by planning condition. Should there be any works where contamination is encountered which has not previously been identified, additional contamination shall be fully assessed and an appropriate remediation scheme and closure report upon completion submitted to the Authority for approval.

c) Noise

6.9.5 London Plan Policy D13 'agent of change principle' places the responsibility for mitigating impacts from existing noise and other nuisance- generating activities or uses on the proposed new noise-sensitive development. Development should be designed to ensure the established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.

- Operational phase

6.9.6 The servicing and delivery hours shall be between the hours of 7 am and 8 pm on Mondays to Fridays, 8 am and 1 pm on Saturdays only. This would be secured by a planning condition.

6.9.7 The proposed floor plan indicates that seven bedrooms would be located on the ground floor. The noise impact assessment indicates that the front bedroom windows facing court road could exceed the internal noise limits without the provision of an alternative means of ventilation other than opening windows. The site is located in an urban area with a front building line in line with the adjoining residential properties at No. 302 and No. 302A Court Road. The noise report has been received by the Council's Environmental Division and it is considered that an appropriate alternative ventilation strategy achieving a higher noise reduction including consideration of overheating can be employed to mitigate this exceedance. Should planning permission be forthcoming, an alternative ventilation strategy including overheating implications and any fixed plant and noise levels should be secured by planning conditions.

- Construction phase

6.9.8 A planning condition to limit the size and noise of construction vehicles should also be attached as follows : All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

6.10 Planning obligations and CIL

6.10.1 The London Borough of Bromley Community Infrastructure Levy (CIL) proposals were approved for adoption by the Council on 19 April 2021, with a date of effect on all relevant planning permissions determined on and after 15 June 2021. The Mayor of London's CIL is also a material consideration. The application is liable to both Mayoral and Local CIL

6.10.2 BLP Policy 125 and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

6.10.3 Officers have identified a number of planning obligations which are considered necessary to mitigate the impacts of this development, the reasons for which have been set out in this report. The following planning obligations will need to be secured as part of an S106 legal agreement.

- Health: £ 87,482
- Carbon offset: £ 222, 317
- Be Seen measures
- Planning obligation monitoring: £1,000 (500 per head of terms)
- Cost of legal undertaking.

6.10.4 Officers consider that these obligations meet the statutory tests set out in Government guidance, i.e. they are necessary, directly related to the development and are fairly and reasonably related in scale and kind to the development.

7. CONCLUSION AND PLANNING BALANCE

7.1 The proposed development to provide a 72-bed residential, nursing and dementia care home (Class C2) to meet the growing population and ageing population in the Borough is supported.

7.2 The proposal would also contribute to the Council's 5-year housing supply and substantial weight should be afforded in considering the merits of this proposal.

7.3 The site is surrounded by a mixture of two and three storey buildings with residential and commercial uses. The design of the proposal has taken into account the established urban grain, pattern of development and relationship with its surrounding area. without causing an adverse impact on the neighbouring properties. The proposal is supported by a detailed and fully landscaped plan and would positively improve the built and natural environments when compared with the existing conditions of this site.

7.4 Whilst the proposal would result in the loss of a car showroom, car hire and garage at this location, the proposal would introduce an alternative type of employment at this site providing 63 jobs and would not be in conflict with the Development Plan. The applicant has advised that the changes in business operation means the condition of this car showroom site would no longer be commercially astute at this site. The applicant is in the process of relocating the business in a more suitable premises within the same catchment area and it is intended to transfer all current jobs to the new site.

7.5 A total of 34 parking spaces would be provided for staff and visitors. A car park management plan to manage the parking demand would be secured by a planning condition. The development is considered

acceptable from a sustainability, air quality and environmental perspective.

- 7.6 This planning application has been processed and assessed with due regard to the Public Sector Equality Duty and when considering the public sector equality duty, no protected groups would be disadvantaged by these proposals.
- 7.7 Accordingly, the application is recommended for permission, subject to conditions and the prior completion of a S106 legal agreement.

**RECOMMENDATION PERMISSION SUBJECT TO S106 LEGAL
AGREEMENT**

SUMMARY OF CONDITIONS AND INFORMATIVES

Compliance

- Time limit of 3 years
- Compliance with approved drawings
- All Non-Road Mobile Machinery (NRMM)
- Obscure glazed landing window

Pre- commencement

- Construction management plan and logistic plan
- Tree Protection plan
- Surface water network upgrade confirmation
- Ground water protection strategy

Above ground level

- Road Safety Audit 2
- Air quality assessment
- Land contamination
- Noise assessment including any fixed plant and ventilation strategy
- Drainage strategy
- Secured by design
- Energy assessment
- External Materials / samples
- EVCP

Pre-occupation

- Car park management plan
- Cycle parking
- Waste storage management plan (private collection)
- Road Safety Audit 3
- Travel Plan
- Serving and Delivery plan
- Landscaping plan and management plan
- External lighting
- Biodiversity enhancement, swift brick and bird boxes
- Updated energy assessment
- And delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary

INFORMATIVE

- Secured by Design
- Fire Safety
- Thames Water various
- CIL
- Construction and pollution guidance