

<b>Committee Date</b>	5 <sup>th</sup> October 2023	
<b>Address</b>	<b>Car Park Station Road Bromley</b>	
<b>Application number</b>	<b>23/01547/FULL1</b>	<b>Officer: Jessica Lai</b>
<b>Ward</b>	Bromley Town	
<b>Proposal (Summary)</b>	Demolition of a garage and associated buildings including a substation at No. 2 Station Road, redevelopment of the Bromley North Station Road car park to provide 75 residential units with 261sq.m(GIA) commercial floor space (Use Class Order Class E), provision of disabled parking spaces with electric vehicle charging points, cycle parking, a landscaped outdoor space and associated works.	
<b>Applicant</b>	<b>Agent</b>	
Ms Alicia Munday London Borough of Bromley Civic Centre Stockwell Close Bromley BR1 3UH	Miss Elena Butterworth AECOM	
<b>Reason for referral to committee</b>	Council's application and development over 21 residential units	<b>Councillor call in</b>  No

<b>RECOMMENDATION</b>	<b>PERMISSION SUBJECT TO LEGAL AGREEMENT</b>
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<b>Bromley Town Centre Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control Area of Open Space Deficiency</b>
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<b>Existing and proposed use and floor area (approximate)</b>			
<b>Use</b>	<b>Existing</b>	<b>Proposed</b>	<b>Difference (+ or -)</b>
Residential	N/A	6, 506sq.m	+ 6, 506sq.m
Non-residential	286	261s.qm	-25s.qm
<b>TOTAL</b>	286	6,751sq.m	N/A

<b>Electric Vehicle charging point</b>	2 active
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<b>Vehicle parking</b>	<b>Existing number of spaces</b>	<b>Total proposed including spaces retained</b>	<b>Difference in spaces (+ or -)</b>
Standard car spaces	80	0	-80
Disabled car spaces	2	3	+1
Motor cycle bay	1	0	-1
Cycle	0	139	+139

<b>Representation summary</b>	Neighbour letters were sent on 2 <sup>nd</sup> May 2023. Site notice was placed by the applicant on 9 <sup>th</sup> May 2023. The application was also advertised in the press in the News Shopper on the 10 <sup>th</sup> May 2023.
Total number of responses	37
Number of comment	1
Number of objections	36

<b>Heads of Terms for Legal Agreement</b>	<b>Amount</b>	<b>Agreed in Principle</b>
Carbon offset	£ 6, 613	Yes
Affordable housing	19 Social Rent 19 London Living Rent	Yes
Early Stage review mechanism	N/A	Yes
Affordable Wheelchair units (M4(3)(2)(b) and SELHP standards	4 affordable and 4 private	Yes
Child play	£14, 400	Yes
Loss of 3 on-street parking spaces	£11, 550	Yes
Street tree	TBC	TBC
Two year car club membership	N/A	Yes
Amendment of Traffic Order	N/A	Yes

Removal of rights to apply for residential parking permit	N/A	Yes
Obligation monitoring fee	£500 per Head of Term	TBC
Cost of Legal undertaking	TBC	TBC
<b>Total</b>	<b>£32, 563 (exclude street tree contribution to be confirmed, monitoring and legal fee)</b>	

## SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The redevelopment of this car park site to provide housing and commercial floor spaces would comply with the Site 2 Policy requirements of the Local Plan and the emerging draft Bromley Town Centre SPD. The site forms appropriate 9 percent of overall site area of Site 2.
- A Town Centre survey report indicates that there is a surplus provision of parking spaces and the capacity to meet the demand of park can be met across the Council's own car parks in the Town Centre. The proposal would result in loss of a garage and storage spaces. New commercial floor spaces would be created providing new employment opportunities.
- The proposal would provide 75 new residential units including 38 residential affordable housing, of which 19 units would be social rent and 19 units London Living Rent units. The proposal would positively contribute to the Council's Housing Supply and significant weight should be afforded to this. Three disabled parking spaces would be provided from the outset and is above the car free policy requirements from the outset. A total of 9 new trees would be provided to replace those removed. An on-site child play area and neighbourhood square would be provided.
- The proposal would make a positive contribution to the setting and has an appropriate relationship with the surrounding context. The main entrances to the buildings would be facing Station Road which follows the established pattern of development along the road. The scale of the proposal is compatible to the residential development on Tweedy Road, Sherman Road and Northside Road.
- The layout of the proposal would meet the relevant space standards and would provide private amenity space. The impact of the proposal is not considered to be significant to the neighbouring properties in terms of outlook, privacy, sunlight, and daylight.
- Subject to the planning conditions and required planning obligation to be secured by a legal agreement, it is considered that the proposal is

acceptable. 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 measures approximately 2,829sq.m (0.28 ha) in area and is located on the eastern side of Station Road, Bromley. The site comprises of a Council's own car park (Station Road car park) with 83 parking spaces, including 2 disabled parking spaces and a motor cycle space, an electricity substation, a garage and a storage building. There is currently a temporary car wash facility in the car park which does not have the benefit of any planning permission but an application for retrospective permission is currently awaiting determination (see planning history, below)

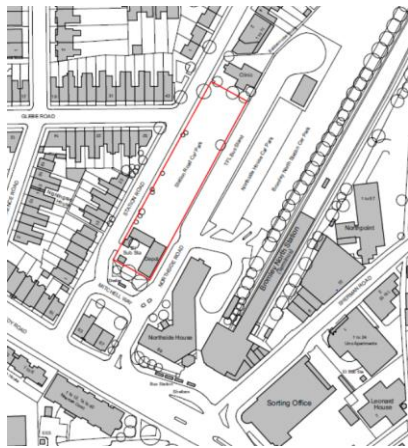


Image 1: Site location plan



Image 2: Bromley Local Plan Site 2 boundary

- 1.2 The site forms a part of an allocated site (Site 2 - Land adjacent to Bromley North Station) in the Bromley Local Plan for mixed use redevelopment. To the north of the site is a detached building, formerly occupied as a clinic. The ground floor is currently occupied by a charitable organisation -Bromley Mencap. To the east of the site is a Transport for London Bus Stand which can operate 24 hours a day and 7 days per week. A private open area car park associated to Northside House and a publicly accessible car park associated to Bromley North Railway Station are both located to the east of TfL bus stand. To the west of the site are residential houses on Station Road.
- 1.3 The site forms part of the designated Metropolitan Town Centre in the London Plan. Bromley Town Centre is designated as an Opportunity Area in the London Plan. Part of the site is designated as the Bromley Business Improvement Area in the Bromley Local Plan.
- 1.4 The site is located outside of Bromley Town Centre Conservation Area and not located within an archaeological interest area. Bromley North

Railway Station, to the east/south-east, is a Grade II Statutory Listed Building. There are no trees protected under Tree Preservation Order located within or adjacent to the site.

- 1.5 The site is located in Flood Zone 1 and is subjected to a very low risk of surface water flooding, as defined by the Environment Agency. There are no river or water bodies within or near to the site. There are no trees within or adjacent to the site subject to any tree preservation orders.
- 1.6 The public transport accessibility of the site is rated as 6a on a scale between 0 to 6b where 6b is the most accessible.

## 2. PROPOSAL

- 2.1 Full planning permission is sought for the redevelopment of the Bromley North Station Road car park, demolition of the existing garage, storage building and erection of two residential buildings to provide 75 residential units with 261sq.m(GIA) commercial floor space (Use Class Order Class E). The existing public car park would be removed.
- 2.2 The proposed buildings would be six storeys in height. A private car park with 3 disabled parking spaces would be provided from the outset. Should there be any further demand arising by the proposed development in the future, four additional disabled parking spaces can be provided within the proposed car park.
- 2.3. The proposal would provide 38 affordable units in Block 1 and 37 private units in Block 2. Two wheelchair units would be provided in Block 1 and a further two wheelchair units would be provided in Block 2. The proposed housing mix, size and tenure are as follows:

<b>Tenure and size by unit (Habitable room)</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>Total</b>
Social rent	8 (16)	6 (18)	5 (20)	19 (54)
London living rent	9 (18)	5 (15)	5 (20)	19 (53)
Market	18 (36)	17 (51)	2 (8)	37 (95)
<b>Total By Unit (Total By Habitable Room)</b>	<b>35 (70)</b>	<b>28 (84)</b>	<b>12 (48)</b>	<b>75 (202)</b>

- Commercial floor spaces (Use Class Order Class E) would be provided in each building block, totalling 261sq.m.
- On-site child play and a neighbourhood square would be created between the proposed buildings. This outdoor area would be fully landscaped.
- A total of 13 streets including a street tree of moderate to poor qualities would be removed and replaced by 9 replacement trees.
- A total of 135 long-stay cycle parking spaces, including spaces for larger bicycles would be provided and located within the building. A further two

Sheffield stands providing 4 short-stay spaces would be provided next to the proposed building.

- External finishes of the building would be mainly made of red colour multiple facing and light buff brick. The balconies would be made of aluminium and powder coated grey in colour.
- The existing low boundary walls located to the rear of the site would be retained.

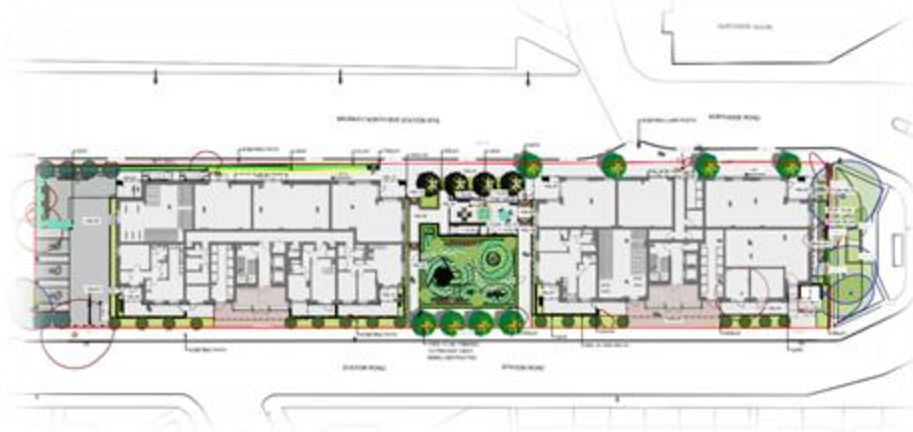


Image 3: Proposed landscaping layout



Image 4 Proposed West Elevation Plan



Image 5: Materiality and section plan

### 3. RELEVANT PLANNING HISTORY

- Bromley North Station Road car park

#### 3.1 Ref: 22/03224/FULL2 - pending

Full planning permission for a temporary change of use of 12 car parking spaces to a car wash including a container for storage and staff office. This application remains under consideration (ref: 22/03224/FULL2).

#### 3.2 Ref: 15/03266/DEMCON - granted on 8<sup>th</sup> March 2016

Prior notification for the demolition of boundary wall and fence between Northside Road and the bus park was approved on the 8<sup>th</sup> March 2016

#### 3.3 Ref: 13/04224/DEMCON and 12/03836/DEMCON – granted on 29<sup>th</sup> April 2014 and 18<sup>th</sup> January 2013

Prior notification for the demolition of disused public toilets and boundary wall and associated works

Other recent planning applications within the wider allocated Site 2:

- 10A Sherman Road

#### 3.4 Ref:18/00399/OUT- refused and planning appeal dismissed 23<sup>rd</sup> July 2019

Proposed outline application for the demolition of 10A Sherman Road and redevelopment with a mixed-use, 10-storey, scheme comprising 6no. one bed, 3no. two bed flats and B1 commercial space.

- Bromley North Railway Station

#### 3.5 Ref: 10/02463/EIA – EIA not required 31<sup>st</sup> August 2010

Redevelopment of Bromley North Station, 6-10 Sherman Road, 63-67 Tweedy Road, car parks/bus terminal and car repair workshops (in Station Road), comprising retention of existing station booking hall building from retail/food and drink uses, new station booking hall building, replacement bus terminal, 500 dwellings with 650 car parking spaces including replacement 200 space station car park, 3000sqm retail/ commercial/community uses, with public square and pedestrian routes, in buildings between 5 and 13 storeys high (request for formal scoping opinion regarding the information to be provided in the Environmental Statement (under Regulation 10 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

- No.63 Tweedy Road

3.6 Ref: 13/01141/FUL22 – granted on 26<sup>th</sup> July 2013

Change of use from offices (Use Class B1) to foreign language school (Use Class D1)

#### **4. CONSULTATION SUMMARY**

##### **a) Statutory**

##### **4.1 Highway – No objection**

###### **- Access**

The two existing dropped kerbs will be removed and replaced by a new vehicular access to the car park. Two loading bays would also be provided. A total of 3 on-street parking spaces would be removed to accommodate these proposed changes. A planning obligation of £11,550 should be secured by a legal agreement to address the loss of on-street parking revenue.

###### **- Parking standard**

The proposal will be car free with the exception of the blue badge parking spaces. Three blue badge spaces will be provided, and four further off-street disabled parking spaces can be provided within the car park, should there be demand associated to the proposed development. The level of provision would comply with the London Plan policy requirements and is acceptable.

###### **- Cycle parking standard**

The proposed level of cycle parking would meet the London Plan policy requirements. A total of 70 spaces and 65 spaces would be provided in Block 1 and Block 2. Two further Sheffield stands would also be provided.

###### **- Trip generations**

The trip generation modelling indicates that the proposal would generate 8 two-way car driver trips in the morning period hour and 6 two-way car driver trips in the afternoon peak hour. The modelling is reflective of the maximum of blue badge provisions at 7 spaces. The cycle and pedestrian modelling details are also provided. The proposal is not expected to result in significant impacts on the highway or public transport network, particularly when compared with the existing uses.

###### **- Loss of car park**



A town centre parking study which reviews the occupation of the existing parking provision in Bromley Town Centre has been submitted. This report indicates that the maximum level of Station Road car park before covid was approximately 90 percent. The submitted report demonstrates that the loss of parking spaces can be accommodated within the other Town Centre car park.

- Waste storage

No objection to the location and access to the proposed bin storage area for each residential block. With regards to the number, size and type of the waste and recycling bins, the following should be provided for each block, and these should be secured by a planning condition.

- 6 x 1100 litre bin non-recycle;
- 2 x 1100 litre bins for bottle;
- 2 x 1100 litre bin for paper; and,
- 1 x 140 litre food waste wheeled bin.

Should planning permission be forthcoming, the following details should be secured by planning conditions:

- Construction management, servicing and delivery plan
- Disabled parking space and management plan
- Refuse storage provision
- Cycle parking
- Lighting scheme
- Highway drainage

The provision of 2 years car club members and any required traffic works including amendment of traffic orders should be secured via a legal agreement. The applicant shall be reminded the cost for any changes to street furniture or statutory undertaker's apparatus associated to this development including drop kerb shall be met by the applicant.

Should planning permission be forthcoming, a servicing and delivery plan, and a construction management plan in line with the Council's Construction Council Code of Practice, London Construction logistics plan Guidance and London Construction Logistics and Community Safety documents should be secured by a planning condition.

#### 4.2 **Drainage (Lead Local Flood Authority) – No objection**

Should planning permission be forthcoming, the detailed design measures as outlined in the submitted Surface Water and Foul Drainage Assessment report prepared by AECOM projection no. 60670531 dated 31/09/22 shall be submitted and approved by the Council, prior to commenced of any work.

### 4.3 Transport for London (TfL) – Comment

The TfL bus stand is owned by Network Rail. TfL has a long lease with Network Rail with no lift and shift provision. The bus stand operates 21 hours a day with a short non-operation window at night. This window could become zero if used by 24 hours bus routes in the future. The impact on current and future TfL bus operations is our primary concern due to its proximity. London Plan policy D13 Agent of changes policies applies. There is a low wall /crash barrier between the site and the bus stand. Any replacement fence should be suitable and in consultation with the TfL to avoid any potential accidents.

A bus stop clearway marking is required at the bus stand, and this should be secured by a legal agreement. A delivery and serving plan should be secured by condition/legal agreement.

TfL would expect no encroachment into the bus stand during construction period, A licence will be required for any uses of bus stand for construction purpose. A crash decking preventing any building materials falling into the bus stand should be used. An oversail license from TfL may be required. A construction management plan, in consultation with TfL will be required and should be secured by planning condition.

There are a number of noise sensitive windows facing the bus stand. The noise survey should cover the evening and night time hours to demonstrate the internal noise level would not exceed the predicted 45 dB in line with BS 4142 assessment. A high balcony screen is recommended to mitigate noise received from the balconies. The future occupants should be informed about the operational activities of the TfL bus stand and the mechanical ventilation system should be used as opposed to open windows. This should be secured in a legal agreement to notify all leaseholder.

A post completion and pre-occupation noise survey covering both internal and external noise would be beneficial to demonstrate the mitigation measures can be delivered. The future occupiers should be notified regarding noise and operational impact of the bus stand.

There is a risk of complaints regarding air quality from the operation of hybrid buses. TfL has a programme to roll out electric vehicles, which are quieter, there are more suited to shorter routes in less hilly areas. The timing of its roll out depends on funding.

TfL would suggest the applicant pays into a fund to compensate TfL for any loss arising from resident complaints. Your Environmental Health colleagues' assessment as to when and how they would react to complaints would assist us all in understanding the risks involved to efficient bus operations and indeed, based upon experience elsewhere, bus operations generally without expensive mitigation at TfL's cost, or

reduced operations compared with now and the potential for 24/7 operations in the future.

**N.B** The Council's Environment Health have reviewed the TfL comment above. The submitted noise assessment has assessed a Friday morning and applies the levels to night time assessment criteria as a worse-case scenario. This is a robust assessment unless TfL are of the opinion the noise levels at this time wouldn't be representative. I would also add that there could be a doubling in vehicle activities from what has been assessed, and the proposed mitigation would still be adequate which would suggest that the future expansion of the facility, and uncertain in the assessment process is effectively accounted for in the submitted assessment. With regards to the external amenity/balconies, the standard and assessment method used in the submitted report is acceptable for the proposed uses. The suggestion for a post completion stage noise assessment is reasonable and practical. This should be secured by a planning condition.

The requested details of Construction management plan, boundary treatment details, requirements for oversail licence and relevant should be secured by planning condition and informative attached. A post completion noise survey will also be secured by a planning condition.

#### **b) Non-statutory**

#### **4.4 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.

#### **4.5 Environmental health – No objection**

The submitted details are considered to be acceptable at planning application stage in terms of impact on air quality, land contamination and noise. Should planning permission be recommended, the following details should be secured by planning conditions:

- Site investigation and any required remediation works details;
- A scheme of mitigation covering façade, glazing and ventilation specifications demonstrate this noise levels would not exceed 30dB LAeq (night) and 45dB LAm<sub>ax</sub> (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided;
- A noise assessment to confirm the residential units on the upper floors are protected from the ground floor commercial premises;
- An acoustic assessment covering all proposed noise-generating fixed plant in line with the methodology of BS 4142:2014+A1:2019.

- Details of any commercial kitchen extract systems be installed;
- Energy strategy confirming the equipment used to supply heat would meet the Building Emission Benchmark and can be considered as air quality neutral;
- Construction and Environmental Management Plan in accordance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice;
- Non-Road Mobile Machinery (NRMM) to 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).

#### 4.6 Historic England (Listed Building) - Comment

No advice can be offered in this case and advice should be sought from the Council's heritage advisors. It is not necessary to consult Historic England again unless there are material changes to the proposal.

#### 4.7 Thames Water – No objection

- Waste Comments

With regard to surface water drainage, Thames Water have no objection if the developer follows the sequential approach to disposal surface water. Prior approve is required to discharge surface water to a public sewer. The developer is expected to demonstrate measures will be undertaken to minimise groundwater discharges into the public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. The following informative should be attached: *"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk)"* .

A 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.

Based on the information provided, Thames Water have no objection regarding to the waste water network and sewage treatment works infrastructure capacity.

- Water Comments

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). Thames water will check the development would not reduce the water capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way.

Approval from Thames Water for any use of mains water for construction purposes is required or potential fines for improper usage.

Based on the information provided, Thames Water have no objection to water network and water treatment infrastructure capacity. The following informative should be attached: *“Thames Water will 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”.*

#### **4.8 NHS South East London Integrated Care System (ICS) - comment**

The ICS have advised that a health planning obligation should be paid towards the Primary and Community Healthcare provision.

**N.B.** This is currently covered under the Bromley Local CIL.

#### **4.9 UK Power Network – no objection**

The details of foundation design around of the substation should be provided. This should include risk and method statements in line with the UK Power Network guidance - Protection of Assets from Third Party Works. Consideration should be given to the outlet ventilation louver to the rear of the substation and any damp proof course that may be required. Any cost of relocation should be made by the applicant and the applicant is reminded that a party wall notice is also required.

#### **4.10 Housing Allocation (Occupational Therapist) - comment**

The disabled parking spaces shall comply with SELHPs standard. The criteria of disabled parking spaces allocation and the responsibility for provision the additional spaces in the future when required should be set out and agreed from the outset. These details should be secured planning condition, in consultation with the Council.

#### **4.11 Network Rail - comment**

The applicant / developer should engage with Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway. The applicant may be required to enter into an Asset

Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. Information regarding to Network Rail's Asset Protection is on the website. An informative shall be attached to remind the applicant the above.

#### 4.12 **London Fire Brigade - Comment**

The proposal should achieve the recommendations outlined in ADB, Volume 1 & 2, B5 Access and Facilities will meet be prescriptively met. If there are any deviations from the guidance in ADB Volume 1 and 2: B5 Access and Facilities for the fire service in relation to water provisions, then this information needs to be provided to the Water Office ([water@london-fire.gov.uk](mailto:water@london-fire.gov.uk)) to discuss the proposed provision. The proposal should also achieve the approved document B.

LFB have enquired road width, turning circle and road humps and projections from the building and the travel distance in communal corridors. The LFB have been advised that the car park is no more than 20m long and turning area is not required. There are no speed humps proposed and the car park is accessible by emergency vehicles. The dry riser inlet for fire fighter is located at the front façade. The LFB have also been advised that the building is designed to comply with clause 7.4 of BS9991 where the travel distance within the lobby can be 15m where there is a suppression system and smoke control system installed. No further comment has been received and based on the information submitted, it is considered that the proposal would meet the policy requirements.

#### **c) Adjoining Occupiers/land owners**

4.13 Thirty six (36) letters of objection including the owners of the neighbouring land have been received and the grounds are summarised as follows:

1. Design (Addressed in Section 6.3 and 6.4)
  - Does not complement the Victorian and Edwardian building in the immediate surroundings.
  - Excessive building height
  - Two storey houses would be more in keeping. Bromley North should not be turned into another high rise Croydon.
  - Impact to conservation area
  - Design of the proposed building is not in keeping with the area
  
2. Inadequate parking (Addressed in Section 6.5)
  - Car free development is unrealistic.
  - None of the officers carried out any consultation with residents in the local area and they do not know any local issues. The suggestion

that permits would not be allocated to the future resident is not convincing.

- Increase traffic and more parking pressure on surrounding roads. One way road is already congested.

3. Housing (Addressed in Section 6.2)

- No information regarding to affordable housing

4. Loss of car park for visitor, garage storage and commercial lockers (Addressed in Section 6.1 and 6.5)

- Car park is well used in the evening and weekend by children skateboarding, learning to ride bikes.
- Closure of a 30 years garage and loss of 4 jobs
- Loss of storage

5. Impact on residential amenities (Addressed in Section 6.10)

- Loss of sunlight, outlook and privacy
- noise and disturbance from servicing and delivering vehicles for commercial units.
- Overshadowing neighbouring solar panels

6. Lack of infrastructure (Addressed in Section 6.10)

- GP, hospital, dentist, school, green parks, train and bus services, water pressure and sewage pipe
- Public transport to London is non-existent on Sunday with only a shuttle bus to Grove Park

7. Commercial floor space

- No need for more commercial floor space

8. Others

- Note more affordable housing is needed in Bromley.

4.14 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):

- Housing is needed in Bromley. This location is ideal and would encourage more development and more usage of Bromley north Station.
- Car free development is supported as current car park is mostly half full. The proposal would represent a better use of space. However, the on-street parking in the surrounding areas is at capacity.
- Resident parking permits should not be granted for the future residents.

4.15 Land owners of the wider Site 2 – Be Living - Bromley North Ltd and Network Rail Infrastructure Ltd.

Letters of objection have been received from the land owners of adjoining land (Be Living - Bromley North Ltd and Network Rail Infrastructure Ltd). This is supported by a letter from their sunlight and daylight consultant. It is considered that the proposal would prejudice the delivery of wider Site 2.. The grounds are:

- Single aspect east facing units;
- Balcony above a main living space result in reduction and further dependency of neighbouring land natural lights. There is a 10 percent difference in vertical sky components for habitable room with a balcony above.
- Main entrance facing the bus stand/ located on east elevation.
- Building too close to site boundary and rely on adjoining land for lights, more than may be considered reasonable in terms of its expectation of and access to daylight (as per BRE Report 209, Site Layout Planning for Daylight and Sunlight).
- Placing balconies directly above a main living space would further compound the dependency of the proposed scheme upon the adjacent land for natural lights.

**N.B.** Design workshops have been held between the applicant and the land ownership of the adjoining site. The last meeting was held in Feb 2023 and the massing of the Station Road scheme was shared with the adjoining owners.

- The grounds of objection have been considered by officers. Whilst there are some benefits to follow the suggested changes by the adjoining owners, it should be noted that the provision of main entrances facing the current bus stand would appear at odds, as the principal elevation of all existing buildings are facing Station Road (West facing).
- Having reviewed the proposed layout, the number of proposed units with dual aspects and its relative housing size, it is considered that the layout of the proposed buildings has been designed to optimise the potential of this site with no 2 or 3 bed single aspect unit.
- The request for planning officers to facilitate a meeting to effectively re-design the proposal is not considered appropriate at planning application stage.
- It is noted that the availability of lights for a room would be more when there is no balcony located above the relevant room. However, the use of balconies to provide private amenity space is not uncommon. There were no concerns raised regarding to the balconies on the west elevation of the proposal. Given that there are no details provided to outline how the proposal may compromise the future development of the adjoining site officers are unable to fully take into account the future development



in this instance. The current application is therefore assessed on its own merits as per any valid planning applications received by the Council.

- It is noted that the adjoining land owners had engaged with the Council regarding to their potential development. The proposal will need to take into account the draft Bromley Town Centre SPD and its guidance. Any major application referable to the GLA also requires design input from a design review panel.
- Officers are satisfied that adequate level of collaboration had been carried out by the applicant with the adjoining owners prior to the submission of this application. The objection raised by the adjoining owners are considered and set out in the assessment part of this report.

## **5. POLICIES AND GUIDANCE**

### **Planning and Compulsory Purchase Act (2004)**

- 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).

### **National Planning Policy Framework 2023 (NPPF)**

- 5.2 In accordance with Paragraph 47 of the Framework, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

### **National Planning Practice Guidance 2014 onwards (NPPG)**

- 5.3 Relevant paragraphs are referred to in the main assessment

### **5.4 National Design Guidance 2019**

### **5.5 The London Plan (March 2021)**

The relevant policies are:

Policy SD1	Opportunity areas
Policy SD6	Town Centres and high street
Policy SD7	Town centres: development principles and development plan documents
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 D6	Housing quality and standards

Policy D9	Tall buildings
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 H4	Delivering affordable housing
Policy H5	Threshold approach to application
Policy H6	Affordable housing tenure
Policy H7	Monitoring of affordable housing
Policy H10	Housing size mix
Policy S4	Play and informal recreation
Policy G5	Urban greening
Policy G6	Biodiversity and access to nature
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 T6.1	Residential parking
Policy T6.2	Office parking
Policy T6.3	Retail 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)
- Affordable Housing and Viability SPG (2017)
- Affordable Housing LPG (Draft – May 2023)
- Air quality neutral guidance (2023)
- Air quality positive guidance (2023)
- Be Seen energy monitoring guidance (2021)
- Character and Context SPG (2014)
- Energy planning Assessment guidance (2022)
- Fire Safety LPG (draft 2022)
- Housing Design Standards LPG (June 2023)
- Housing SPG (March 2016)
- Planning for Equality and Diversity in London SPG (2007)
- Play and Informal Recreation SPG (2012)
- Practice Note on contaminated land

- Shaping Neighbourhoods: Character and Context (2014)
- Sustainable Transport, Walking and Cycling LPG (2022)
- The Control of Dust and Emissions During Construction and Demolition (2014)
- Urban greening factor LPG (2023)

## 5.7 Bromley Local Plan 2019

The relevant policies are:

- Policy 1 Housing supply
- Policy 2 Provision of affordable housing
- Policy 4 Housing Design
- Policy 5 Parking of commercial vehicles
- Policy 30 Parking
- Policy 31 Relieving congestion
- Policy 32 Road safety
- Policy 33 Access for all
- Policy 37 General design of development
- Policy 38 Statutory listed buildings
- Policy 39 Locally listed buildings
- Policy 41 Development adjacent to a conservation area
- Policy 47 Tall building
- Policy 48 Skyline
- Policy 72 Protected species
- Policy 73 Development and trees
- Policy 79 Biodiversity and Access to Nature
- Policy 83 Non-designated employment land
- Policy 84 Business Improvement Area (BIAs)
- Policy 90 Bromley Town Centre Opportunity Area
- Policy 91 Proposals for Main Town Centre uses
- Policy 92 Metropolitan and Major Town Centres
- 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 121 Ventilation and Odour Control
- 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/SPDs are:

- Affordable Housing SPD (2008)
- Planning Obligations (2022)
- Draft Bromley Town Centre SPD (2023)
- Urban Design Guide SPD (2023)

## 6. ASSESSMENT

### 6.1 Land Use – Acceptable

- Loss of car park, garages and storage buildings

6.1.1 The Station Road car park site is located within Bromley Town Centre and forms part of the allocated site – Site 2 (Land adjacent to Bromley North Station) in the Bromley Local Plan. It occupies approximately 9.3 percent (0.28 ha) of the whole of Site 2. The site policy states:

*Redevelopment for mixed use including 525 residential units, 2,000sq.m of office accommodation, space for community use, 230sq.m café/retail, transport interchange and parking. Proposals will be expected to:*

- *Provide a sensitive and effect transition between the adjoining low rise residential areas and the higher density town centre.*
- *Respects and enhance the setting of the Grade II Listed Bromley North station building.*
- *Allow for the long term aspiration for improved rail connectivity to central and east London.*

6.1.2 The site currently comprises of an 83 space car park (including 2 disabled spaces and a motor cycle space), a temporary car wash, a garage and storage building. The redevelopment of this site would result in the loss of these uses and services. A car park survey is submitted which demonstrates there is a surplus parking capacity within the Council owned car parks in Bromley Town Centre. The details of this survey are outlined in the Highway section of this report.

6.1.3 The proposal would result in a loss of an existing garage business. BLP Policy 83 states Proposals for redevelopment of non-designated sites containing Class B uses for alternative employment generating uses will normally be allowed provided that the amenity of any nearby residential areas is not detrimentally affected. As part of this proposal, new commercial floor spaces would be provided and would meet the policy requirement. The nearest alternative garage is located on Sherman Road. There are also other garages located on Church Road, College Road and London Road. The applicant has also advised that the garage and the storage spaces are on short term lease (6 months rolling contract). Where requested and possible, the application side of the Council is committed to provide assistance for its relocation.

6.1.4 Given that the proposal would not result in a complete loss of services in the area, with alternative employment potential being created within the

site, it is considered that the proposal would not be contrary to BLP Policy 83.

6.1.5. The existing temporary car wash does not benefit from planning permission at the time of writing this report. The planning merits of this temporary use are currently being assessed under a separate planning application.

- Residential and commercial uses

6.1.6 The proposal would introduce new housing and commercial uses at this allocated site and would meet the Site Policy requirements, providing a transition from low rise development to higher density town centre development and respect the setting of the Grade II railway station building. The design and impact on heritage assets are set out in the relevant section of this report.

6.1.7 Site policy expects new proposals to allow for long term aspirations for improved rail connectivity. Officers note that was referenced in the dated Bromley Town Centre Area Action Plan (2010) to extend the DLR to Bromley. Transport for London, Network Rail and the Council's highway division have been consulted and have not raised any objections or concerns. Officers note that the extension of DLR has not been continued. As such, it is considered that the proposal would not be contrary to the Site Policy.

6.1.8 The site is adjoining to a bus stand which operates 24 hours a day and 7 days a week. A noise assessment including a noise survey and required mitigation measures have been submitted and reviewed by the Council's Environmental Health officers, which confirm the site is not unsuitable for the proposed uses. As such, it is considered that the introduction of housing is acceptable at this location, subject to planning conditions.

6.1.9 The proposal is designed to address the current relationship between the application site and its surrounding area. It is also designed to address the potential changes to the wider site in Site 2, should there be a formal submission in the future.

## **6.2 Housing – Acceptable**

- Housing supply and five-year housing supply position (FYHLS)

6.2.1 The current 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. Subsequent to this, an appeal decision from August 2023 (appeal ref: APP/G5180/W/23/3315293) concluded that the Council had a supply of 3,235 units or 3.38 years. The Council has used

this appeal derived figure for the purposes of assessing this application. This is considered to be a significant level of undersupply.

- 6.2.2 For the purposes of assessing relevant planning applications this means that the presumption in favour of sustainable development may apply. It is noted that the appeal derived FYHLS figure assumes the new London Plan target of 774 units per annum applies from FY 2019/20 and factors in shortfall in delivery against past targets since 2019.
- 6.2.3 The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 6.2.4 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.2.5 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.
- 6.2.6 This application includes the provision of 75 additional dwellings and would represent a significant 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.

- Affordable Housing

6.2.7 Proposals on public sector land are required to deliver at least 50 percent affordable housing. The proposal would provide a total of 38 affordable units in Block 1 (107 by habitable room), achieving 50.7 percent by unit (or 53.8 percent by habitable room). The remaining 37 units would be provided and located in Block 2. As such, the proposed level of affordable housing would meet London plan Policy H4.A.(4).

6.2.8 London Plan Policy H6 set out the requirements for affordable housing tenure, a minimum of 30 percent social rent, a minimum of 30 percent of London living rent and the remaining 40 percent to be determined by the borough as rented or intermediate product. The proposal would provide 19 social rent units (54 habitable rooms) and 19 London living rent units (53 habitable rooms). The proposed tenure split would comply with the requirements of London plan Policy H6.A. The proposal is therefore considered under the “fast-track” route and no viability assessment is required. Should planning permission be forthcoming and in line with London Plan Policy H5.E, an Early-Stage Viability Review along with the quantum of the proposed affordable housing provision will be secured by a legal agreement.

- Unit Size Mix

6.2.9 LP Policy H10 promotes a range of unit sizes in new development, having regard to robust relevant evidence. Paragraph 2.1.17 of BLP states the 2014 SHMA highlights that the highest level of need across tenures within the Borough up to 2031 is for one bed unit (at 53%) followed by 2 bed unit (at 21%) and 3 bed units (at 20%). The proposal would provide 35 x 1 bed, 28x 2 bed and 12 x 1 bed. It is considered that the proposed housing mix and size are acceptable and would not be contrary to London Plan Policy H10.

- Living space standard

6.2.10 London Plan Policy D6 sets the minimum internal/living space standards for new dwellings, across all tenures. The required gross internal area (GIA) of all new dwellings depends on the number of occupancies, number of floors and housing size. It also sets out size requirements for bedrooms, storage and floor-to-ceiling heights. The standard seeks to ensure adequately sized rooms, functional and fit for purpose development can be provided and development to meet the changing needs of Londoners without differentiating between tenures. The above targets are reflected at the local level by Policy 4 of the Local Plan which seeks to ensure that all new residential units meet the minimum standards prescribed within the London Plan.

6.2.11 The proposed plans indicates that all new homes are designed to meet or exceed the national described space standards and thereby comply with the London Plan. All residential units will be provided with a private

amenity space, in the form of garden area on the ground floor, balcony or terrace on the upper floors. The proposed private amenity space, bedroom sizes, ceiling heights would comply with the requirements and an acceptable level of storage spaces would be provided for each unit. A further outdoor neighbourhood square and a child play area is also provided.

6.2.12 Standard 12 of the Housing Supplementary Planning Guidance states that each core should be accessible to generally no more than 8 units on each floor. Each of the buildings would be provided with two internal lifts accessible to all floors and each core is designed with no more than 8 units.

- Sunlight and daylight

6.2.13 The availability of daylight for the lowest 3 levels of the proposed buildings have been tested. The result indicates that 94 percent of the habitable rooms in Block 1 and 2 would exceed the target value in line with the BRE guidance.

6.2.14 With regards to sunlight, 17 out of 25 living would comply with the BRE targets. The remaining 8 would be below the recommended target mainly due to its orientation (east and west facing) and the presence of balconies. Whilst the presence of balconies would reduce the amount of sunlight, this provision is considered to be essential for residential use. It should be noted that the absence of private outdoor space would not be supported by officers. Overall, it is considered that the proposal layout would result in good quality accommodation for the prospective occupiers.

- Aspect, outlook and privacy

6.2.15 Policy D6.C of the London Plan states housing developments should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 'Optimising site capacity through the design-led approach' than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.

6.2.16 The proposal layout indicates 55 units (73.3 percent) would be dual aspect. Whilst there are 20 single aspect units, the proposal layout is designed to maximise the number of dual aspect units with no single aspect north facing units or single aspect family units (2 or 3 beds). The proposed layout is well designed and welcoming with a residential lobby, with a dedicated and secured cycle and waste storage area in each building. The siting of the proposed building would be similar to the established pattern of development on Station Road and the massing of nearby modern developments. The design and layout indicate that



adequate passive ventilation, daylight and privacy and avoidance of overheating can be provided for each habitable room.

- Communal amenity space and play space

6.2.17 Policy S4 Play and Informal Recreation of the London Plan sets out in Clause B(2) that residential developments should incorporate good quality, accessible play provision for all ages and 10 square metres of playspace should be provided per child.

6.2.18 Based on the proposed unit numbers, mix and tenure, the required play space is 309sqm (30.9 child yield) using a higher bar under "Outer London Category". An area of on-site child play space with play equipment measuring approximately 160sqm would be provided and this would meet the requirements of those aged between 0 to 4 years old. The unmet provision for the remaining age group between year 5 to 11 and year 12 to 17 should be mitigated and a planning obligation of £14,400 to enhance the existing park provision at Queens Garden Park, Bromley Park (Church House Gardens) and/or College Green should be secured by a legal agreement.

- Agent of change

6.2.19 London Plan Policy D13 states the 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 that the established noise and other nuisance-generating uses remains viable and can continue or grow without unreasonable restrictions being placed on the existing uses/activities.

6.2.20 The site is adjoining to a bus stand which can operate 24 hours a day and 7 days a week. As part of this application, a noise assessment including a noise survey and mitigation measures have been submitted which confirm the site would not be unsuitable for residential use. The noise from bus movement has been assessed both in the daytime and night time period which confirm the proposal would meet the required standards. The report indicates that the proposed residential units will require glazing and a ventilation strategy to ensure the noise levels within habitable rooms will comply with the relevant environmental and living standards. Acoustic balconies and screens could also be used where they are facing the bus stand. The proposed glazing should either be double or triple glazed with at least one clearly comprising of acoustic laminated glass (e.g. 8mm glass; 12mm cavity; 8.8mm glass Stadip Silence or equivalent).

6.2.21 The Council's Environmental Health have reviewed the submitted noise survey details including the methodology used in the carried out noise survey. The noise assessment has assessed a Friday morning (daytime 11th November 2022) and applied the levels to night time assessment

criteria as a worse-case scenario. The submitted noise assessment is considered to be a robust assessment.

6.2.22 The Council's Environmental Health have considered the mitigation measures and no objection is raised. Should planning permission be forthcoming, the following details should be secured by planning conditions:

- A scheme of mitigation (covering façade, glazing and ventilation specifications) demonstrate the internal noise level would not exceed 30dB LAeq (night) and 45dB LAmax (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided;
- A scheme to the acceptability of noise impact upon the residential accommodations above and nearby; and
- A post completion stage noise assessment.

Overall, Officers consider that the proposal would provide a good standard of living environment for the future occupiers and would comply with the aforementioned policies and requirements.

- Wheelchair units

6.2.23 Policy D7 of the London Plan requires residential developments to provide at least 10% per cent of dwellings meet M4(3) (wheelchair user dwellings) and all other dwellings (90%) should meet requirement M4(2) (accessible and adaptable dwellings) of the Building Regulations Approved Document M: Access to and use of buildings.

6.2.24 A total of 8 wheelchair units (Building Regulation part M4(3) - wheelchair user dwellings) would be provided of which 4 affordable wheelchair units would be located in Block 1 and 4 private wheelchair units would be located in Block 2. The remaining units are designed to comply with accessible and adapted dwellings requirements (Building Regulation part M4(2) - wheelchair user dwellings).

6.2.25 The Council's Housing Allocations and Accommodation team have reviewed the submitted details and have advised the disabled parking spaces shall comply with the South East London Housing Partnership standard for the affordable wheelchair unit. Details confirming the responsible party providing the additional bays in the future and criteria for its allocation will be required. Should planning permission be recommended, a car park management plan setting out the requirements and details above would be attached. This approach is considered acceptable in principle and this aspect of the scheme would not undermine the objectives of the public sector equality duty.

## 6.3 Design

### - Context

6.3.1 A detailed site analysis reviewing the historic development surrounding the allocated site within Bromley Town Centre was undertaken. The constraints and opportunities of the site and how the proposal will relate to and fits within its wider context have been provided. The site is surrounded by a range of building types, including domestic houses between 2 to 3 storeys in height on Station Road and Glebe Road, office and apartment blocks up to 10 storeys in height on Sherman Road, purpose built office and residential flats up to 10 storeys in height off Northside Road and on Tweedy North and Sherman Road.

### - Layout

6.3.2 London Plan Policy D3 states all development must make the best use of land by following a design-led approach that optimises 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.

6.3.3 Station Road is a one way road with a mixture of residential and commercial buildings. The proposed linear block is designed to echo the established features and pattern of development along Station Road. The existing terrace, semi-detached, detached, and purpose-built residential buildings are spaced out with a relatively consistent front building line with the main door facing Station Road. The proposed buildings are designed with a linear pattern with principal elevations facing Station Road. The proposed layout would enable an active frontage along Station Road at the street level to be maintained. The proposed layout would also offer a higher density than traditional housing stock, providing more housing.

6.3.4 The proposed layout is also designed to maximise the opportunities to improve the relationship with the street and enable a good level of permeable links between Station Road to the wider Site 2. A fully landscaped area is proposed between the proposed buildings blocks. A car park is proposed and provides disabled parking spaces to meet the imminent and future needs of the future occupiers. The private and public spaces of the proposed layout is well defined.

6.3.5 The proposed site layout accords with the key parameters outlined in the draft Bromley Town Centre SPD which include a requirement to provide publicly accessible (east- west) connections to and through the site with a view to improving pedestrian and cycling access. As such, the proposed layout is considered to be well designed and is supported subject to the landscaping and boundary treatments details.

- Scale & Massing

- 6.3.6 The design principles informing the proposed massing strategy which include the requirement for efficient floorplates (afforded by simple rectilinear building forms), and the need to maximise dual-aspect homes (with projecting bays and corner setbacks) which also introduce a domestic grain/feel in response to the low-rise properties to the west are acknowledged.
- 6.3.7 The maximum height of the proposed building would be 6 storeys and is considered to be an appropriate response to the existing context of a height comparable to Northside House, being located in a highly sustainable location.
- 6.3.8 The massing strategy creates a 4 storey datum fronting Station Road with upper floor setbacks to respond to the existing two and three storey buildings on the western side of Station Road. This approach would retain a human scale along the road and provide a good and proportionate transition. A separation distance of 18 metres from the existing 2 storey properties fronting Station Road and Glebe Road is considered to be acceptable in terms of safeguarding the amenities of existing neighbouring residents.
- 6.3.9 Whilst the proximity to the eastern boundary is noted, it is not considered that the siting and layout of the proposal would compromise the existing bus stand operations as there are no ground residential units facing Station Road, except cycle storage, a water plant room, a heating plant room and commercial floor spaces. The commercial floor spaces are designed with dual frontage potential ready to be integrated with the wider Site 2. As such, it is considered that the layout out of the proposal would not have an undue impact on the future development potential of the remaining Site 2.

- Appearance

- 6.3.10 External plants such as an air source heat pump are proposed and would be located at roof level. The proposed shallow pitched roofline would assist to screen the roof mounted plant and this will also help to mediate between the contemporary linear urban block typology and the traditional suburban pitched roof terraces fronting Station Road and Glebe Road.
- 6.3.11 The rationale for introducing a domestic scale to the street facing frontage (projecting bays) with a more civic appearance to the rear is supported. This architectural approach which seeks to delineate the base, middle and top of the buildings using contrasting brick tones is also supported. The proposed use of a lighter brick tone for the upper storey element, muted red brick tone for the main body, and a darker corbelled/recessed brick base is considered to be an appropriate

response to the immediate and surrounding context. The quality of all external materials should be secured by condition.

- Landscape

6.3.12 The key design drivers informing the landscape strategy and the siting of public and semi-private spaces appear well considered. The plaza space has been designed to fulfil several functions; accommodating a central play area and a separate seating area for residents and the wider community to use.

6.3.13 The use of suitably robust paving/materials alongside tree planting to soften the space is considered appropriate. The 'community area' to the north of the site will be particularly important, providing communal external amenity space for residents. The use of a Grasscrete surface treatment should be reconsidered as this has the potential to become an extension to the parking area, should there be any demand arising in the future.

6.3.14 The boundary treatment between the site and the bus stand should be visually permeable to avoid the application site appearing as a separate entity, being detached from the neighbouring parcel of land within Site 2. These details should be secured by condition.

6.3.15 Overall, the proposed architectural approach is considered to be acceptable, providing a good transition from suburban character to urban character. It is considered to positively integrate with the surrounding area. The layout, scale and massing of the buildings have taken into account the site context and its surrounding area being part of Site 2. Subject to the details outlined above, it is considered that the proposal is acceptable at this location.

- Design out crime

6.3.16 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).

6.3.17 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.

- Fire Safety

- 6.3.18 London Plan Policy D12 requires all development proposals to achieve the highest standards of fire safety and requires all major proposals to be supported by a Fire Statement. Policy D5(B5) of the London Plan states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building. The Mayor of London has also published pre-consultation draft London Plan Guidance on Fire Safety Policy D12(A) which supports Policy D12 and sets out what information that is required to be included and submitted as part of any planning application.
- 6.3.19 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 and the future occupants, alarm system and fire suppression system.
- 6.3.20 The application is not referable to the Health and Safety executive because it is below the height requirements to be referred to them. Health and Safety Executive (HSE) have advised that no comment can be provided as the proposal does not require to be referred to HSE.
- 6.3.21 The submitted Fire Strategy is prepared in line with the GLA guidance and adequately assesses the proposed fire safety measures relative to relevant London Plan policy, though as noted in the Strategy the proposal will ultimately be required to comply with the functional requirements of Building Regulations.
- 6.3.22 It is considered that the submitted details are acceptable at planning application stage. New development is also required to comply with Building Regulations.

## 6.4 Heritage

- 6.4.1 Section 16 of the NPPF entitled "Conserving and enhancing the historic environment" contains guidance in consideration of development proposals and their effect on the historic environment.
- 6.4.2 Paragraph 197 of the NPPF states that in determining planning applications local planning authorities need to take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 6.4.3 Paragraphs 201 to 204 set out the process for where a proposal leads to substantial or less than substantial harm to the significance of a heritage asset and the effect of an application on non-designated heritage assets.
- 6.4.4 London Plan Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- 6.4.5 The site is located outside Bromley Town Centre Conservation Area and away from Bromley North railway station but these are the nearest identified heritage assets. The Railway public house is the nearest non-designated heritage asset as a locally listed building.
- Setting of Bromley Town Centre Conservation Area
- 6.4.6 BLP Policy 42 requires development adjacent to a conservation area will be expected to preserve or enhance its setting and not detract from views into or out of the area.
- 6.4.7 Setting of a heritage asset is defined in the NPPF as *“the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”*.
- 6.4.8 The Council's Conservation officer considers that the current open nature of the site is a positive contributor to the identified heritage assets. They consider that the proposal would dominate its surrounding area and have a negative and harmful impact due to its building height. They recommended its building height should be reduced.
- 6.4.9 The introduction of new buildings would inevitably result in a difference or have an impact on its current setting. However, it should be noted that the proposal is located approximately 60 metres from Tweedy Road and would be sited behind No. 67- 69 Tweedy Road. It is also located approximately 50 metres away from the railway line. Along Tweedy Road and Sherman Road, there are a number of existing buildings ranging between 6 to 10 storeys in height, such as Newman court ( a 6 storey residential building), Northside house (a 6 storey office with roof additions) and North Point (a 10 storey residential building).
- 6.4.10 The scale and height of the proposed buildings is considered to be compatible to the modern developments both located outside or adjacent to the BTCCA. The typology of the proposal has taken into account the existing urban grain and pattern of development in the area.

6.4.11 Due to its siting and distance from the heritage assets, it is considered that the proposal would have a minimal impact the setting of the BTCCA and would constitute a less than substantial level of harm on the lesser end of the scale.

- Bromley North Railway Station

6.4.12 Bromley North Railway Station was first listed on the 31<sup>st</sup> August 1990. Historic England listing description states "*Railway Station Built in 1925 by the Southern Railway Company, replacing an earlier timber station. Neo-Classical style. Built of brown brick in English bond with stone dressings and hipped clay tiled roof. Central bay projects under a stone pediment with the words "SOUTHERN RAILWAY". Double height round-headed arched doorway. with bracket keystone and ornate fishscale pattern cast iron grille. Large tripartite sashes with stone surrounds. Dentilled eaves cornice and plinth. Roof has central copper domed cupola on 8 wooden Doric columns. Attached on the Sherman Road elevation is a parade of 6 1 storey shops. also in brown brick with stone cornice, ramped up in the centre to form a gable with large-round-headed opening below with iron twisted columns to fanlight. The shop fronts are divided by brick pilasters with stone capitals. The other side elevation has a sprayed gable and 1 storey offices with a series of sash windows. Classical style Booking Hall with Victorian scroll decoration and further iron grille 3 wooden gables to rear*".

6.4.13 The proposed building would be visible from the railway platform. However, the site is separated by two existing open area car parks and a bus stand (approximately 50 metres away). The proposed building scale and massing is considered to be compatible to its surrounding modern development.

6.4.14 Historic England have advised that no advice can be offered in this case. Given that the scale of the proposed building is compatible to its surrounding buildings, the distance between the site and the listed buildings, it is considered that proposal would have a minimal impact upon the setting of the listed building and would constitute a less than substantial level of harm on the lesser end of the scale.

- The Railway public house

6.4.16 The railway public house is a locally listed building located approximately 100 meters away from the application site and is screened by Northside House. It is considered that the proposal would not have an adverse impact on the setting of this non-designated heritage asset due to the distance.

## **6.5 Transport and Highways – Acceptable**

- Loss of 83 parking spaces



6.5.1 There are five alternative Council operated public car parks and three major commercial privately operated public car parks near to the application site. The available car parks and spaces are as follows:

- Council car parks
  - a. Hill multi- storey car park (752 spaces)
  - b. Civic centre multi-storey car park (491 spaces)
  - c. St Blaise car park (120 spaces weekend only)
  - d. Palace Grove Car park (97 spaces)
  - e. Mitre Close car park (25 spaces)
- Other commercial car parks
  - f. The Glades (1, 500 spaces)
  - g. St Mark's Square (300 spaces)
  - h. NCP the Mall (255 spaces)

6.5.2 A Town Centre parking study is submitted which indicates that there is a reduction of annual usage of Station Road car park in 2019 (pre-covid) and 2020.

Year	Total usage	Percent (+/-)
2015	15,224	N/A
2016	17,545	15.3%
2017	18,337	4.5%
2018	18,621	1.6%
2019	18,343	-1.5%
2020	8,598	-53.1%

6.5.3 The car park study includes an occupancy assessment during the peak weekday and weekend use of the Council's car parks in December 2019 (pre-covid). The occupancy of the following car parks have been combined and assess for the peak month of December 2019.

Car park	Weekday Peak Use	Weekend Peak Use	Weekday Capacity	Weekend Capacity
The Hill	379	379	752	752
The Civic Centre	426	426	491	491
St. Blaise	N/A	47	N/A	120
Palace Grove	N/A	38	N/A	97
Station Road	95	71	83	83
Mitre Close	49	54	25	25
<b>Total</b>	949	1015	1351	1768
<b>Occupancy</b>	70.2%	57.4%		
<b>Spare/surplus capacity</b>	29.8%	42.6%		

6.5.4 The above assessment shows that during the peak month of 2019, for weekdays, the council operated car parks have 402 more/surplus spaces than required. During the weekend, there are 753 more spaces than required. The records indicate that the Hill car park had a 45% higher occupancy than the annual average and the average occupation is 246 compared to the reported 379 reported for December. For the Civic Centre car park usage is 20% higher than the annual average, with an average peak occupancy of 352, compared to the 426 reported above. In addition, on-street parking usage also indicates that there is surplus capacity in 2019 (pre-Covid).

6.5.5 Whilst information in 2020 is also provided, due to the Covid lockdown periods, Officers considered that the information above is more relevant in considering the usage and occupancy of council's car parks. The above information has been reviewed by the Council's highway officers and no objection is raised. It is considered that the loss of 83 parking spaces would not have an adverse impact on the availability of parking spaces in Bromley Town Centre.

- Access

6.5.6 A new vehicular access to the proposed car park would be created, via Station Road. The existing vehicular access would be removed. A Road Safety Audit (RSA) is submitted which indicates there are no significant impacts on highway safety. There is no further assessment required. The cost for any changes of vehicular access shall be met by the applicant.

- Parking standard

6.5.7 Table 10.3 of the London Plan sets a maximum residential parking standard. Development in Metropolitan and Major Town Centres in London, including sites with a PTAL rating of 5 to 6 should be car free, except disabled parking spaces. This proposal would be car free with disabled parking spaces and would meet the London Plan policy requirements.

6.5.8 The site is located within the inner area Controlled Parking Zone which has restrictions in place Monday to Saturday from 08:30 to 18:30 and Sunday from 10:00 to 17:00. In order to ensure the existing on-street parking capacity can be maintained on the surrounding roads and to ensure sustainable transport, it is considered that the right for the future residents to apply for a resident parking permit be removed and this should be secured by a legal agreement.

- Disabled parking space and Electric Vehicle charging point

6.5.9 London Plan Policy T6.1.G requires 3 percent of the disabled persons parking be provided from the outset and demonstrated as part of the parking design and management plan, further details of how the

additional 7 percent disabled parking spaces can be provided would form part of the management plan and details for any planning condition.

6.5.10 The proposed plan indicates that 3 disabled parking spaces would be provided from the outset. The remaining 4 additional spaces can be provided in the same car park by replacement of the planting to disabled spaces, if required.

6.5.11 The Council's highway officers have received the submitted plan and considered that this can be achieved. The Council's Housing Occupation Team have reviewed the proposed plan and considered that the spaces should also meet the South East London Partnership parking standard. The allocation and management including the responsibility to provide the additional spaces should also be secured. Should planning permission be recommended, these details would be secured by planning conditions.

6.5.12 London Plan Policy T6.1.C requires a minimum of 20 percent of active charging facilities with the remaining being passive. The Transport Assessment states that all the spaces will have electric charging facilities, details of active and passive provision should be secured by a planning condition.

6.5.13 London Plan T6.5 sets a maximum level of commercial disabled parking provision in line with Table 10.6 ensuring that non-residential elements should provide access to at least one on or off-street disabled persons parking bay. Officers note that no commercial disabled parking spaces would be provided. However, blue badge holders are benefited from on-street pay for spaces which are located adjacent to the site. Given the size of the proposed units, its location being located within the town centre, and the inclusive accessibility nature of public transport, it is considered that absence of non-residential commercial disabled parking would not be unacceptable in this instance and would not undermine the objectives of the public sector equality duty.

- Cycle parking

6.5.14 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.

6.5.15 The proposed cycle parking provision is in line with the London Plan standards including the provision of non-standard cycle parking spaces for oversized bicycles. A total of 135 long stay spaces would be provided within buildings. A further 4 short stay outdoor Sheffield stand spaces would be provided next to the proposed building. The London cycle design standards have been considered in the design of the cycle

parking spaces. The non-standard cycle parking dimensions are proposed to be 2m in length and 0.9 metres in width each. The breakdown of the residential long-stay cycle parking as follows:

<b>Residential block</b>	<b>Double stacks spaces</b>	<b>Sheffield stands spaces</b>	<b>Non-standard spaces</b>	<b>Total cycle parking spaces</b>
Block 1 (North)	54	12	4	70
Block 2 (South)	50	12	3	65
<b>Total</b>	<b>104</b>	<b>24</b>	<b>7</b>	<b>135</b>

- Trip generations

6.5.16 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. The anticipated movements associated to the proposed uses by car, walking, cycle and pedestrian are tabled as follows:

	<b>Mode</b>	<b>AM Peak Two-Way</b>	<b>PM Peak Two Way</b>
Active Travel	Walk	16	14
	Cycle	1	1
Public Transport	Rail and underground/overground	8	7
	Bus	11	9
Vehicles	Taxi	0	0
	Motorcycle	1	1
	Car passenger	4	4
	Car Driver	8	6
	<b>Total</b>	<b>50</b>	<b>42</b>

6.5.17 The proposal is not considered to have a significant impact on the highway or public transport networks. No objection is raised by the Council's highway division.

- Waste Services

6.5.18 The access to the residential waste storage areas would be via Station Road. The refuse vehicles are expected to collect waste from Station Road. Three on-street parking spaces would be replaced by two loading bays that are proposed, and this would also ensure sufficient spaces can be provided for servicing and deliveries. The Council's Waste Services, and highway division have received the submitted details and considered the locations to be acceptable. The details of dropped kerbs and bin storage sizes would be secured by planning conditions.

## **6.6 Energy and Sustainability – Acceptable**

6.6.1 Paragraph 157 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 Energy Strategy 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 to reduce heating demand, high efficiency lighting in all areas are proposed to reduce the carbon emission of the proposed development. These measures would meet the minimum requirements at 10 percent for domestic use and 15 percent for non-domestic use as outlined in the GLA energy guidance and this is considered acceptable.

6.6.5 No carbon reduction can be awarded under the "Be Clean" category as the inclusion of a Central Heat Power was not considered to be economically viable for the scale of this proposal. The closest existing district heat network is located approximately 700m from the site and not considered to be feasible for this proposal. However, a space for a heat exchanger within the plant room is provided and this will enable future connection to a district heating network.

6.6.6 Under “Be Green” category, a range of on-site renewable energy technologies have been considered. Air source heat pumps are considered to be most suitable and would be used to meet the on-site carbon reduction policy requirements.

6.6.7 This proposal would achieve a 76% percent (7.4 tonnes) onsite carbon saving against Part L 2013 of the Building Regulations Compliant Development. These proposed measures would result in a shortfall of 24 percent (2.3 tonnes) carbon reduction and a planning contribution of £6, 613 should be secured by a legal agreement.

- Overheating

6.6.8 London Plan Policy SI4 sets out expectations for developments to minimise adverse impacts on the urban heat island, reduce internal overheating and reduce the need for air conditioning through their design, layout, orientation, materials and the use of green infrastructure. Major developments should include information in their energy strategy as to how they propose to meet policy requirements in accordance with the cooling hierarchy in Policy SI 4.

6.6.9 The applicant has carried out a Thermal Comfort Assessment in line with the CIBSE TM59 methodology and results show that a 100 percent of the occupied and assessed area would meet the thermal comfort criteria requirements, including all the mitigation measures outlined below:

- glazing with a maximum g-value of 0.4 to all closed windows on the East elevation and 0.5 to openable windows on the south, west and north elevations
- Mechanical ventilation with heat recovery units to operate in summer by pass mode.
- Additional purge ventilation to the east elevation rooms to overcome the lack of natural ventilation from closed windows.
- Living and bedroom tilt and turn windows have a minimum opening angle of 45 degree during occupied hours to allow for further natural ventilation

6.6.10 Based on the information above, it is considered the proposal would meet the policy requirements and is acceptable.

## **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 The site is fully covered by concrete and is adjoining to a relatively busy traffic area and fully built-up area. 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. There were no features within the site considered to be suitable to support roosting bats.

6.7.3 The site is not considered to be of high ecological or biodiversity value. The site is also considered to be of negligible value for foraging or commuting bats. The rail corridor to the east of the site is linked to Sundridge Park Golf Club where there is suitable foraging habitats. The trees adjacent to the site were found to have negligible potential for roosting bat. The existing buildings were constructed with single skin brick construction with roof sheets. The buildings are equipped with bright internal lights and constant vehicle movement in and out of the building and high level of noise.

6.7.4 The site is covered by hardstanding and the conditions of the existing occupied buildings are not considered to have any signs to support bat roosting. Due to the negligible value of the buildings, no further survey is considered to be required.

b) Biodiversity Net Gain (BNG)

6.7.5 Policy G1 of London Plan expects development proposals to incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Policy G5 of the London Plan requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The policy also recommends that predominately residential developments should achieve an Urban Greening Factor (UGF) target score of 0.4. Policy G6 of the London Plan requires developments to amongst other things, manage impacts on biodiversity and aim to secure net biodiversity gain.

6.7.6 The proposal is predicted to achieve a 225 percent for area-based habitable units and 100 percent for hedgerow units. The proposed therefore exceeds the minimum BNG target.

c) Urban Greening factor (UGF)

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.

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.

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 along with a tree protection plan is submitted to identify the likely impacts of the proposal. A total of 13 trees and a further street on Station Road (T13) would be removed and replaced with new planting. These existing trees are considered to be of low quality (Category C) or unsuitable for retention (category U – below 10 years remaining contribution). The list of trees to be removed are as follow:

1. T5 – cherry (Category U)
2. T6 – sycamore (Category U)
3. T8 – Ash (Category C)
4. G9 - Buddleja (Category C)
5. T10 – Apple (Category C)
6. T11 - Apple (Category C)
7. T12 - Apple (Category C)
8. T13 – Red oak (Category C)
9. T15 – Sycamore (Category C)
10. T16 – Elm (Category U)
11. T17 – Elm (Category U)
12. T18 - Ash (Category C)
13. T19 – Sycamore (Category U)
14. T20 – Buddleja (Category U)

6.7.11 The following retained street trees are located outside the application site and various minor crown reduction works are proposed.

15. T1 – Sliver Birch (Category C)
16. T2 – Sycamore (Category B)
17. T3 – Birch (Category C)
18. T4 - Italian Alder (Category B)
19. T7- Firethorn (Category C)
20. T14 – Cherry (Category C)

6.7.12 A street tree located on public pavement will be removed (T13 – Red Oak). It is noted that the submitted tree survey indicates that this tree is suffered from fungal brackets to south and north, likely Ganoderma and sounds partially hollow. The surface roof of this tree is severed/damaged 100mm. This tree does provide a degree of public amenity value. The Council's Street Tree officer has advised any tree that is lost would



attract a compensation amount based on the CAVAT calculation. This would be secured within a Legal Agreement, subject to planning permission being granted.

- 6.7.13 It is noted that a retained street tree (T4- Italian Alder) is located close to the site. Given that there is an existing building already located within its root protection area, it is considered that the proposed development would be unlikely to create any new impact.
- 6.7.14 Whilst the proposal would result in loss of trees, this would be replenished by new planting and associated landscaping works. A total of 9 trees would be replanted within the site. Given that the proposal would not result in loss of moderate or high-quality trees, it is considered that the proposal would meet the policy requirements.
- 6.7.15 The proposed would incorporate an open communal landscaped area. The proposed new trees would include species with modest size canopies planted in a landscaped garden. 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.
- 6.7.16 Should planning permission be forthcoming, details of tree protection measures and root protection plans, including the use of machinery, materials and all preparatory work should be secured by a planning condition.

## **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 and a surface water and foul drainage strategy. The report indicates that the site has a very low risk of surface water flooding and 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 (approximate 175 cubic metres); and;
- Blue roof (approximately 63 cubic metres for each building)

6.8.5 Foul water network generated from the site would be connected and 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 an Air Quality Management Area (AQMA) and also located an Air Quality Focus Area (AQFA) – Bromley Tweedy Road A21/High Street/ Widmore Road A222. An air quality assessment including an updated air quality neutral assessment and updated construction management plan has been submitted. The assessment has had regard to the potential impact of the proposed development on air quality at nearby receptors and the impacts of existing local air quality conditions on future occupiers. The Air quality neutral assessment has included the modelling details of vehicle emissions and traffic data. The results indicates that the trip generation of the proposal is mainly limited to disabled parking, servicing and deliveries. The proposed development is considered to be air quality neutral for both building related emissions

and transport related emissions. As such, no mitigation is therefore required.

- Construction Phase

6.9.3 The assessment indicates the site has a “medium risk” during demolition and construction activities. Should planning permission be recommended, a planning condition securing a construction management plan incorporating the Council’s Control of Pollution and Noise from Demolition and Construction Site Code of Practice 2017 should be imposed. A planning condition to limit the size and the emissions of construction vehicles should 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 desk study report is submitted and has been reviewed by the Council’s environmental health. The details of a site investigation strategy including all investigative works and sampling on site, the results of analysis, risk assessment, remediation strategy and a quality assurance scheme shall be submitted and approved by the council.

**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 submitted noise impact assessment, including a noise survey, indicates that the proposal can achieve the required standard for residential use. The Council’s Environmental Health have considered the submitted details and recommends a scheme of noise mitigation covering façade, glazing and ventilation specifications and demonstrating the internal noise level would not exceed 30dB LAeq (night) and 45dB L<sub>max</sub> (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation and these details should be provided and secured by planning condition.

6.9.7 The proposed residential units would be located above commercial uses on the ground floor. A noise mitigation scheme is also required to ensure the residential units on the upper floors can be protected and maintained

from the activities generated by the proposed commercial units. A further acoustic assessing covering all noise generating fixed plant and a pre-occupation noise assessment should also be provided and secured by planning conditions.

- Construction phase

6.9.8 A construction management plan including details of noise mitigation during the construction stage, servicing and delivery hours shall be submitted and approved by the Council, prior to works being commenced on site.

## **6.10 Impact on neighbouring amenities – Acceptable**

6.10.1 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 ensure they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

- Houses on No. 5 to No. 11 Station Road

6.10.2 A daylight analysis was carried out on the proposed development to ensure good daylight levels according to the BRE guidelines. No-Sky Line (NSL) analysis indicates that adequate daylights can be maintained for all rooms with an exception of one room that would fall below the BRE recommended targets, which is a very minor transgression with the retained NSL levels falling to 0.75 times its former level. Despite this, there remains good daylight penetration to this room with approximately 72% of the floor area maintaining direct sky visibility. With regards to sunlight, all habitable spaces with a southerly aspect will retain excellent level of direct sunlight well above the BRE criteria of 25% APSH and 5% during the winter months.

- Houses on No. 13 to No. 23 Station Road

6.10.3 All the habitable rooms would either retain daylight distribution levels in accordance with the BRE guidelines at 0.80 or are limited to modest deviations from the guidelines within 0.69-0.75 times their existing level. The proposal is not considered to have a significant change in daylight penetration to the neighbouring rooms. With regards to sunlight, all habitable spaces with a southerly aspect will retain excellent level of direct sunlight well above the BRE criteria of 25% APSH and 5% during the winter months.

- Houses on No. 28 to 32 Glebe Road

6.10.4 The NSL assessments for no.28-32 show that the neighbouring rooms retain daylight distribution levels in accordance with the BRE recommendations or are limited to minor shifts of only up to 0.76 times

the former value compared to the 0.80 target. The sunlight assessment demonstrates all habitable rooms with a southerly aspect will either have an annual reduction of no more than 4% or will maintain good levels of sunlight materially in excess of the BRE target of 25 % total APSH and 5% during the winter months.

6.10.5 The rear gardens of these houses would experience a degree of overshadowing effect. The report indicates that a large portion of the rear garden at 28 Glebe Road is marginally below the recommended 2-hour threshold, between 1.6-2 hours. This impact is considered to be minor and unlikely to have a significant impact on the amenity / use of the space across the year.

- Houses on No. 31 to 43 Glebe Road

6.10.6 The report indicates that the central bay windows across 31-43 Glebe Road will retain VSC levels within 0.80 times their former value and therefore meet the BRE target. A first floor window would experience a very minor shift below the VSC target value but retain an absolute level of 26.8%. This is considered to be an unnoticeable shift from the recommended value. The assessment indicates adequate sunlight can be maintained in line with the BRE guidance.

- No. 1 to 3 Babbacombe Road, 1 to 3 Mitchell Road and Babbacombe House a clinic (Wider Site 2)

6.10.7 Due to the siting and distance to the proposed buildings, it is considered that the proposal would not have an adverse impact on daylight and sunlight.

6.10.8 Overall, the majority of neighbouring windows and gardens would meet the BRE recommended targets. Whilst there are areas below the suggested guidance, the retained daylight levels are considered to be good and is not considered to be unacceptable at this town centre location.

- Outlook and privacy

6.10.9 The front windows of the existing houses are facing an open area of car park. It is noted that the outlook and the perceived level of privacy would be affected by this proposal. However, it should be noted that the distance between the front walls of the proposed buildings and the front wall of the existing houses on Station Road is approximately 15 metres. An area of open space is proposed between the proposed building with new planting. Due to this distance and provision of an open space between the proposed building, it is considered that a good degree of privacy and outlook can be maintained at this Town Centre location.

## **6.11 Planning obligations and CIL**

6.11.1 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

6.11.2 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.

6.11.3 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 a legal agreement.

- Affordable and wheelchair housing provision including nomination rights and early-stage review mechanism;
- Carbon offset: £ 6, 613
- Child play: £14, 400
- CAVAT: To be confirmed and agreed
- Loss of 3 on-street parking bay: £ 11,550
- Removal of permit right:
- Amendment of traffic order;
- Two years car club membership;
- Planning obligation monitoring: £500 per head of terms
- Cost of legal undertaking.

6.11.4 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 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF emphasises the need to deliver sustainable development. This concluding section of the report will examine the overall planning balance of the proposed scheme and consider the public benefits of the scheme against identified departure from relevant Development Plan policies.

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

- 7.3 This site forms part of the allocation site in the Bromley Local Plan (Site 2). It is surrounded by a mixture of residential and commercial buildings between 2 to 10 storey in height. The design and layout of the proposal has taken into account the established local context, site policy and development plan policies and would not have an unacceptable level of 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 parking spaces, garage, and storage area, a Town Centre car park study is submitted which indicated that there is a surplus provision across the other council owned car parks. The proposal would include commercial floor spaces providing new job and employment opportunities.
- 7.5 The proposal would provide 75 new residential unit including 38 residential affordable housing, of which 19 units would be social rent and 19 units London Living Rent units. The proposal would positively contribute to the Council's Housing Supply and significant weight should be afforded to this. Three disabled parking spaces would be provided from the outset and is above the car free policy requirements from the outset. A total of 9 new trees would be provided to replace those removed. An on-site child play area and neighbourhood square would be provided.
- 7.6 The proposal would make a positive contribution to the setting and has an appropriate relationship with the surrounding context. The main entrances to the buildings would be facing Station Road which follows the established pattern of development along the road. The scale of the proposal is compatible to the residential development on Tweedy Road, Sherman Road and Northside Road. The layout of the proposal would meet the living space standard spaces with private amenity space. The impact of the proposal is not considered to be significant to the neighbouring properties in terms of outlook, privacy, sunlight, and daylight. The right for the future residents to apply for parking permits will be removed. A robust noise assessment taken into account the adjoining bus stand is submitted.
- 7.7 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. Accordingly, the application is recommended for permission, subject to conditions and the prior completion of a legal agreement.

**RECOMMENDATION**

**PERMISSION SUBJECT TO PLANNING  
CONDITION AND A LEGAL AGREEMENT**

## **SUMMARY OF CONDITIONS AND INFORMATIVES**

### Standard

- Time limit of 3 years
- Compliance with approved drawings and documents

### Pre- commencement

- Land contamination
- Construction management plan and logistic plan, in consultation with TfL
- Tree Protection plan

### Above ground level

- Noise assessment:
  - o Specification of the proposed mitigation measures, all plant and equipment.
  - o Mitigation scheme between the commercial and residential units
  - o All plant and equipment
- Sub-station foundation design in consultation with UK Power Network
- Air quality assessment
- Drainage strategy and highway drainage
- Existing and proposed ground levels around buildings
- Secured by design
- External Materials / samples
- Detail of any relevant commercial kitchen extraction system to be installed
- Servicing and delivery plan
- Landscaping and boundary treatment details in consultation with TfL

### Pre-occupation

- Car park management plan, including responsibility providing further disabled spaces and allocation criteria in consultation with the Council's Housing and Allocation Team
- Post completion noise survey and noise Assessment
- Cycle parking
- Waste storage management plan
- EVCP
- Servicing and Delivery plan
- Landscaping plan and management plan
- External lighting
- Biodiversity enhancement, swift brick and bird boxes
- Updated energy assessment including Be Seen Measures



## Compliance

- All Non-Road Mobile Machinery (NRMM)
- Wheelchair units
- Water usage

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**

- TfL oversail licence
- Network Rail Asset Protection agreement with Network rail's Asset protection and optimisation team
- Compliance with Building Regulation - Fire Statement
- Compliance with Building Regulation - Overheating
- Non-Road Mobile Machinery (NRMM)
- Thames Water
  - o Use of main water for construction works
  - o Groundwater risk management permit
  - o Petrol/oil interceptor to be fitted in car park
  - o Permits to carry out works within 3m from any Thames Water Assets
  - o Maintenance of minimum water pressure
- CIL